

Agricultural Multifunctionality and Principles of Justice: Impacts of Agri-Environmental Agreements in Dordogne

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Abstract : *Efforts to include multifunctionality in agricultural policies can be seen as a response to two important changes underway since the 1990s: economic liberalization and environmental conservation. Public policies now encourage production systems that preserve natural resources while maintaining jobs and the social fabric in rural areas. In this paper we investigate the effectiveness and equity of the principles behind the distribution of public subsidies through Land Management Agreements (LMA, Contrats territoriaux d'exploitation), the principal agricultural multifunctionality instrument deployed in France. In an overview of the theories of social justice, we identify several competing principles of justice and demonstrate that the LMA scheme leads to a mode of regulation that is compatible with Rawls' principle of difference. Though the LMA itself may benefit to larger farms, the agri-environmental measures (AEM, Mesures agrienvironnementales) linked to the LMA had the direct effect of reducing gaps in incomes between participating farmers. We also point out the difficulties involved in reconciling equity and multifunctionality at any scale of implementation (individual farm, territory, etc.). Such difficulties are seen to arise from the apparent incompatibility of the principle of equality, invoked by proponents of rural viability, and the principle of merit, invoked by proponents of environmental stewardship.*

The agriculture acts of the 1960s enabled France along with "Europe of the Six" to develop food self-sufficiency and to become a food exporter. This was achieved through technical modernization and restructuring of farms. But by the mid 1980s this development model had reached its limits. Within the EU, certain elements began to denounce the negative effects of intensive farming on food safety, on conservation of natural resources (soil, water, biodiversity, etc.), and on the demographic, economic and social organization of rural territories.

In 1992 the EU began a wide-ranging reform of its common agricultural policy (CAP). Seeking a more sustainable development model for its member states, the CAP sees agriculture as having important environmental and social functions, and puts forward a normative vision of agricultural multifunctionality as a means to implement sustainable economic and social development (Laurent, 2002).

In France, this vision was adopted as part of the 1999 Agriculture Act, which would, according to the farmers unions, "renew the terms of the contract that brings agriculture and the Nation together (Hervieu, 2002)". At the same time, discussions around Agenda 2000 resulted in the EU establishing at the Berlin Summit the second pillar of the CAP, founded on rural development (Lowe *et al.*, 2002).

At both the French and European levels, new rural and agricultural guidelines encouraged, through public financing, systems of agricultural production geared towards the protection of natural resources and landscapes. These policies also aimed to maintain jobs, the rural social fabric and farmers' incomes; guidelines highlighted the importance of equity in the allocation of public funds and in their redistributive impact to social cohesion in rural areas (Butault *et al.*, 2002).

Indeed, previous CAPs have not always proved effective and fair in terms of the principles applied to the distribution of subsidies. Some suggest that they have contributed to a two-tier system of agriculture, with productive farming on the one hand and "social" farming on the other, through both price policies and policies designed to compensate for the natural disadvantages of certain "difficult" zones¹. Furthermore, they have failed to stop the decline in

¹ The first measures promoting environmental protection appear in the dualism of "marginal measures for marginal zones" (Rémy, 2000). But regulatory measures such as nitrates directives result in differentiated treatments based on

the number of farms and to ensure sufficient incomes for all farmers (Fabre *et al.*, 1998; Commins, 2004).

Will the most recent reforms produce more of the same? In this paper, we analyze the distributive norms inscribed either implicitly or explicitly in the French Agriculture Act of 1999 as well as the principles of justice underlying them. We will focus on the application of France's main multifunctionality instrument, the Land Management Agreement (LMA, *Contrat territorial d'exploitation*)², over the period 1998 to 2002. To begin, we discuss distributive norms from a theoretical standpoint, in relation to principles of equity and justice. We will then analyze, from an economic and sociological perspective, the selection process used in the implementation of an LMA scheme in the south-western French department of Dordogne. Lastly, we will consider the effects of the selection process on inequalities between participating farmers.

