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In Search of Eligibility: Common Agricultural Policy and the Reconfiguration of Hay Meadows Management in the Romanian Highlands



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ABSTRACT

In recent years the centrality of haymaking in semi-subsistence highland farming in Romania has been witnessing a comeback, as EU agricultural subsidies meant to stimulate sustainable land management are an increasingly attractive source of income for marginal rural communities. However, semi-subsistence peasants in highland Romania are struggling to adjust to the system of agro-environmental subsidies promoted by the Common Agricultural Policy. The legitimacy and sustainability of certain traditional uses of land and natural resources are challenged by the hegemonic normative discourse of “ecosystem services” imposed through agro-environmental subsidies.

KEYWORDS

agri-environmental subsidies, accountability, haymaking, local knowledge, surveillance



Introduction

The article traces the impact of the European Union’s Common Agricultural Policy subsidies on semi-subsistence agriculture as it is visible in the hay economies of Botiza (Maramureş county) and Fundata (Braşov county).

Under the regulations of the EU’s Common Agricultural Policy, hay practices become subject to standards and eligibility criteria which must be complied with to ensure the receipt of subsidies. The material value and the social meaning of hay are transformed as hay becomes alienated from the frames of earlier subsistence economy

which is seen as undesirable given the modernisation and increased efficiency creed of European agriculture. We will attempt to capture a few of the key elements which define *eligible hay* – hay whose production is regulated by the prescriptions of the Common Agricultural Policy framework in terms of types of practices, rhythm, instruments etc. – and the differences that set it apart from *vernacular hay*. By the latter we mean the hay whose cycle of production is organised and regulated by the semi-subsistence peasant’s decisions, informed by the will to optimise the use of their resources, as well as by inter-generationally transmitted traditional knowledge and socially-sanctioned moral values.

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The legitimacy and sustainability of certain traditional uses of land and natural resources are challenged by the hegemonic normative discourse of “ecosystem services” imposed through agri-environmental subsidies. Such generic criteria, we argue, are at odds with the local specificities of a heterogeneous sector. We attempt to capture how the contestation of standards is configured and to provide input on the following questions: How do traditional haymaking knowledge and EU regulations clash? How do the European policies reconfigure traditional knowledge and practices and how do they challenge the farmers’ vision of nature and land management? How can the small farmers mediate between their productive role and their new role of biodiversity custodians? Which are the differences between seeing the land “from above” or “bird’s eye perspective” (Fox 2011)² versus seeing the land from below?



Study area and methods

The research behind this article is based on collective interdisciplinary fieldwork involving two biologists, one ethnologist and two anthropologists³, which begun in 2013 and investigated periodically (including subsequent fieldwork trips during the haymaking season of 2014 and 2015) a rural community in Maramureş county (Botiza) and a community in Braşov county (Fundata). The team investigated how local hay management is transformed under the pressure of subsidy eligibility criteria for hay meadows, in the two mountain villages located in the centre and in northern Romania respectively. We have collected data through interviews with farmers, local administration employees and representatives of the management authority for the subsidies – the Agency for Payments and Intervention in Agriculture (APIA) – and we have analysed technical documents (APIA guides). The local

interlocutors were active semi-subsistence farmers who own and work plots registered for various payments schemes of the National Plan for Rural Development. We did mostly situated interviews or walking interviews: we joined farmers in their daily agricultural works – usually hay mowing, as we sought every year to be there during the haymaking season. For this reason, many encounters turned into collective interviews with several members of the household. The interviewees were asked general questions about haymaking under the subsidies regime and more specific questions about the understandings and use of digital maps and agricultural surveillance mechanisms related to subsidies’ accountability systems. Discussions about the eligibility of hay parcels were crucial in understanding these topics. The interviews with APIA employees were done at the regional offices in Râşnov and Baia Mare in 2014 and 2015.

Another helpful source for the mapping of the subsidy impact was the workshop entitled “Subsidies and local responses: Romanian agriculture coping with EU policies,” part of the 2013 Annual Conference of the Society of Social and Cultural Anthropology (Sibiu, Romania), with the participation of stakeholders, academics and representatives of public institutions involved in the management of subsidies.



Semi-subsistence agriculture in two mountain communities in Romania

The two villages selected for the research, Botiza and Fundata, are similar in many respects. They are both located high in the mountains, with livelihoods relying mostly on animal husbandry and haymaking, but with a recent occupational history connected to the nearby industrial platforms which closed in the ’90s. They were both exempt from collectivisation during socialism and both are significant destinations for rural tourism. Migration

2) We refer to controls by remote sensing (CwRS) as key element of subsidies’ accountability systems.

3) The research team was composed of two Swedish biologists from the Swedish Biodiversity Centre, University of Uppsala, Anna Westin and Tommy Lennartsson, an ethnologist from the Romanian Peasant Museum, Ana Iuga and the two authors.

occurs in both villages, with Fundata inhabitants prone to internal migration to nearby towns, whereas residents of Botiza tend to choose seasonal or permanent migration to Western Europe (France, Italy, Germany).

As land is unproductive and relatively fragmented, neither of the two villages is targeted by the land consolidation and land grabbing phenomenon that is sweeping lowland Romania. Even during socialism, haymaking has represented one of the main activities of the subsistence farmholds, with important social and economic dimensions embedded in local norms and knowledge (Beck 1976, Cole 1976, Mihăilescu 2005).

