

Prevention of Land's Inappropriate Use

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Abstract: Along with the main causes of the need to protect agricultural areas the consequences of misuse of the land and the measures needed to prevent them are considered in this article.

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1. Introduction

The fact that the diversion of agricultural land is based on various factors and there are many types of misuse, it is the reason that the measures for the prevention of this phenomenon have different shapes .

Objectively, measures to prevent the misuse of agricultural land can be divided into two groups: the "applied measures" and " measures to be applied ." However, we can not say that these measures are included in one group or another, are applicable to the whole territory of a state, because the measures used to prevent the misuse of agricultural land shall be determined in accordance with the form of misuse. Evidence of misuse of land, resulting in the country for different reasons and in different forms, can become a cause of differentiation of measures applied in the field[1].

Despite the fact that in each state measures to prevent the misuse of agricultural land use have their differences, the funds used for the protection of agricultural land, and the form of their application, have significant similarities. Thus, the study measures to prevent the misuse of agricultural land use must be by their classification on the basis of these similarities. Before we move on to the study of these measures, we will briefly discuss the reasons for which agricultural areas should be protected. In papers devoted to research the causes leading to the use of arable land which are not used in agricultural aims, special attention is paid to the need to prevent the diversion of agricultural land, in other words, an explanation given why it is necessary to protect these areas .

In the scientific literature often expresses the idea that the need to protect agricultural land based on different reasons [2]. The first of these - the protection of valuable land, which are the main source of agricultural production, and the second -

the need to protect natural sources, which are vital for agricultural activities . In the same way, when you consider the enormous costs of maintaining the viability of agricultural land, there is a priority need for their protection.

Another reason, which requires protection of the land - their limitations . For example, in Albania, only 20 % of the territory is suitable for agriculture, and in consequence of the fact that it can not expand - it should be protected [3]. In fact, most of the country is mountainous terrain, so the agricultural areas are located mainly around the towns of small squares . In addition, places where people live, are expanding at the expense of arable land, which ultimately can result in the complete disappearance of agricultural land . From this perspective, factors such as geographic location and climatic conditions force closely engaged in the protection of agricultural land in countries with a limited number of them . On the other hand, investigating the various practices and projects aimed at protecting the environment, it can be seen that the means aimed at preventing diversion of agricultural land, often at the heart of environmental policy. Assessing the relationship between the environment and agriculture as a whole, we can say that in the field of environmental protection, priority should be given to the protection of agricultural land.

2. The main part.

The need to protect agricultural land is considered by Raupach from a different angle. According to Raup to prevent food shortages, with which mankind will face in the future, especially the need for mandatory protection of agricultural land and not simply a limitation and prohibition of their misuse[4]. Indeed, research in the field of food say that global warming will lead to food shortages, which naturally requires the protection of agricultural land now.

According Fasolda who defended the view that the protection of agricultural land is required from the point of view of the common good in a situation where we are talking about the public good, as an important means of agricultural land use structure of civil society are not pursuing their own benefit [5]. In the case of agricultural land use of security organizations formed from the non-profit civic and community organizations, will give a better result. Civil society organizations are working successfully in the area of agricultural land, it is the result of some sort of public option, which, of course, always leads to success. Political authorities have to keep the public option (and the common good), including the protection of agricultural land, which, coupled with the meaning given to the community non-profit organizations working in this direction, a positive effect on the success in this area [6].

Policies and methods of agricultural land used in a particular country, especially by limiting the use of the land [7]. In reality, the land is being used for the construction and expansion of cities and industrial complexes, in addition, there are blank spaces, forests and protected areas, mining and arable areas. Politics of land defense in a particular country, regardless of the purposes for which land is used, directly or indirectly restricts the use of land for the purpose of environmental protection. In this situation, the methods used in the protection of agricultural land, the structure must necessarily provide for limitations on the use of land.

3. Classification of interventions

With regard to measures which are going to be taken to prevent misuse, as well as methods of agricultural areas, the global standard for these specific measures and methods are not available. However, it should be noted that the implementation of policies to protect agricultural land in a country requires the participation and assistance of the state. State participation and legislation applicable in this area, especially given the confidence and assurance, as well as form a very important part of the whole process - public desire and interest [8].

The concept of land includes both the protection of soil properties and land protection as property. Moreover, the land, being a center for many economic and political interests, is directly related to the various political tendencies as a " fact of the protected area ." From this point of view land policy is formed which does not follow personal and public interests.

