

A Requiem to Program-Driven Rural Land Management

Terry VAN DIJK, the Netherlands

Key words: land consolidation, changing context, governance.

SUMMARY

A government can decide to change the structure of rural land use and land ownership. For instance, because the agricultural production structure is impeding a reasonable standard of living in rural areas, or because objectives for non-agricultural land use are to be met. That government then has to find a way to actually realise its policy goals in the physical world. The classical way to achieve change is to implement a program. A program obeys to a pre-defined set of goals that are a reflection of society's needs and desires. It applies a number of instruments that typically need a legal basis, sufficient financial resources and an executive agency. Land consolidation is an example of a large-scale program-driven land management that was applied in most Western-European countries during the second half of the twentieth century.

The classical program-driven approach to rural land management, by its wide-spread application, seems to be the only logical option. This paper suggests that the dominance of this approach is over. It uses the Dutch land management practice as an example of a Western-European country where a transition to other ways of governmental control is taking place. It explores the reasons for this transition and argues that the program-driven approach works fine in a wealthy society where clear objectives can be set and the government has a generally accepted high level of interference.

The paper shows that when a society becomes more complex, more dynamic, and when the choice is made to let market forces instead of policy documents determine the pace and direction of developments, the classical approach can no longer be effective. For such a society, the program-driven approach would be too time-consuming and not cost-efficient. The government then has to play a new role, in which it applies more subtle ways to guide and exploit market-driven processes in rural areas. The paper gives an overview of instruments that suit this type of land management.

The former Eastern Block – currently referred to as Central Europe – is facing profound problems of structure in rural areas. The paper argues that for these countries too, the classical program-driven approach may be better replaced by guidance of market forces. Because restrictions on finances and time demand a new form of rural land management, using land tenure legislation, land registration, transaction costs instead of programs.

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1. INTRODUCTION

Geodesy has a long-standing tradition of being closely connected to land consolidation. For land consolidation means (ex-)changing rights on land and as a consequence newly registering rights on land. The relevance of land registries in land consolidation, geodesists have entered the field of rural land management.

This paper argues that, although it is undisputed that land consolidation is in a process of paradigmatic change, the exact implication of this transition is not acknowledged to the full. For the transition is mainly considered on the level of changing *objectives* that land consolidation is addressing, in particular the integration of considerations of nature and landscape. This process started in the 1970s already, but took a very long time reverberate in the land consolidation practice.

A transition that has received far less attention is the changing *style of governance*. A government can have various roles in society and therefore can choose various ways of intervening in rural space. At first glance, it may seem to bear little relation with land consolidation, but it depends on the style of governance whether the classical program-driven land consolidation practice, that has been so successful in the 1960s and 1970s, is (still) appropriate. A transition in the style of governance may make traditional land consolidation less effective and can demand a search for radically new ways of intervention.

The changing style of governance sheds a critical light on the fact that land consolidation is still considered a good and straightforward choice for rural land management in consultancy and policy-making. Obviously, the successful post-war application contributes to this opinion, but it disregards to importance of modern governance for rural policy instruments.

Section 2 describes a conceptual framework with which we explore the wider framework in which land consolidation nowadays is embedded. In section 3, the characteristics of the classical program-driven approach are analysed through Dutch and German post-war practice, which lead to a process of reorientation in the 1990s (section 4), resulting from a combination of broadening objectives and more egalitarian governance. Section 5 gives a theoretical reflection on this process using insights from policy sciences, that in turn gives raise to implications (section 6) for practitioners, in particular those working in the Central European countries that are facing rural challenges.

2. CONCEPTUAL FRAMEWORK

In short, this paper places land consolidation, being an instrument of rural land management, in the wider – changing – context of governance. For a good understanding of the rest of the paper, this section introduces and specifies the terms that are relevant for positioning land consolidation within policy and society.