In Botiza, land property is very fragmented due to inheritance practices: a typical local family owns several – up to fifteen – plots of inherited land spread over the village's 7500 hectares. Of the total surface, only 6% represents arable land, compared to up to 30% hay meadows and pastures (INS 2011). The altitude of this land ranges from high areas (700-1400 m) to lower hillside (550-700 m). Most of the families own a diversity of plot types, which they classify according to various criteria: lowlands and highlands, more fertile plots suited for crops as well as pastures, land close to the village as well as higher altitude land, land on southern slopes and other less sun-exposed plots, flat or steep etc.

The link between morphological characteristics and attributed function is not fixed; the designated use for a certain plot can vary according to family household needs, and the monetisation of land through subsidy collection is an increasingly attractive way to attribute value to land. With almost half of the non-forested land used as hay meadows, hay represents an essential part of the cultural and ecological landscape. Despite of the number of animals having steadily decreased, the agricultural work during the spring and summer seasons is centred on animal fodder production. Tending to the hay meadows or to the fodder crops (alfalfa) is a central and very

visible part of the locals' workload, so much that the village remains mostly deserted during the day in the mowing periods, with villagers moving their workload to the fields. Factors such as the extreme fragmentation of ownership and the difficult access to the plots discourage the use of mechanized equipment in favour of the traditional horse traction; this results in severe limitations to the modernization of agriculture.

Fundata is the highest village in Romania (situated at over 1300 m). The three village subdivisions that make up Fundata (Fundata, Fundățica and Șirnea) have together over 800 ha of hay meadows. Unlike Botiza, the hay meadows and pastures in Fundata are much less fragmented (between two and five dispersed plots per household, with total average surfaces adding up to 2,5 - 5 ha), with a low number of trees. Most of the families who work the hay prefer not to store it in hay stacks but directly in a shed adjacent to a stable (*odaie*), located outside the domestic residence, where the cows are traditionally kept for the winter. Due to the aging of the population and to the insufficient local workforce, many locals resort to Roma day labourers for mowing the hay. Most families keep two cows stabled and one is sent to the communal herd, as the communal pasture had been recently become private property. Some dairy is sold at the market in nearby towns. The plots near the household are occupied by small mosaic-like vegetable gardens (potatoes, beans). Haymaking, from mowing until drying and storage, is the central local activity in the summer and has visible data of a mono-industrial sector. As Beck (1976) already noticed in the '70s in a village very close to Fundățica, haymaking was one of the most critical and labor-intensive local task, mobilizing extended workforce:

Wild grasses must be cut at their peak in order to take greatest advantage of their nutrient value. Once cut, the must be rapidly dried, piled into mounds, and put into permanent haystacks. Fear of rain



and of insufficient time to complete the job make this season hectic. Old parents and young children, kin, neighbors, and friends are mobilized into *clacas* in order to complete tedious and back-breaking work quickly and efficiently (1976: 372).



Common agricultural policy 2007-2014 - an overview

The Common Agricultural Policy (CAP), the European Union's common framework for agriculture, has been shifting away from supporting productivity and towards rewarding agricultural practices with a positive environmental impact. This also meant, as Beaufoy (2014: 274) has highlighted, "that the CAP shifted from subsidizing crops and livestock to a system of income payments per hectare of farmland (decoupling of payments from production), with rules attached on how farmers should manage this land (cross-compliance)". The two pillars of the CAP provide support in the form of single-area payments (Pillar 1) and rural development measures (Pillar 2). The latter includes agri-environmental payments, and each country can choose to activate specific payment schemes according to the conservation priorities and local conditions. The measures decided by each member state are integrated in a National Plan. The current research investigated the impact of Romania's National Plan for Rural Development (NPRD) 2007-2013 on the agricultural strategies of small-scale farmers owning or working hay meadows. The four agri-environmental payment schemes of Romania – included in Measure 214 – refer to High Nature Value (HNV) Grasslands, Traditional farming with non mechanised tools (traditional farming), Grasslands supporting important birds and Green cover crops.

Measure 214 Package 1 for High Nature Value Grasslands stipulates (for hay grasslands) the obligation to delay mowing until July 1st, forbids artificial fertilisers and limits the quantity of natural fertilisers and

strictly checks scrub clearance. Measure 214 Package 2 additionally rewards hand mowing (no machinery is allowed) on HNV grasslands. Measure 214 Package 3 pays farmers in areas where certain birds have habitats, where mowing is forbidden until August 1st and has to be done in a centrifugal order. Measure 211 allows compensational payments for less-favoured mountainous areas, which are defined by their altitude (higher than 600 m or between 400 and 600 m altitude but with an average slope inclination of 15% or higher).

The farmers participating in the payment schemes need to sign a five-year contract with the managing authority, i.e. the Authority for Payments and Interventions in Agriculture (APIA). Both communes under research are located in HNV areas (therefore eligible for payments under Measure 214) and are both considered less-favoured mountainous areas and are thus eligible for additional payments under Measure 211.