According Pasora, who defends a theoretical approach to the protection of agricultural land, the main issue of state involvement in this area is the problem of classification of land for agricultural and non-agricultural [9]. One of the main methods of

planning land use in the process of formation of the agricultural market, is to ensure control of the land, which requires such planning at the local and state level. The lack of land can lead negative consequences, in particular the absence of guaranteed food, which directly affect the agricultural markets . From this point of view, the theoretical approach requires taking into account the relationship between the protection of agricultural land and market processes . Also please note that to protect the land can the social and political mechanisms of control over the use of land as private property, that is, with the appropriate state intervention . Other supporters of the theoretical approach - Hite and Dillman - argue that agricultural land should be protected in parallel needs for agricultural products, and the need to protect the land they explain the socio- economic needs [10]. Indeed, the agricultural areas are important natural springs that form the essence of the state. From another point of view, the presence of agricultural land are a major source of political and economic power of the state. Therefore, the government by driving a variety of financial strength necessary to take various measures for the protection of agricultural lands, which are gradually being destroyed for the sake of industry and urbanization.

In turn, Zander, have similar ideas in the search for alternatives in the area of agricultural land, it offers a theoretical modeling, drawing attention to the need for a comprehensive and interdisciplinary knowledge in the use of the land [11]. In other words, agricultural, social, economic and political processes play a significant role in determining the alternatives to the use of land . Changes to alternative agricultural management, linked with the debate and the results of the agricultural policy, not only at the local and state level, but also at the international level, in particular at the level of the European Union. Landowners primarily pursue economic interests and therefore economically uncertain practice, they can not accept. Therefore, the European Union plays an active role in the protection of land, paying for the use of agricultural technologies designed primarily for their safety, including the technology for creating alternative products, technology protection from pesticides, etc.

According Bokheyma preparation of a working plan for the prevention of misuse of the land and the creation of an effective policy for its protection includes 7 stages [12]. The first is to put the problem. Unless specifically describe the problem, and it is impossible to solve . Second is to identify areas of highest risk, study and use research in the destruction of the earth. Next is the formation of education programs, and legislation and regulations. Next is the development of investment

programs in the field of the earth, and finally, the creation of a knowledge base in this area, observing the changes taking place with the earth, practical application of methods of prevention. Adopted or proposed methods of agricultural areas have significant differences depending on the forms of misuse, faced by the State, and policies implemented in this direction [13].

Comparing the policies and practices of agricultural land used in the United States, Canada, France, England, Holland and Israel, you will notice that they are different from each other and have unique features. In the U.S. and Canada, political, socio-economic and agricultural structures, as well as agricultural policy is very similar, but fundamentally different from the European continent. In Europe, the farms are smaller and the population density is higher as a result of the agricultural area for one person - less as a result of the special conditions of agricultural policies of the European Union, that have led to the diversity of methods used. In the U.S., for example, there is the fact of application of the system of land at both the federal and local level [14]. For this reason it is necessary to shape the policy of the earth taking into account the characteristics of the structure of the state and forms of land use in it.

Defining methods of agricultural land in a particular country, it should take into account differences in the development of certain regions of the state. For example, in regions that have become industrialized, the protection of agricultural land causes problems. On the other hand, in response to the lower rate of economic development in terms of economic costs is more beneficial because it allows the development of other regions. Regions where investments are not widespread and where population density is low, are more comfortable for agricultural investments and misuse of land are less common. The formation of the policies and practices of agricultural areas affected by social, economic, political and geographical features of the country, so the author approached the subject from different perspectives, offered the following idea: in the practice of agricultural land should not only take into account the above features, but use modern foreign experience [15]. For example, in Albania, in the preparation of the work plan for land protection legal provisions are widely used in this area, the U.S. and Europe.

Methods (means) used for the prevention of misuse, which is closely linked to the socio-economic structure of society and the meaning to be given ownership of the land. Societies have different social and economic structure that gives rise to differences in the means employed to prevent the

misuse of agricultural land. So you can not tell the world a single, common view on the prevention of misuse and protection of agricultural land. In various societies, the form and content of actions aimed at protecting the land, may be different, but the presence of identical or similar practices suggests the existence of general principles of this type of activity. For this reason, the means used to protect the land, it is necessary to classify a variety of methods from different points of view.

These funds are not measures capable to get quick results, and therefore can take time. This process has differences in different countries, in fact, there may be differences in the processes taking place inside the country. From this point of view, land conservation measures, taking into account the duration of various processes can be divided into short and long term.

These methods are defined as measures to prevent the misuse and protection of agricultural land, regardless of the country in which they are used, essentially aimed at the same thing. Moreover, this overall goal includes not only the protection of the earth, but the level of development of the country, which makes it possible to classify the different means of protecting the earth. In developed countries, the qualitative and quantitative limits of farmland are strictly defined, which provides a coherent system of the territories and the legal framework of this activity. In these countries, the work on the inventory and planning throughout, as well as agricultural land has already been done.