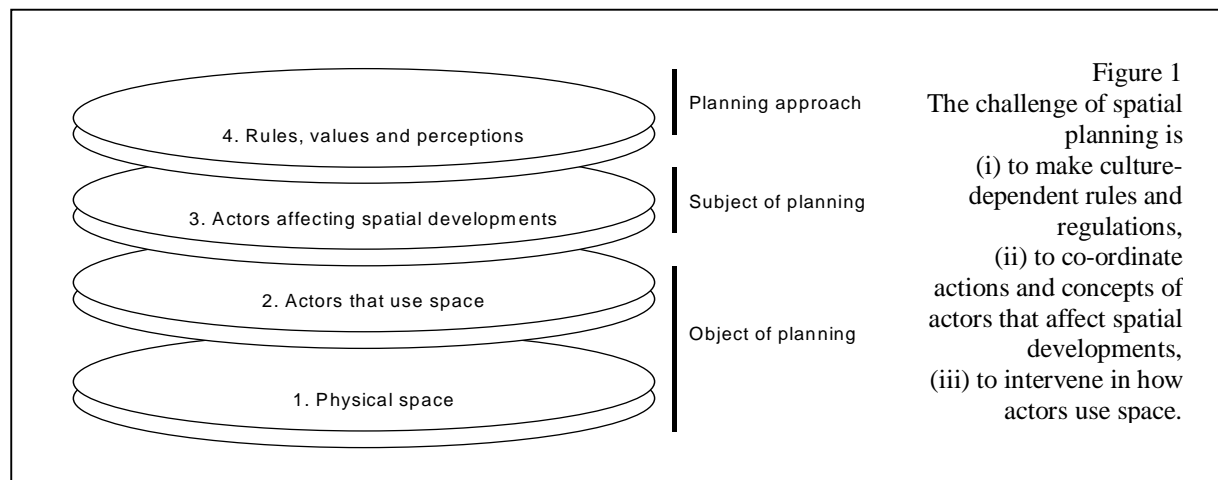
2.1 Spatial Planning

The challenge of spatial planning can best be explained using one of Popper's models of mankind's relationship to the physical world. There are four interrelated layers (Figure 1). The lower two layers are the physical world itself and the people who are using it. On top of these two layers (the object of planning), there is a layer of actors that affect spatial developments, such as politicians, interest organisations and even the media (they are the subject of planning). The upper layer is the layer of the explicit and tacit rules, values and perceptions that colour the observations and actions in the physical world (dictating the planning approach).

Spatial planning holds the challenge of *intervening* in the actions of users of space, *coordinating* actions and perceptions of actors affecting spatial developments and constantly *adjusting* the rules, values and perceptions.

The host of interests, perceptions and consequent problem-definitions complicates landscape planning, especially in the more densely populated parts of the world. Both the decision-making process (challenge of coordination) and the intervention entail a careful assignment of duties and responsibilities among national, provincial and municipal governments and other stakeholders.

Rural land management is a specific field of spatial planning, for which land consolidation is one of the instruments.



2.2 Instruments

When a government has defined spatial policy-objectives (on level 3 with the input from level 4), it needs instruments in order to actually change the physical world (level 1) or the current developments in it. Instruments have the aim to change decisions of actors and their effects on space. So, instruments are relationships within level 3 and between levels 2 and 3.

Instruments can be normative, which means that the actors that are the object of the instrument are stimulated to change their behaviour and cannot withdraw from it. For instance, an environmental instrument is eco-tax on fuel that is imposed on every car driver (being the object of the tax). The tax aims at changing existing behavioural patterns, i.e. reducing car mobility.

Other instruments are value-free, which means that the actors that are the objective of the instrument can voluntarily opt for using a regulation that is probably beneficial to them, but have the freedom to refrain from using it. For instance, a subsidy on insulation of owner-occupied dwellings can be used on demand, with the aim of reducing the emission of carbon dioxide from heating installations.

2.3 Land Consolidation

The term 'land consolidation' does not necessarily refer to an instrument. It can also address the process of enlarging land use units, regardless of its driving force. However, we generally refer to the locally supported voluntary procedure for establishing a new spatial allocation of ownership and/or use within a predefined rural area. The targets for the area are not essential for the concept (even ecology could be the main drive; Van Lier, 1998), although traditionally, agricultural land use optimisation has been the main objective.

Land consolidation projects typically involve several hundreds of participants. Due to the large numbers of participants and the complexity of the tasks, a fully voluntary approach soon proved impossible. Therefore, there is typically a majority-rule that can force a stalling minority to co-operate for the sake of the project as a whole. As a consequence, legal provisions emerged in order to facilitate majority-rules and at the same time 'protect the rights of the participants to the greatest extent, compatible with the general interest' (FAO, 1962).

Land consolidation is instrument, thus serving as a connection between layers 2 (land users) and 3 (Ministry of Agriculture, nature preservation, etc.) in Popper's model. Although initially focussed on improvement of agricultural viability (value-free), in most Western European countries it is now integrated in spatial policy, thus becoming a normative instrument (see section 3.3).

3. THE CLASSICAL PROGRAM-DRIVEN APPROACH

In order to illustrate what the classical program-driven approach is like, this section describes how land consolidation has been used by the Dutch and German government throughout the twentieth century. The history of land consolidation in these countries (also see Van Dijk, 2003) shows three phases that are typical to the program-driven way of intervening in society: the government establishes a Land Consolidation Law, the Law is enhanced during the period that it is applied, and it takes more troublesome extensive revision when the needs of society change.

3.1 The Government Makes the Rules

The first governmental involvement in rural land was a reaction on problems of fragmentation that frustrated food production. Governmental commissions designed procedures that were translated into national legislation. Land consolidation by Law in the Netherlands started in 1924. The first Bavarian Land Consolidation Law was adopted in 1861 already, after a period of fifty years in which experts tried to attract attention to the need for a legislative consolidation instrument. The first Laws were not really successful, mainly because little financial and organisational support was given and the rights of reluctant farmers were relatively strong.

Just after World War II, the issue of parity between the rural and urban standard of living arose all over Europe and there was a strong awareness of the importance of food security. There was a general urge to rebuild and expand agriculture. The typical reaction was to use land consolidation as a tool. In the heydays of land consolidation, the instrument was embedded in explicit programs (or campaigns, if you like) for rural improvement.