Even though potentially providing essential economic support in less-favoured mountainous areas, the agri-environmental payment schemes also enforce a set of (more or less stable) rules and regulations whose design, as we will see, may prove unpredictable and problematic to farmers (Knowles 2011, Beaufoy 2014, Babai et al. 2015).



Governance and small-scale farmers under the CAP regime

The research suggests that the practitioners of this kind of agriculture are marginalised and reluctant beneficiaries of agricultural policies that often clash with local social and ecological interests. "Grey areas" become visible where people can act out their resistance to those aspects of the regulations perceived as intrusive, abusive, and/ or unnecessary (Stroe 2015)⁴. Semi-subsistence agriculture – especially associated with newer member states – is

4) Stroe describes some of the actions taken by a category of farmers who engage in limited participation to the subsidy-based agricultural system, but struggle to preserve their decision power over the land and the use of their specific knowledge.

an uncomfortable reality for the European agricultural policy-making. As Diana Mincyte (2011) remarks, it is incompatible with both the post-productivist vision of agriculture and industrialised agriculture. This vision guiding policy-making, which could perpetuate a “subsistence trap” (Huband 2009), has a dramatic social and ecological impact: “Such marginalisation within the EU’s agrarian visions has led to creating a new rural underclass – growing populations of poor rural workers without land, work or social status – as well as an industrialised agricultural landscape with only patches of protected wilderness” (Mincyte 2011: 103-104).

Consequently, if they accept agri-environmental payments, highland farmers are classified as subjects of a natural order rather than economic subjects. The payments fail to rehabilitate the peasant from its position of marginality and backwardness. The normative discourse of “ecosystem services” imposed through the agro-environmental subsidies challenges the legitimacy and sustainability of certain traditional uses of land and natural resources (Stroe 2015). The key-instruments to implement these policies are the eligibility criteria stipulated by the subsidies’ application guidelines. The universe of eligible meadows is populated with a number of standards which establish what optimal hay is. These standards determine whether a farmer is eligible for payments or not and set out particular conditions that the farmer must meet (Beaufoy 2014).

The main standards sanctioned by the regulations on direct payments and agri-environmental payments set the calendar-based organisation of hay-work (July 1st for surface-based payments and August 1st for grasslands that are habitats for the *Crex crex* bird), the type of instruments used for mowing (appraised differently according to the type of subsidies), a fixed number of trees featured on the grassland’s surface, the type and amount of fertilisers used on the parcels, the clearance of scrubs

and “undesirable” plants etc. All these standards impact not only the quality and type of hay obtained, but also how this hay is produced (hay-work) and – in a more profound but less visible way – the place of hay in the geography and historical course of traditional ecological knowledge. Equally important, compliance with agri-environmental standards largely reduces the role of the semi-subsistence farmer from producer of agricultural goods to that of producer of conservationist outputs, the so-called “ecological services”.

Payments can be regarded as instruments of administrative ordering of nature and society (Scott 1998). They are an essential instrument for the governance of small-scale farmers, whose livelihood and practices typically fall outside state control. The integration of small-scale farmers under the subsidy regime is helping the state and the EU in their project of legibility (Scott 1998) of semi-subsistence agricultural practices. The governability of semi-subsistence farmers is a challenge for the EU, which resorts to “an intricate system of farmers’ registration, audits, regulations and standards.” In this way the farmer is “tailored into a Fordist system” and lowered to the position of “passive receiver of the imposed generic sets of rules” (van der Ploeg 2008: 239).

Implementing these procedures is fundamental for the functioning of the system, which only achieves its goals if, in Mincyte’s words, “the producers are registered, if they are using uniform accounting systems, if their reports are accurate and if they rely on the EU’s direct payments for survival. In other words, the farmers have to be dependent subjects of the EU’s regulatory regime for the EU to continue exerting control over its agriculture” (2011: 111).

Kovacs (2015) makes a similar note of the difficulties encountered by member states (Hungary, in her case) to operationalise the standardised guidelines and practices stipulated under the CAP. The electronic



system of reporting and surveillance, she notes, “makes possible a wider Hungarian political project of influence and control of land access to farm, with minimal outreach and aid granted to farmers to navigate the bureaucratic administrative system” (2015: 178).

Moreover, as concerns flows of knowledge and standards, which have “profoundly transformative effects without being transformed themselves” (Dun 2008: 177), a number of researchers (Mincyte 2011, Dahlström *et al.* 2013, Babai *et al.* 2015) have underlined the fact that the regulations the new EU countries adopted were designed and developed by the group of old member states and transferred via a unidirectional flow of expertise, institutions and experiences. Transformed in forms of internalised discipline (Dunn 2008), subsidy standards have privileged Western knowledge and expertise while largely ignoring the local sets of knowledge, which – as a body of literature has suggested – could have been incorporated into national public policy, considering that “multi-directional exchange of practices and knowledge may promote the local knowledge that sometimes is more environmentally friendly than imported knowledge” (Dahlström *et al.* 2013: 194). However, the transfer of Western practices cannot be accomplished without alterations “given that the envisaged alterations were directed at landscapes and societies that had functioned fundamentally different until that moment” (Babai *et al.* 2015: 3322). This is the reason why these standards, once applied, brought about not only the promised *opportunities*, but also *barriers* in the way of continued use of components of traditional land management, “embedded in specific geographies and practices” (Dunn 2003: 1493).