For example, in European countries such as Germany, Belgium, Holland, Norway, Switzerland, Denmark and Sweden, cadastre and land use planning is completed at 100%. In turn, in the underdeveloped and developing countries, the qualitative and quantitative limits of agricultural land has not yet been determined, it is not just difficult to guard them, and makes it impossible. Therefore, evaluating the means of protecting the land in accordance with the level of development of the countries, we can see that in some countries these resources are under the control of the state by force with the establishment of a legislative framework, whereas in some other countries, these funds are provided by civil society organizations. This situation provides an opportunity for the classification of means of protection of agricultural land use such a measure as the level of development of the country.

One of the most important means of preventing the misuse of land are legal provisions in this area. These provisions in some countries directly regulate the legal framework for the protection of agricultural land, while in other countries they are

part of the legal measures for the protection of the environment and planning . From this point of view, means of land protection can be classified as direct and indirect legal remedies.

Some means of protecting agricultural areas have the same names in different countries, but have different practices as well as differences in the quantitative and qualitative characteristics of these practices and ongoing process . Whatever methods and tools were not used, the success of its practical application depends on public support. For example in the USA reason for the success in the protection of agricultural land was the work of non-profit civil society organizations operating in the public interest . From this point of view, means of land protection can be classified as the means used by government intervention, and the means used by civil society organizations.

Classification means to prevent improper use and protection of agricultural areas which may also be based on their characteristics, methods of practical application and other characteristics . Whichever of these funds would not be accepted, the main is to develop plans for the use of the land . Therefore, in different legal systems legal regulation is the most effective, which provides for land use plan, warning their misuse.

Every legal system is unable to absorb all of the rules governing land use planning, because each of these systems has different practices that are based on the structure of society, the level of socio-economic development and the views of the ownership of land taken in one country or another . For example in England and Australia in the classification of land use classifications such as short-term and long-term funds, the funds are used in both developed and developing countries, with the participation of the means used by the state or civil society organizations, the media used in private or in a general way, and based on the obtained data formed the plan of land use, while in some states in the U.S. and in some European countries in creating these plans are guided forms of land use. Thus, all methods of agricultural areas and the activities carried out by these methods have unique differences that can be studied as follows (taking into account the working conditions of a State).

The main means of ensuring the protection of agricultural land are legal provisions and theoretical structures formed by these provisions. Objectively, the legal provisions related to the division of agricultural land, are the means of implementation of agricultural policies adopted in this state. That is, the introduction of legal provisions - a kind of realization of agricultural policy. From this point of view, the legal provisions designed only

to eliminate certain deficiencies in agricultural policy course will be the basis for its success. These legal provisions only support agricultural policy, taking on the responsibility for the control in this area and the creation of social and administrative structure. In Turkish law legal provisions which do not have the support of social and administrative structures are inadequate in meeting the goals related to the protection of agricultural land.

Another important element that leads to the success of the legal provisions adopted for the protection of agricultural land, it is an absolute necessity to support the political authorities of funds under these provisions. In case of a lack of supporting political authorities and the decisions taken by them, the legal provisions will be carried out only for the sake of, that is, as such, they will not be implemented . An example is the lack of success of legal norms of the Turkish legislation in this area. In consequence of the fact that legal provisions can not be implemented due to the lack of support for the political authorities, the protection of agricultural land also can not be implemented.

Along with the legal measures social measure are important. Legal provisions, taking as a basis for social order, natural cover and government agencies. In almost all developed countries, there is a public structure responsible for the supervision and implementation of measures for the protection of agricultural land . For example in the United States under the Ministry of Agriculture has a department for the protection of natural sources (Natural Resources Conservation Service), and in England at the Ministry of Environment, Food and Agriculture Department operates land use (Land Use Department), and who are responsible for the activities in the field protection of agricultural land . These structures ensure the implementation of the legal provisions on the entire territory of the country, and exercise control and supervision . In Turkish law to prevent misuse of the land since 1980 the appropriate legal standards were used, but a special department or unit in this area has been established.

One of the important elements that increase the efficiency of the legal provisions is the level of public awareness of "social protection " of existing agricultural land. As in any other field, the legal measures taken for the protection of land, can be effective and successful only with the participation of the public . Therefore, as indicated by Keles, along with the legal provisions adopted for the protection of agricultural land, the importance of the presence of social support, especially during the implementation of these provisions. Often the only legal provisions aimed at preventing the misuse, and protection of agricultural land is not enough, because prevention of

misuse and protection of agricultural land can not be achieved only through the legal provisions and regulations.

For this it is necessary to clearly define the existence and scope of the use of agricultural land, forced to create plans for the use of land, and, most importantly, to provide decent funding and control in this area.

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