In the Netherlands, the introduction of the 1954 Law – that entailed a number of appealing financial incentives – caused land consolidation to play a role of national importance and the number of requests soon exceeded the available budget by far. A priority scheme had to be made in order to secure coherent policy and to prevent discouraging waiting applicants (CCC, 1958). This multi-annual plan defined targets for land consolidation policy, as well as requirements for requests and a measure for urgency that involved only agricultural considerations.

When Germany started stimulating structural improvements in agriculture in order to close the parity-gap, land consolidation was applied as one of the instruments to achieve this. The so-called *Lübke*-plans were the leading documents for this agricultural restructuring operation.

3.2 Adjustments to Enhance Effectiveness

Land consolidation is executed according to a procedure that secures the interests of participants (their rights and duties throughout the phases of the project) and the bodies and agencies involved. Such a procedure can follow various models and can apply various criteria and details. In Dutch and German land consolidation history we can observe continuous fine-tuning of the procedure in order to raise its effectiveness.

3.2.1 Dutch Practice

Table 1 gives an overview of the successive Dutch Land Consolidation Laws and their approximate content. The first Dutch Law stipulated that a request for land consolidation had to be supported by a quarter of the landowners. For the final decision on the execution of the project a double majority was needed: half of the landowners had to vote in favour and those in favour had to represent half the project area. Participants that refrained from voting were counted as being in favour. Under this first Law, very little projects were executed. Between

1924 and 1936, only 36 requests were filed for only 12,000 hectare, from which 2,500 hectares were never executed because they were voted against.

The double-majority rule was not changed until a new Land Consolidation Act came into place in 1938. From then on, half of the owners or owners representing half the project area had to vote in favour. In addition, the 1938 revision of the Land Consolidation Law meant that demands from then on could not only be filed by farmers (with a minimum of one-fifth of all owners), but also by interest organisations, municipalities, Water Management Boards and other institutions. Economic recession and wartime inhibited a real boom in requests.

	<i>Request</i>	<i>Decision</i>	<i>Costs</i>	<i>Tenants rights</i>
<i>1924 Law</i>	25% of owners	Double majority	All costs paid by owners in 10 annual instalments	Tenancy is reallocated with ownership
<i>1937 Tenancy Law</i>	<i>Tenancy rights had to be in writing and the agreement could not be dissolved suddenly</i>			
<i>1938 Law</i>	20% of owners, agricultural interest organisations, bodies of public right	Single majority	Overhead costs paid by state. Subsidy on construction work. Rest in 30 instalments or in land	Unchanged
<i>1941 revision</i>	<i>The discount is allowed to exceed 5% under special circumstances</i>			
<i>1954 Law</i>	Unchanged	Unchanged	Number of subsidy arrangements increased	Considerations of tenancy and ownership are equally important
<i>1975 revision</i>	Tenants receive the right to vote Non-voters no longer are pro-voters			
<i>1985 Law</i>	Land consolidation was no longer an autonomous instrument, but subject to considerations of spatial policy.			

Table 1: Developments in land consolidation legislation.

Sources: Krombeen (1951) and Greve (1988)

A turning point for the success of land consolidation was the introduction of the new Land Consolidation Act in 1954 that coincided with strong economic growth. The most important changes were more subsidies, more physical measures and equal right for tenants and owners in the project (Van der Wulp, 1967; Greve, 1988).

Under these conditions, the number of requests practically exploded and a high and stable acreage became subject to land consolidation projects. The resistance, expressed in the number of projects voted against, diminished.

The voting system remained the centre of dispute. Small farmers, in certain cases without real interest in land consolidation projects, formed a large majority, although in acreage they might represent only a small share. They were not prepared to vote, but counted pro. The remaining farmers often were offended, convincing each other that they did not have a chance in stopping the project. Consequently, large numbers refrained from voting and

because non-voters were counted as pro-voters, the project nonetheless would be executed. In 1959 there was a vote for the 'Koningsdiep'-project. Out of 2860 owners, 215 voted in favour and 1176 voted against (Smit and Koning, 1973). But as the rest refrained from voting, according to the law this was a positive voting-result. In 1975 the rule of non-voters are pro-voters was abolished.

3.2.2 Bavarian Practice

	Requirements for execution	Party responsible for the execution of the project	Projects completed
1861 Law	Four-fifth of the number of farmers, the acreage they cultivate and the tax they pay have to be in favour.	Farmers themselves, without support	Hardly any
1886 Law	Half the number of farmers, the acreage they cultivate and the tax they pay have to be in favour.	Land consolidation authority	896 projects; 126,366 ha
1922 Law	One-third of the number of farmers owning half the acreage they cultivate have to be in favour.	Body of Participants, with support	167 projects; 65,933 ha
1954 Law	Decision is made by higher land consolidation authority	Body of Participants, with support	no data
1976 Law	Decision is made by higher land consolidation authority	Body of Participants, with support	ongoing

Table 2: Evolution of land consolidation legislation in terms of (1) requirements for the execution, (2) responsible party for execution and (3) projects executed within the time the Law was active. Source: Strössner (1986)

The Bavarian land consolidation procedure experienced similar adjustments as the Dutch procedure (for an overview see Table 2). The 1886 Law tried to meet the first adjustments that were intended to make the Law work. The majority-rule that obviously frustrated the first Law (1861) was changed into single majority with respect to number, area and taxes. Moreover, it provided in a special authority supervising the land consolidation projects, a simplified procedure and reduction of related costs.