To illustrate that, we will focus on the implications of one particular agri-environmental package proposed to the farmers under Measure 214, Agri-environmental payments: Package 3,

Grasslands supporting important birds, subpackage 3.1. *Crex crex*. The measure, which forbids, among others, mowing until July 31st and stipulates manual mowing, is meant to protect the habitat of a bird whose Romanian name (*cârstelul de câmp*) did not appear on the document. The protective purpose of these funds is largely unknown to the applicants. Beyond the communication breakdown between the text of the regulation and the applicants, the more important negative implication was ecological. According to the (successful) lobbying initiative of Adept Foundation – a Romanian NGO working in the field of environmental conservation and community development – to revise the payment package, the measure was threatening to achieve the opposite of its intended effect, specifically because it did not take into consideration the positive ecological impact of the local practices it was attempting to hinder. The Foundation argued that in the specific areas of Romania where populations of *Crex crex* were believed to have their habitat, mowing would traditionally be initiated before August 1st and would always be done in small patches, which is ideal for wild species⁵. Introducing the prohibition to mow before that date would mean that the resulting hay would have a low nutritional value for livestock feed and that leaving grass on the land for so long would make mowing by hand too difficult to achieve (grass too high or fallen to the ground). Also, the changes in hay management would mean changes in the floristic diversity of the hay meadow (a surge in invasive species). Synthetically, the foundation’s arguments suggested that an ecological (albeit misguided) objective – the protection of corncrake habitats – would have been implemented by way of sacrificing the semi-subsistence livelihoods of local farmers – by preventing the small-scale farmers to harness the hay for productive purposes.

The lobbying efforts resulted in a Government decision to reduce the area

5) <http://www.fundatia-adept.org/?content=lobbying>, accessed May 2nd 2016.

eligible for this measure from 500 000 hectares to 50 000 hectares, thus reducing the potential negative effect for 18 000 small-scale households.

The case of the *Crex crex* measure is illustrative of how hay stops being productive and becomes abstract and uprooted from the local ecological system. The local ecological system, governed by local grassroots ecological knowledge is replaced with abstract rules and distant conservation objectives that ignore the value of the landowners' perspective.

During the socialist period, the governance techniques that have dramatically changed the routines and practices of agricultural work implied pedagogies based on “new words, new categories, and new language”, meant to produce new modes of disciplining subjects, “much of it wholly antithetical to the truth of the world as the peasants had known it” (Kligman and Verdery 2011: 216). The governance technologies encapsulated in the agricultural subsidies policies become instruments for transforming traditional agriculture, but at the same time they lack the pedagogies that are supposed to make them understood by their intended subjects. The lack of information, that Fox (2011) pointed out in the discussion about the functioning of APIA, is illustrated as follows: “We do not even know what we get subsidies for, what we get for animal husbandry, what we get for the land” (interview with farmer, Fundata).

A line of recent research has attempted to shed light on the consequences that this lack of dialogue can produce and equally on a series of paradoxes and misunderstandings “inherent in official policies in relation to land use practices concerning the management of rural landscapes” (Wästfelt *et al.* 2012: 1172), especially when the design of agri-environmental subsidies does not always coincide with the land user's views of what constitutes important values.



Territorial practices and the abstractisation of land

On the one hand, the abstractisation of land is further deepened by the fact that the “real” (topographic) surface area of sloping grassland plots is diminished when calculated as a flat area (as APIA standards require), resulting in a reduced corresponding payment. In the early years of its implementation, the peasants were surprised to learn that they would receive less money than they had estimated: “Mother had one and a half hectares of hay and two years later, during an audit, she was told that she had to return a part of the money that corresponded to the difference between the declared land area and the flatland area” (workshop participant). An employee of APIA confirmed that no one had communicated to the locals that farming in steep mountain grasslands is compensated by an additional measure (Measure 211) for less favoured mountain areas – which both Fundata and Botiza qualify for – which “corrects this conversion of the slope map into an horizontal plane (*aducere în plan*)”. Even when they were informed of this compensation, there was a lingering feeling that – for reasons unknown to them – a third party had amputated a piece of their property.

This feeling was amplified by the cases of corruption uncovered in the press that illustrated how, in several regional centres throughout Romania, relatives of APIA employees had applied for subsidies with land that they did not own or work. Therefore, the parcels of hay grassland acquire a double value, similarly to what happened in the postsocialist land restitution period described by Verdery (2003: 210): “Thus, some parcels of land would count doubly: as the specific property awarded to a villager (or usurped by some official) *and* as an abstract amount to be compensated in IAS [the postsocialist “heirs” of socialist



collective farms] dividends to the land's original owner”.