Despite the fact that farmers were obviously interested in land consolidation, the 1886 Law was changed again in 1922. The pace had to be speeded up and efforts from the land consolidation authority had to be relieved. The major adjustments were:

- increasingly less restrictive requirements for execution; now only one-third of the landowners, owning more than half the area had to be in favour
- decentralising the land consolidation authority structure
- Body of Participants being responsible for the execution. This provision filled an important lack of civilians' participation. From then on, the participants are directly involved in the determining the content of the plan. Planning and execution are the responsibility of one body.
- an expert chairs the Board
- a special court for land consolidation disputes

With these adaptations, the Land Consolidation Law has in essence stayed the same until today and the popularity of land consolidation steadily rose, although the Bavarian Law is now framed in the national German Law. Slight adaptations were made in 1954, when the Federation voted on a national Law. Bavaria opposed to national legislation and used its veto, but the Law was adopted nevertheless. The Bavarians succeeded in introducing a lot of typically Bavarian provisions into the national Law. For example the Body of Participants was introduced.

3.3 Incorporation of Broader Objectives

During the 1960s, Dutch land consolidation was successful, propelled by the economic growth. But the resistance grew towards the negative implications that scaling up had for the landscape. Therefore, despite its success as far as the number of adopted projects was concerned, the 1954 Land Consolidation Act was evaluated in the years 1964-1968 by a special working group that found particularly disturbing the limited objectives (only agricultural interests) and insufficient ties to spatial planning (Witt, 1968). Despite the criticism, the working group did not plea for a totally new, more comprehensive instrument, but suggested a revised version and special laws for specific areas.

Soon after the commission completed its work, the land consolidation budget was restricted, meaning reduced initiation of new projects (a maximum of 40,000 ha per year from 1974 on) and an increase of the share the farmers would have to pay (Greve, 1988). The explicit target of farm enlargement soon disappeared from the land consolidation plans (Van de Kamp, 1994).

In 1985, long after the first serious attempts to reform land consolidation, new Law was established (the draft law had been deposited in 1979 already). The clarification attached to the new Act listed the essential improvements in comparison to the 1954 law:

- agriculture was no longer the main focus of land consolidation projects. The law can be used for adapting the project area to all land use that take place or will take place,
- a project will imply a balancing of several land use options in the light of national spatial planning,
- decision-making is no longer limited to the land users and land owners of the project area, because intentions can be non-agricultural.

The new Law made land consolidation subordinate to spatial planning, and thus it became a normative instrument. The new Law enabled projects that strengthened and integrated several types of land use. The dominance of agriculture was supposed to be erased. It provided in four types of projects; a division similar to the division made already in the German Law of 1954. The relationship with spatial planning was tightened through the involvement of the provincial parliament in the initiation.

In practice, however, the achievements in terms of broader planning were disappointing. The change in legislation proved insufficient to make an actual difference. The environmental organisations were not satisfied and pointed out that their influence in the process was still too limited. As a consequence, a commission was appointed to advice on altering the

procedure. The conclusions included focussing on improving the project area instead of the separate sectors represented in that area, and more importantly, changing the constitution of the executive organisations (Gorter, 1990).

In Germany, the need for goals beyond agricultural-economic ones was acknowledged much earlier (Schneider, 1967). Not because of sustainability but for social-economic considerations. Merely supporting high-productive agriculture in unfavourable conditions for non-agricultural employment might lead to abandonment and 'social erosion' of agricultural regions.

In the 1960s, non-agricultural goals received increasing attention in land consolidation projects (Hottes *et al*, 1975). Land consolidation was embraced as an ideal instrument for comprehensive rural development (Dams, 1967). The goals as stated in §1 of the 1954 land consolidation Act did not oppose to this stalking broadening. Broader goals were also permitted by §37. The *Höcherl*-plan from 1968 officially made spatial planning prevail over agriculture in land consolidation projects. Over time, this development was underlined by the re-naming of the former departments for land consolidation (Schlosser, 1999).

For some, the system did not give enough room for non-agricultural interests. Hottes *et al* (1974) plead for limiting the power of the Body of Participants that would block developments they experienced to be too threatening. Others wondered whether the decaying consideration of agricultural interests did not offend the legitimacy of land consolidation actions (Ernst, 1973, p.70).

The renewed Law of 1975 did not actually change the procedure and ecological and agricultural interests did not cease to collide. In the 1970s, conservation of nature and environment became an issue that did not leave land consolidation unaffected. Land consolidation became the centre of dispute between ecology and economy.

The increased complexity and acreage of the projects that were executed under the 1975 Act caused problems. The time-span between initiation and conclusion rapidly increased and the number of projects in execution dropped continuously between 1975 and 1995 (from 3,800 to 2,200; Schlosser, 1999). Nonetheless, the earlier rivalry between agricultural and landscape considerations was replaced by harmonisation (Dippold, 1990; Thöne, 1997).

The most recent legislative adaptation took place in 1994, making land consolidation explicitly a tool for solving conflicts between several types of land use (new §86; Thöne, 1997).

4. REORIENTATION DURING THE 1990s

Halfway the 1990s, Dutch land consolidation practice became aware that things had changed and that land consolidation lagged behind these changes. The lengthy land consolidation procedures were no longer suitable for optimising parcelling. Agriculture had become much more dynamic, and thus required simpler, faster and more flexible instruments. Land consolidation procedures took well over 10 years. A time-span within which the goals set at the beginning of a project could very well have changed considerably before the project's completion.

Ideas for improvement were generated by several working groups. The process was called 'herijking' and the main objectives were to save time and money. Governmental budgets for agricultural restructuring were dropping and the projects took so much time that plans were outdated before they were completed.

Both Van den Brink (1996) and Holtslag and Van Vugt (1997) point out that information management needs careful consideration. When certain data are not transferred to a certain (group of) stakeholders, misunderstandings and mistrust can rise very easily. New participatory ways of project management are gaining importance. For land consolidation in particular, it is considered essential to provide in moderators that are especially trained for this type of negotiation and are have an absolutely neutral attitude toward the outcomes. The eventual success depends on a common sense of the area's problems and a common interest in achieving solutions (Holtslag and Van Vugt, 1997).

Like in the Netherlands, the German land consolidation practice came under paradigmatic revision in the 1990s of which books like 'Rural land management in changing times' (Schlosser, 1999) and 'Land has the future' (Glück and Magel, 1990) give notice. The reason was of a different nature than in the Netherlands. Schlosser even relates this movement to the reunification of Eastern and Western Germany. The aim of the '*Novellierung*' was to create an instrument that has a much broader scope than only parcelling. The new-style land consolidation represented simplified procedures that allowed the consideration of village expansion, village renewal, environmental protection, nature conservation and landscape improvement.

In addition the emphasis in the most recent revisions is on an increase in the speed and on cost-efficiency. The reasons for this are the decaying governmental financial resources and the increasing dynamics in agriculture. In both cases, unnecessary actions are avoided, which is sensible for the targets but it can mean reduction of participants' securities.

Thurmaier (2002) gives an overview and relates changes to a broad reconsideration of the role of the government within society. The German federation pursues limitation of governmental responsibilities, improved cost-efficiency and simplicity and transparency. As a consequence, the workforce on the land consolidation agencies has to shrink substantially (29% before 2005), but the organisation structure remains untouched.

Concrete proposals for how to change the land consolidation practice are prepared by several working groups, composed from employees of related agencies as well as from organisations that represent employee-interests. There is a distinct urge for revision of the system of rural land management, but it is not yet clear in which direction solutions will be sought.

5. ALTERNATIVE MODELS OF GOVERNANCE

In search for the reason for the paradigmatic crisis of the 1990s, I argue that changes in governance deserve as much attention as the substantive changes (i.e. the objectives of land consolidation) that generally receive most of the attention. For the broadening of objectives alone does not explain why effort was made to make procedures less costly and time-consuming and more flexible. The new role that Western governments were taking on, as a reaction to the society-wide over-regulation in the 1970s and 1980s, does. And it also

explains why efforts of *adaptation* of the existing instrument have been little successful, namely because new governance demands *reinventing* intervention.

5.1 Developments in what the State Represents

All policy-instruments are a product of the state that applies them. A state is constantly evolving in terms of its role, conduct, position and institutions. A state is in a continuous process of reorganisation (Goverde, 1999, Kersbergen *et al*, 1999) and subsequent reinvention of regulation (Majone, 1992). There are two main types of states: a state that reflects society, and a state that is separated from society.

When a state reflects society, in particular the social and economic forces within, the state cannot act autonomously. All actions result from negotiations with – and need approval of – corporate actors in society. The state's main responsibility is to stimulate economic sectors (education, research) and to manage crises (diseases, flooding).

A separated state has the willingness and the power to impose regulations that conflict with the opinions in society, using its monopoly on means of force such as army, police and taxing (Evans *et al*, 1985).

In most post-industrial Western countries, the state is not in a position to impose regulations (Forsthoff, 1971). Western states have become dependent on the cooperation of corporate actors for effectively implementing policy (Perrow, 1991; Laumann and Knoke, 1990). This dependency has grown in the past decades for a number of reasons:

- cultural factors; people express a need for equality in the relationship between civilians and state. Force is replaced by respect for individual opinions (Stout, 1994),
- the complexity of planning problems, involving a host of issues that are dynamic as well. Deciding on such problems requires specialised and technical knowledge that the government lacks, but is readily available in society, making cooperation a low-cost and effective option (also see Fischer, 1990),
- the emergence of a layer of corporate bodies between the state and the civilians ('neo-corporatism'). The corporate bodies represent groups in society. In the decision-making, they bargain discipline of the group they represent against influence on the establishment of policy. Without consensus between government and corporate bodies, no regulation can be effective. Does the state still have subordinates (Stout, 1994)?
- the public support for policy, and thus the effectiveness of implementing that policy, is better in a horizontal planning approach. Decisions that have been taken in a context of equality and argumentative discourse are easier to implement than one-sided decisions, a logic that was also applied by Gordon (1970) in the context of raising children.
- the legal system in which the government itself has incorporated so many ways in which civilians can defend themselves against governmental imposition that it has lost the power to intervene in people's lives without their consent (De Vroom, 1994).
- the demand for intervention that connects to specific regional conditions (Driessen *et al*, 1995); generic regulation is a typical frustration to rural policy,
- planning faces problems for which no unequivocal solution is available because no information is available that can be measured objectively and there is no consensus about the relative weight of the criteria used in problem solving (De Bruijn *et al*, 2002).