On the other hand, a voice from APIA – in Braşov county – describes the local traditional land measurement system, bringing to light another illustration of the divide and incompatibility between the vernacular and bureaucratic perspectives:

It is obvious that there are discrepancies, especially regarding the land that was inherited. Each area has its own measurement unit: *hectar, pogon, stânjen, iugăr*. This old lady to whom I was acquainted says to me: “Professor, I have land worth about six mowers [i.e. the capacity of six people to mow for a day]”. And I tell her: “Madam, the mower is not a measurement unit. And by the way, how much work would one mower do on a slope that can be as steep as 50 or 60 degrees?”. And she says: “Well a mower should do about 25 acres.” To which another old lady replies: “Oh, they barely mow anything. They mowed 15 acres just to be able to eat [i.e. work on the parcel until lunchtime, as lunch is typically included in a day labourer's pay] and I end up finishing more or less by myself.” So if you counted six mowers times 25, it'd be a hectare and a half, but if you counted like the other old lady said, 15 acres, that'd be just 90 acres. So this is how differences in area as big as 60 acres appear on declarations for the same parcel. This is what we [the APIA staff] had to struggle with from the beginning. They knew from their elders that this was how big their land was, so they would keep on calculating for six mowers. This was their mentality.



A similar process of translation from the vernacular into bureaucratic plot size measurement was identified in Maramureş, where locals normally refer to the size of the plot – be it agricultural land or hay meadow – in terms of productivity: a plot of beans would be measured in the number of poles/ stakes used on it (corresponding to the number of bean plants) and the size of a hay meadow strip is often referred to in terms of the number of haystacks it

yields: “20 haystacks of all my land are not registered with APIA”, as a Maramureş farmer informed us. Hay stacks or bean stakes stand for material outputs; they are vernacular categories used to define productivity of the land.

The evaluation based on hectares and the eligibility benchmark excluding from payments all plots smaller than 0,3 ha or exploitations not totalling 1 ha are forms of abstractisation of the practical and localised measuring categories (work effort, productivity). The process of abstractisation and simplification of such complex agricultural realities is the authorities' way to adjust the readability of the smallholders' land. The interaction with the bureaucratized system imposes on small-scale farmers different criteria of value: the dimension of the plot (a minimum size of 0,3 ha) or the exploitation (1 ha) prevails over its productive qualities (quality of soil, positioning, orientation, accessibility). As a result many “of the most environmentally valuable holdings (71%, i.e. 3 million holdings) are not even classified as farms and are ineligible for some agricultural payments in Romania because they are too small” (Knowles 2011).

Illustrative of this shift of focus is the effect of the rule requiring that an eligible hectare of meadow be populated with no more than 50 trees. Although many peasants interviewed by us during the research in Botiza speak of the superior quality of tree meadow hay, the rule forces farmers to choose against the best interest of the production, i.e. to cut down trees normally valued for the shade they provide and the nutrients which would increase hay quality:

I took a plot out of agri-environment, because it had alder on it and from the plane they saw it as rather dark, rather shaded. But my plot was *cleaned*, it was *beautiful*[our emphasis] and I kept the alder because this helps grow better hay. So I refused to cut them, but I switched to normal payments [single-area payments

instead of agri-environment payments]. I did clear some alders where I kept the land registered for agri-environment, but I kept that place as it was. If I removed the alders from that land, I'd only get bad grass (*sparleac*). (interview with a farmer, Botiza)

Incidentally, keeping more trees – alder in the case discussed by us – on the meadow would not only be a sound option for the productivity of land, but also a sound ecological option (see Lennartsson *et al.* 2016, current volume). Moreover, we have seen the direct effects of cutting alders for adapting to the APIA norms indicated by some of our interlocutors: a number of excessive dry grass plots which were previously shaded by tree canopies.



Whose hay? Property and variable geographies

The process of adoption of European standards was almost exclusively a one-way transfer of expertise, without the participatory integration of local traditional knowledge, as remarked by a number of researchers (Dunn 2003, Dahlström *et al.* 2013, Beaufoy 2014, Babai 2015). The local hayscapes, together with the entire material universe contained by them, were re-ordered and re-drawn. An extension of this material re-ordering was the change in the vernacular rhythm of land management written into the specific agricultural calendar via a process of colonization of personal time (Chelcea 2015) and not least in the moral universe circumscribing the local hay practices.

The subsidies were embraced with enthusiasm in the areas close to de-industrialised areas, as they were regarded as chances to compensate the financial inputs de-structured during post-socialism. On the other hand, the rigid norms conditioning the receipt of payments, doubled by super-technological forms of supervision, have convinced the recipients

that they are signing up for a sort of “disturbance of possession”.

The processes of supervision occur literally “from above” – ranging from aerial maps of parcels and the technologies that allow for the capturing (from the satellite or plane) of irregularities during inspections.

When applying for direct payments or agri-environmental payments for meadows, the farmers were faced with a new type of relationship with the subsidy-granting institutions: a digitally-mediated one. The starting point of this digital connection was the receipt of a code similar to the personal identification number (as one APIA representative formulated it) for the registration of the parcel in a database that generates its aerial map (Geographical Information System). The documentation of the parcels was incomplete at best, especially in the areas where collectivisation had not taken place and there was no cadastre for the land, as was the case of the two areas under research.

A significant strain in the relation between subsidies and hay-work occurred in the following stage of the National Rural Development Plan, in 2015, when APIA communicated to its territorial branches that during the next five years of contract farmers would need to obtain the “unambiguous identification” (*identificarea fără echivoc*) of agricultural parcels, with the help of GPS devices. Considering that the peasants would be forced to pay for this identification service, what followed was that a percentage of up to 60% of the locals who had registered to receive agri-environmental payments in the past decided to abandon this financial support and instead to choose the simple payments – much less significant financially and with fewer land management restrictions to comply with. Among them was an informant from Fundata commune, who offered us two of his traditional (wooden, hand carved) instruments that he had used to work the hay, which he currently deemed unnecessary; it was the year he had

switched to the mechanised farming on his family land⁶.