5.2 Types of Intervention

There is an extensive body of literature on what the recent trends in Western societies mean for governmental intervention, of which instruments for land management are an example. Although this literature has not yielded a well-defined set of models that are discerned in international practice of governance and planning, there appears to be an important convergence among all forms and denominations that are described.

Among policy-scientists, there seems to be consensus that Western societies are evolving toward a model of horizontal governance, opposite to the classical vertical approach. Various accents and labels are used: Forester (1993) refers to 'practical-communicative versus instrumental', Driessen *et al* (1995) to 'network planning versus hierarchical planning', De Vroom (1994) to 'negotiation network versus neo-corporatism', De Bruijn *et al* (2002) to 'process management versus project management' and Carton *et al* (2002) to 'development planning versus admittance planning'. But they all refer to the same change in governance as a reaction to societal changes and to the apparent ineffectiveness of the classical approach.

5.2.1 Classical Vertical

In the vertical approach, the state has a central role in society and from this position – in the top of the societal pyramid – it aims to control civilians and private organisations. The process of establishing and implementing policy mainly takes place top-down. The centre of power determines how things should be done and then makes a program to achieve the required changes. Policy is mainly a matter of control. Legislation is an important way to retain this control (for instance through permits).

Vertical governance:	Horizontal governance:	
· Hierarchy-oriented	· Network-oriented	(Driessen <i>et al</i> , 1995)
· State outside society	· State within society	(Goverde, 2000)
· Participation means obstruction	· Participation is an opportunity	(Forester, 1993)
· State can act independently from society	· State heavily depends on other actors for achieving objectives	(idem)
· Uncertainty is undesirable	· Uncertainty is valued for its opportunities	(Stout, 1994)
· Application of legal and financial instruments	· Consensus is laid down in covenants	(idem)
· Two layers: government and individuals	· Multiple layers: government, interest organisations, market parties, individuals	(idem)
· Unilateral	· Joint responsibility	(Gray, 1989)
· Linear decision-making and implementation: phases	· Cyclic decision-making and implementation: rounds	(De Bruijn <i>et al</i> , 2002)
· Problems are tackled by a project-wise approach	· The planning- <i>process</i> is managed instead of the project	(idem)
· Problem description is starting point for planning	· Problem description is one of the challenges	(idem)
· Decide, Announce, Defend	· Dialogue, Decide, Deliver	(Van den Bosch, 1995)
· External corrections of behaviour	· Internalising new values	(De Vroom, 1994)
· Stability, predictability	· Dynamic, unpredictability	(de Bruijn <i>et al</i> , 2002)
· Power based decision-making	· Interest based decision-making	(idem)

Table 3: Characteristics of the classical style of governance versus modern trends.

The vertical approach in retrospective is an icon of the 1970s and 1980s, a period in which belief in the malleability of society made the state intervene ever deeper and more frequent into civilians' lives.

5.2.2 Experimental Horizontal

The horizontal approach acknowledges that the state is not the only actor that can be and should be responsible for problems in society. The state is just one of the actors in an arena of others. Instead of using rules and procedures to control society, it negotiates with changing sets of actors. These sets are composed according to the problem at hand. Also, the ways in which decisions are laid down vary, from contracts to covenants.

Successful governance through horizontal structures (networks) requires that all involved acknowledge their mutual dependency. All involved have to want something the other can provide and also all involved must be able to offer something in advance, i.e. have the flexibility to make concessions to the others. The intention is to achieve a gain-gain situation. This is important because participation in a network is voluntary and actors can join or leave throughout the process. Without mutual dependency, horizontal governance is useless.

5.3 Threats and Opportunities for both

Governance is not a matter of black and white, of an ideal model and an inferior model. The horizontal model is a way to face the shortcomings of the classical approach. In theory it has a number of advantages in certain situations, but has yet to be put through practical testing.

The classical approach is a successful model for problems that need harmony on an agreed national course, like issues of mobility and ecological networks. It is also effective in cases of precarious situations that need quick response, like veterinary calamities. And for straightforward problems that are relatively easy to comprehend, it has important benefits.

In this model, it is crucial for the government to have proper insight in the situation and processes among groups of actors. Scientific research may enhance such insight. This requirement may cause a process of specialisation within the government, especially when society becomes more complex. This in turn causes fragmentation of knowledge and inflexibility with regard to changing problems.

Section 3 shows some of the difficulties arising from the vertical approach. The continuous adjustment of details in the procedure is obviously not effective in a dynamic context. Moreover, the incorporation of new objectives was achieved only with great delay.