The use of digital maps, its “cartographic illusion” (Fox 2011) included, led to a series of tensions in the first years, between the farmers who applied for subsidies considering they were familiar with traditional geographical and material landmarks. When confronted with the image of the parcels as they were mapped from the satellite, the landmarks suddenly became irrelevant. A series of overlaps started to appear on the APIA maps, which were automatically indicated in red on the maps. To clarify these situations, the villagers or their relatives had to travel to the regional headquarters of APIA to negotiate the correct attribution of parcels.

The regime of using digital maps was heavily influenced by historically codified factors: from the local vernacular measurement systems and the patrimonial transmission of lands to the regional history of participation to (or exemption from) the socialist system of collectivistic production. In areas that had remained un-collectivised (the majority of which are present in mountain areas), the property titles are largely absent, which made the application for CAP payments and the selling of land significantly more difficult.

The physical blocks mapped by APIA collided with the local systems of mapping their parcels, according to which geographical elements such as creeks worked as boundaries of the physical blocks. The frequently encountered result was that a single property that contained such an element was divided into two physical blocks, leading to a new type of fragmentation. The resulting fragments often became too small to qualify for payments, even if the property considered as a whole would have been eligible. A telling example is that of a peasant in Botiza who filed a lawsuit against the decision of APIA to cancel his payments because a creek, which was also one of the few local water resources used for the cows, fragmented his

property. One of the arguments that he put forward was toponymic: “We have always called this place *Valea Boului* [the Valley of the Ox], not *Văile Boului* [the Valleys of the Ox], and now they come here and tell us that this creek as wide as my palm divides the land in two?”. This ethnographic vignette illustrates how a natural element embedded in a local ecosystem is extracted from its specific context and interpreted as a disturbing factor.

A number of markers for the physical limits of the lands were further reconfigured by the subsidy regimes: various natural fences (consisting of hedges, boulders or anthills that had been removed from the land during cleaning and aligned to create delimitations) were interpreted as (invasive) hedges – undesirable flora associated with poor land management. Similar problems occur in other European countries, where farmers commonly remove all kind of shrubs and young trees to fulfil the obligations (Beaufoy *et al.* 2011) despite the fact that this goes against the vital rejuvenation of valuable woody plants or herbs (Hartel and Plieninger 2014).

The exchange of plots based on negotiations between locals, an adaptive traditional practice in Maramureş, was disturbed by the fixity of land use (a condition of eligibility for the payments is not to change the destination of the land for five years). This condition to maintain the same land use throughout the five years of the subsidy contract also discontinued another traditional ecological practice: the rotation of crops.

For similar concerns, many farmers in Hungary kept eligible land unregistered for agri-environmental payments for fear that the respective parcels were “problematic”: too steep, owners unwilling to commit to five years of unchanged land use etc., as noted by Kovacs (2015).

Although this system seems built on a tight technological infrastructure, which should stop corruption and the subjective attribution of funds, in both counties

6) Ironically, the same Fundata local offered us four hay bales which we used to illustrate the agricultural transformations in a 2015 thematic exhibition at the National Museum of the Romanian Peasant.



(Maramureş and Braşov) cases of fraud were registered, such as the fictitious reporting of lands that did not belong to the applicants (neither directly, nor by lease). The defrauding of the system was enabled by access to insider information at APIA, after the registration of land for subsidies was finalised: the fraudulent applicants applied with those plots that had not been yet registered by applicants, a situation which created a significant fraudulent revenue.

Verdery (2003) uses the term *fuzzy property* to describe the spaces of ambiguity which are born at the intersection between property rights and the system of obligations that surround a field. In the experience of a local land owner from Botiza, controls and the ensuing obligations have provided random and confusing prescriptions from the authorities:

Last year someone from APIA came to our City Hall and he was rather snappy. He told me that my plots show up as too shaded and he asked me to remove them all [from agri-payments]. This year a more chill guy came [an APIA inspector] and said there was no problem with the alder and hazelnut trees, as long as the plots are cleaned and mowed. (farmer, Botiza)

We consider the term “fuzzy property” to appropriately explain the sphere of property of subsidised land on our two fieldwork sites: a significant part of the locals seem to believe that the sums received repay the hay-work but also that the pertaining plots of land are somewhat alienated in the process by means of lack of control over the agricultural management decisions. The reward for complying with the conditions set for maintaining and working the fields consists in the sum that is transferred to the farmers’ bank accounts after the controls and audits have been completed.

The bureaucratisation of semi-subsistence agriculture is a constant source of discontent for the smallholders whom we interviewed. Additional to the feeling

of having lost the ability to initiate and exercise the management of their land, many feel that what is requested from them forced them out of their specific farm work and into a position of a paperwork dependent beneficiary. Kovacs (2015), in her detailed examination of agricultural governmentality brings up a Hungarian farmer’s voice whom she quotes saying that “we grow paper, not crops”.



Gaze from above - the controversies of reading the land

We are “reading” hay not as a simple product resulted from artisanal or mechanical processing, but as a system which distillates new forms of agropastoral governance, elements of landscape specific to traditional ecological knowledge (trees, buildings, fences), social and economic factors. Our aim is to illustrate the modalities of reconfiguration of the system’s morphology, as well as the ways to navigate the regimes of CAP payment policies: the dynamics of the relationship of different actors involved in the production and supervision of the eligibility of hay grasslands, the understandings and especially the sources of misunderstanding which appear in the production of *subsidized hay*. The granting of subsidy payments is preceded by a stage of unannounced controls, which targets 6-7% of the applicants. As only a percentage of the applicants are subject to the controls, the hearsay about these controls create a social imaginary around its practical details and its effects. We take into consideration the importance and attributed meanings of these “verification rituals” (Power 1999), which transform the farmers in subjects of formal scrutiny.

Power (1999) argues that the rise of the auditing society has its roots “in political demands for accountability and control” and one of the key-tool to implement it was “the industry of checking”.



7) "The control through remote satellite sensing is based on the capture of radiations emitted in the visible and invisible spectre of plants in several spectral bands, which are transmitted to specific detectors placed on satellite platforms. The electromagnetic signals captured are recorded and then transmitted on the ground. Each type of culture has a different response according to the spectral area under research" (Q & A <http://www.apia.org.ro/intrebari-frecvente>, accessed on June 2nd 2016).



The sampling of the verified plots is done at national level, through two instruments: direct visits on the field and controls with remote satellite sensing (CwRS). It is worth noting that, according to the statements of an APIA regional director, the greatest percentage of "verified farmers" (85% of the sample) are evaluated through remote satellite sensing. The first type of control (on the field) is done by APIA representatives and the second type (remote sensing) by a private contractor. Failure to pass the checks results in the reduction of payment or its full cancellation. The farmers who are not content with the result of the satellite control can ask for a site inspection from APIA. Most of the times, however, due to information asymmetry and the time necessary to plea for one's case, they prefer to resort to taking the parcels in question out of the eligible surface or to change the type of payment they register for (e.g. downgrade a HNV hay meadow to simple payments). Both types of controls evaluate the observance of eligibility standards as defined in the applicant's guide and set forth in the agro-environmental notebooks that the farmers have to fill in and to make available at the request of APIA inspectors.

The invisible actor in the verification of standard compliance is the institution involved in the interpretation of digital data, processed by way of remote satellite sensing⁷. The employees of the company which contracted these services are mandated to read and interpret the images received and to issue a report of compliance with these standards (the interpretation is based on codes of colour corresponding to various types of vegetation). On the basis of the report APIA initiates or blocks the granting of the subsidies. The only moment when farmers and company representatives who interpret data obtained by remote sensing meet is in the case of a judicial review.

Different landowners from both Botiza and Fundata believe that the satellite controls produce erroneous results because

of the inappropriate photographing of the field in the afternoon, when the shadows of the trees elongate on the hill slopes, leaving the impression that the number of trees is higher than if they were examined from ground level.

In fact, as a number of scholars have pointed out, despite the high potential of remote sensing for information acquisition about remote and inaccessible regions (Buchroithner 1995), traditional mountain landscapes, associated with steep slopes, frequent cloud cover and shadows from the tree canopy, can lead to inherent distortions and errors in remote sensing applications (Ghosh 2009, *Pôças et al.* 2011). As a consequence, the geometric distortion shaped by aerial photo or satellite imagery used to record a mountainous region "creates ambiguity among the components of the scene, causing confusion in accurately establishing the categories of land use, surfaces covered with the same type of vegetation being totally different shown" (Vorovencii 2006). In addition, because of heterogeneity of mountain ecosystems "the risks of inaccurate or improbable extrapolation increase with the number of variables and the complexity of the environment" (Ghosh 2009). As a matter of fact, motivated by the lack of reliability of the satellite detection system when confronted with specific relief and climate conditions, Austria and Scotland decided against the use of satellite detection in their controlling operations.

In an interview with APIA representatives they admitted to often receiving complaints from landholders about falsely negative reports. The owners' complaints were proven partially or fully justified upon site verifications. The main source of misleading interpretation, according to the APIA employees, would have been the lack of training of the private firm technicians in the field of agronomy:

He saw there some shapes which looked like shrubs. And when we went there,

we discovered it was a group of trees. So everything was fine. In order to understand what happens *down there*, you need to know agriculture, to understand what those plants are doing there. Most of them definitely do not know what people are actually doing *underneath* the tree canopy when photographed *from above* [our emphasis].

“From above” is an expression used directly, with reference to the audit technologies used for subsidized hay, involving an additional connotation of “laboratory gaze”, i.e. which ignores the nuances as well as the responses of actors situated lower in the structure of power relations.

The forms of induced self-discipline are embedded in the bureaucratisation of agricultural routines. Such forms of self-discipline are not limited to the subsidy payments, but also concern calendar works carried out on the meadow,⁸ “Farmer’s Guide to cross compliance” and, for farmers receiving subsidies for raising cows, a schedule of sales of milk and dairy products.