The vertical approach by nature may cause a lack of public support for state policy. It may even trigger opposition, not for its content but for its commanding communication. Effectiveness may also be obstructed by the typical separation of policy-making (on the national level) and policy implementation (provinces and municipalities).

The latter two disadvantages do not apply to horizontal planning. Because the actors have shared a joint responsibility, there will be support for the decisions and proper coordination of policy implementation.

This horizontal model does however hold a number of dangers, for instance that the objective of achieving consensus gains priority over effectively solving the problem. In that case, the process eclipses the need for managing the problem. Another danger is that the network, that is inherently selective because it is not practical to have too many parties around the table, leaves out people that become offended because they are not invited. And the parties that were involved must have sufficient discipline among the group they represent to make them obey the decisions that were made.

It is not a matter of what model to choose, but what model for what situation. Complex problems benefit from network-approach for concrete solutions, but that approach may need in turn a hierarchic framework that sets abstract and general policy.

6. IMPLICATIONS FOR PRACTITIONERS

What does the emergence of vertical planning mean for land consolidation practice? We have to bear in mind that (1) vertical planning primarily applies to the way the government communicates with corporate actors, and (2) that it must be understood as a first attempt to overcome the impediments of classical planning and not as an ideal new model.

It does however put land consolidation in a wider perspective, which may prevent us from considering land consolidation as an independent system that can be tuned to any context. The context of governance may demand a radically new line of acting.

An example for the relevance of this is Central Europe, where socialism and the transition to market economy in the 1990s resulted in an agricultural holding structure that is unfit to competitive farming within the EU. Western consultants promote copying land consolidation to their specific context.

It would be enriching to consider other ways of intervention as well in the search for solutions. For the hierarchic approach may very well be counterproductive as it resembles socialist ways of intervention. Participatory ways of communication are likely to have advantages. In addition, time and money are as scarce as in Western Europe, so the adjustments that were made in the 1990s are as desirable for Central Europe as for Western Europe.

REFERENCES

- Carton, L., Mayer, I., De Jong, M., Leijten, M., Scalzo, R., Dammers, E. and Verwest, F. (2002) The urban network game: innovations in development planning. In: Mayer, I. and Veeneman, W. (eds.) Games in a world of infrastructure: simulation-games for research, learning and intervention. Delft: Eburon
- CCC (Centrale Cultuurtechnische Commissie (1958) Meerjarenplan voor ruilverkaveling en andere cultuurtechnische werken in Nederland. The Hague
- Dams, T. (1967) Neuordnung des ländlichen Raumes als Aufgabe der Agrar- und Wirtschaftspolitik. In: Bundesministerium für Landwirtschaft. Die Entwicklung des ländlichen Raumes als Aufgabe der Raumordnungs- und regionalen Strukturpolitik. Schriftreihe Flurbereinigung, Volume 48, pp. 50-64
- De Bruijn, H., Ten Heuvelhof, E. and In 't Veld, R. (2002) Process Management: why project management fails in complex decision making process. Dordrecht: Kluwer Academic Publishers
- De Vroom, B. (1994) Onderhandelend bestuur" een nieuwe vorm van maatschappelijke sturing? In: Stout, H.D. and Hoekema, A.J. (Eds.) (1994) Onderhandelend Bestuur. Zwolle: Tjeenk Willink
- Dippold, R. (1990) Wechselwirkungen zwischen Landschaftspflege und Agrarstruktur in der Flurbereinigung. In: Allgemeine Vermessungsnachrichten nr. 4, pp. 133-138
- Driessen, P.P.J. (1990) Landinrichting gewogen: De plaats van de milieu-, natuur- en landschapsbelangen in het landinrichtingsbeleid. Zeist: Kerckebosch
- Driessen, P.P.J., Glasbergen, P., Huigen, P.P.P. and Hijmans van den Bergh, F. (1995) Vernieuwing van het landelijk gebied: Een verkenning van strategieën voor een gebiedsgerichte aanpak. The Hague: VUGA
- Ernst, W. (1973) Die Entwicklung der Landschaft und das Bodenrecht. Bonn: IKO, pp. 67-72
- Evans, P.B., Rueschemeyer, D. and Skocpol, Th. (1985) Bringing the state back in. Cambridge
- FAO (1962) Principles of Land Consolidation Legislation. Rome
- Fischer, F. (1990) Technocracy and the politics of expertise. London: Sage
- Forester, J. (1993) Critical theory, public policy, and planning practice: toward a critical pragmatism. Albany: State University of New York Press
- Forsthooff, E. (1971) Der Staat der Industrie-Gesellschaft: Dargestellt am Beispiel der Bundesrepublik Deutschland. München: Verlag C.H. Beck
- Glück, A. and Magel, H. (eds.) (1990) Das Land hat Zukunft: Neue Perspektiven für die ländlichen Räume. München: Jehle Verlag
- Gordon, T. (1970) Parent Effectiveness Training. Amsterdam: Elsevier
- Gorter, J. (1990) Perspectieven voor landinrichting: toekomst voor een multifunctionele landinrichting. Commissie voor Multifunctionele Landinrichting. 's Graveland
- Goverde, H. (2000) Waardeconflicten over rurale ontwikkeling. In: Nelissen, N., Goverde, H. and Van Gestel, N. Bestuurlijk Vermogen: analyse en beoordeling van nieuwe vormen van besturen. Bussum: Continho
- Goverde, H.J.M. (1999) Statemaking as an uncompleted process. In: Nelissen, N.J.M., Renewing Government: innovative and inspiring visions. Utrecht