Above and *below*, used in this article, identify not only two different perspectives of the same object, the hay system, but also a metaphor of the power relations staged by the subsidy policies. *Above* stands for the APIA representatives and their set of regulations and prescriptions, which order the hay and empty it of the decisional spontaneity adapted to the natural rhythm. Even higher above, under some respects, are the interpreters – the employees of the company which provides the services of processing and analysis of the data obtained through remote satellite sensing; *below*, at grassroots level, are the former peasants of subsistence agriculture, recently turned into farmers, depositaries of the local ecological knowledge and of cognitive maps embedded in a spontaneous, adaptive relation with the natural rhythm of hay. This asymmetry has been the object of a number of studies (Berkes 2000, Beaufoy *et al.* 2011, Wästfelt *et al.* 2012, Dahlström *et al.* 2013) that have

suggested the transfer into policy of those practices and knowledge proven to have contributed to biodiversity preservation.

Apart the clashes between the different perspectives previously discussed, we need to stress that in most of the discussions that we had with APIA representatives (interviews and workshops), they manifested a nuanced understanding of the potential of local ecological knowledge to be integrated into subsidy regulations. A few admitted that this knowledge is embedded in specific socio-ecological systems, while top-down obligations, unsocialised and therefore not reciprocated, have limited efficacy in terms of implementing a blueprint indicated from above.

The effects of audit and control on the peasant subjectivities in Hungary are examined at length by Kovacs (2015), who emphasizes the surveillance effect that the controls have on peasants’ farming in the most marginal of land areas and “how they are being *kept an eye on out there*”. In a lengthy ethnography of “shadowing” inspectors who verify compliance with agri-environmental conditions in two agricultural areas of Hungary, Kovacs identifies an increase in the intensity and spread of verifications and a normalisation of the presence of inspectors and inspections in the seasonal routines of the peasants registered for agri-environment subsidies. Through ARDA, the institution which organises the surveillance, Kovacs believes, the Hungarian state creates a physics of presence, noting that “ARDA officers take down measurements and observations of surrounding fields when out on inspection, even of farmers not (yet) in receipt of an official audit and even if those farmers were not the original target of the agri-environment inspection” (2015: 174). The effect of the electronic reporting and surveillance system on the management of CAP payments enabled an increased “legibility of its land and people” and made possible “a wider Hungarian political project of influence and control of land

8) “The calendar works on the meadow in line with agri-environmental measures, Good Agricultural and Environmental Conditions and Good Housekeeper”.

access to farm” (2015: 178).

For the Romanian case, Fox (2011) underlines that eligibility standards launch “an epistemology of colonisation” in which the expert subject creates an object to be transformed: “the peasant, which is diagnosed to be in need to change”. Grassroots inspectors’ visits on the meadows are not yet intensive or wide-spread, but we can identify an increasingly rich collective imaginary of gossip about errors and challengeable penalties concerning remote sensing controls. In the agri-environmental payments system, peasants are reserved the position of subjects of pedagogical projects. Their ability to be good students and to become implementing agents under technocratic governance turns the peasants into obedient subjects enrolled in the ecosystem services duty (Stroe 2015). At the same time, technologies involved in the application and verification processes have driven away and alienated the peasants, “constituted as inadequate persons that had not mastered modern political and economic projects and their rules” (Fox 2011).

Instead of creating a predictable horizon, eligibility criteria related to subsidy-based agricultural system generate spaces of incalculability due to the insufficient awareness-raising and knowledge “transfer” by institutions to farmers (Fox 2011), on the one hand.

Similar to post-socialist de-collectivisation and restitution, the transformation of agriculture and adjacent practices through subsidy policies is a process that implies the formation of new kinds of persons, with new social identities (Verdery 2003) by means of their inclusion into the logics of bureaucratized production (Dunn 2003, Kovacs 2015) and the transition from peasant to farmers (Fox 2011, Micu 2012, Stroe 2012).

Conclusions

The universe of standardized criteria, under which eligible and subsidized hay is shaped and generates a range of material and social-ecological effects which often leave room for a reconfiguration or loss of practices that were previously the object of meticulous fine-tuning (van der Ploeg 2008). Local hay and fodder crop practices such as plowing, crop rotation, burning plots, manure fertilization, mixed farming or the local mowing calendar are thus subject to reconfiguration and contestation: reframed, standardized or banned altogether by EU regulations.

Contradictions occur in agricultural and rural development policies between simultaneous goals: increasing economic efficiency and competitiveness, and protecting environmental goods and services. This kind of contradictions, Knowles (2011) argues, “needs to be made more explicit in policy discourse in order to be resolved”.

The meanings of supervision acquire a metaphorical dimension in the perception of the subjects, with reference to a series of standards and practices that the recipients need to implement and respect without being consulted. Most of the times, this occurs in the absence of previous training sessions on the policies’ implications. Haymaking under the regime of subsidies is projected in the “laboratories” that create the policies, their meanings, and often lack thereof at local – household or community – level.

Most of the analyses dedicated to the impact of subsidies on agricultural practices suggest, on the one hand, that farmers should be co-opted into *participative* design of regulations affecting them (subsidies included) and on the other hand that “additional eligibility criteria should be designed at national or regional levels” (Beaufoy 2014). We believe that this



approach is able to provide useful data for a future reconfiguration of these policies, as are other contributions to this journal issue.



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