- Gray, B. (1989) Collaborating: finding common ground for multiparty problems. San Fransisco: Jossey Bass Publishers
- Greve, N.H.A. (1988) Ruilverkavelingen. In: H.P. de Bruin (ed.) Het Gelders riviereengebied uit zijn isolement. Zutphen: De Walburg Pers, pp. 208-230
- Holtslag, B.A.M. and Van Vugt, P. (1997) Vernieuwde landinrichting in de praktijk (deel 2). Landinrichting (37):6, pp. 21-26
- Hottes, K., Becker, F. and Niggemann, J. (1975) Flurbereinigung als Instrument der Siedlungsordnung. Schriftreihe Flurbereinigung, volume 64
- Hottes, K., Teubert, R. and Von Kürten, W. (1974) Die Flurbereinigung als Instrument aktiver Landschaftspflege. Schriftreihe Flurbereinigung, volume 61
- Krombeen, C. (1951): Aspecten en problemen van de ruilverkaveling. Delft
- Laumann, E.O. and Knoke, D. (1990) The organisational state: social choice in national policy domains. London
- Majone, G. (Ed.) (1992) Deregulation or Re-regulation? Regulatory reform in Europe and the United States. London: Pinter Publishers
- Perrow, C. (1991) Eine Gesellschaft von Organisation. In: Journal für Sozialforschung, 29 (1) pp. 3-21
- Popper, K.R. (1978) Autobiografie. Utrecht: Het Spectrum
- Schlosser, F. (1999) Ländliche Entwicklung im Wandel der Zeit: Zielsetzungen und Wirkungen. Dissertation Technische Universität München
- Schneider, H. K. (1967) Die Entwicklung des ländlichen Raumes als Aufgabe der Raumordnungs- und regionalen Strukturpolitik. In: Bundesministerium für Landwirtschaft. Die Entwicklung des ländlichen Raumes als Aufgabe der Raumordnungs- und regionalen Strukturpolitik. Schriftreihe Flurbereinigung, Volume 48, pp. 9-21
- Smit, J., N. Koning (1973) Ruilverkaveling en Landinrichting. Wageningen: Boerengroep
- Stout, H.D. (1994) Het convenanten-sluitend bestuur: een bestuurswetenschappelijke benadering. In: Stout, H.D. and Hoekema, A.J. (Eds.) Onderhandelend Bestuur. Zwolle: Tjeenk Willink
- Thöne, K.F. (1997) Land consolidation – an effective instrument for rural development. In: Zeitschrift für Kulturtechnik und Landentwicklung 38, pp. 49-53
- Thurmaier, C. (2002) Einsatz von GIS-Technologien in der Landentwicklung – Effizienz- und Qualitätspotentiale vor dem Hintergrund von Verwaltungsreformen. Dissertation Technische Universität München
- Van Ark, R. and Van den Brink, A. (2002) Minder rijksinvloed, hardere resultaten bij gebiedsgericht beleid. Landwerk 1-2002, pp. 33-38
- Van den Bosch, F.A.J. and Postma, S. (1995) Strategic stakeholder management. Erasmus University, Rotterdam, Management Report Series, no. 242
- Van den Brink, A. (1996) Herijking landinrichting: een tussenbalans. Landinrichting (36):8, pp. 20-23
- Van der Wulp, P. (1967) Commentaar op de Jurisprudentie met betrekking tot de Ruilverkavelingswet 1954. Delft
- Van Dijk, T. (2003) Dealing with Central European land fragmentation: a critical assessment on the use of Western instruments. Delft: Eburon
- Van Kersbergen, K., Lieshout, R.H. and Lock, G. (eds.) (1999) Expansion and fragmentation: Internationalisation, political change and the transformation of the Nation State. Amsterdam
- Van Lier, H. (1998) The role of land use planning in sustainable rural systems. In: Landscape and Urban Planning (41) pp. 83-91
- Witt, G.F. (1988) Rapport werkgroep Balans Ruilverkavelingswet. In: Tijdschrift voor Kadaster en Landmeetkunde. 84 (5) pp. 265-414

BIOGRAPHICAL NOTES

Terry van Dijk graduated in 1997 at Wageningen Agricultural University on the subject of Spatial Planning. After lecturing courses in Wageningen for some years he started a Ph.D. research project at Delft University of Technology in 1999. In 2003, his thesis 'Dealing with Central European land fragmentation' was published.

CONTACTS

Terry van Dijk, M.Sc., Ph.D.
Delft University of Technology, Geo-information and Land Management
Jaffalaan 9
2628 BX Delft
THE NETHERLANDS
Tel. + 31 15 278 5514
Fax + 31 15 278 2745
Email: T.v.Dijk@otb.tudelft.nl
Website: www.otb.tudelft.nl