1. Principles of Justice, the Search for Equity and the Social Contract

Protection of environmental resources in both time and space for current and future generations is an important question for social justice. The inter-temporal dimension relates to maintaining the quality of resources over time and expresses a desire to ensure that future generations have access to the same quality of resources. From a theoretical standpoint, Jonas' (1979) Principle of Responsibility provides relevant insights into inter-generational aspects of environmental ethics. Arising from a sense of solidarity between successive generations, this principle regulates human actions into the future. As stated by Jonas, it is important to "act so that the effects of your action are compatible with the permanence of genuine human life". Such a view is relevant to the management of rural amenities, if we accept that future generations have a right to the same amenities. However, current public policies on agricultural multifunctionality do not address the issue of inter-generational bonds. Still, the intra-generational approach provides insights to our assessment of the implementation of multifunctionality, since public subsidies are given to today's farmers with the expectation of benefits for today's citizens. Nevertheless, even in this case oppositions can arise between the different principles of justice. It would seem useful therefore to briefly review the different theories of justice before proceeding with our assessment of whether the measures implemented in France are fair and equitable.

Distributive Norms, Equity and Principles of Justice

Contemporary questions of equity and social justice were widely discussed during the post-war period, giving rise to the establishment of strong welfare states in several western nations, along with rapid developments in the social sciences. During this process, varying ideological positions produced a number of different theories of social justice (Kellerhals, 1995).

The various theories crystallized to a certain degree during the 60s and 70s based on the results of empirical studies. Early work on norms applied to the distribution of resources (material or symbolic) among members of a group according to their contributions to common action resulted in a theory of equity (Homans, 1961). For Homans a single norm of justice is sufficient, i.e. the norm of merit, which holds that individuals should benefit in exchanges with others in

type of agriculture and type of space: while "intensive agriculture is mainly concerned with water issues (...) extensive agriculture is more concerned with land management, landscape preservation and biological diversity (Alphandéry et Bourliaud, 1996).

² In French, *Contrat territorial d'exploitation (CTE)*.

proportion to their efforts³. Subsequent sociological and psycho-sociological investigations identified at least two additional principles of equity: the principle of need and the principle of equality. The former sees equity as giving to each according to his or her needs (childcare, healthcare, etc.), while the latter sees equity as providing each individual with the same resources, without regard to his or her needs or contributions. Unlike the principles of merit or need, the principle of equality requires no proportionality, since all individuals are treated in the same manner. These three principles—merit, need and equality—are the ones most often cited in empirical studies, though other principles are sometimes discussed, including distribution according to rank and distribution according to legal entitlement (i.e. fair application of the law). Justice is thus relative to the criteria applied, suggesting several principles at work, most of which call for a proportional distribution, not “to each the same”. In this way, certain inequalities are considered equitable, i.e. they do not lead to a sense of injustice. This is possible when inequalities arise from a hierarchical order that is acceptable to all (inequalities in salary, land holdings, etc.). Dubet (2005) uses here the notion of *inégalités justes*.

This diversity of principles is generally accepted today, as is the notion that the distribution of material or symbolic goods relies on “a mixing of these principles and not the monopoly of just one” (Kellerhals, 1995). Equity thus results from the simultaneous application of different and sometimes contradictory principles of justice, as is the case with the principles of equality and merit. The distributive norm attempts to reconcile these contradictions, if that is indeed the desire of the group⁴ (Perelman, 1977). In other words, the search for equity is an attempt to be the least *unfair* as possible and to reduce existing inequality as much as possible, whereas justice is an ideal.

Rawls (1971) lays out two principles of justice that follow a specific lexical order. The first of these is *equality of liberties*, whereby “each person is to have an equal right to the most extensive total system of equal basic liberties”. The second principle is in fact twofold: The principle of *fair equality of opportunity* must ensure that all offices and positions are open to all with the same chances of success. The *principle of difference*⁵ on the other hand provides for a distribution in favor of the least advantaged, within limits imposed by a fair principle of savings. The principles of justice as formulated by Rawls are fair and equitable principles. A principle is fair if it respects all higher-order principles. This hierarchical order is the cornerstone of the Rawlsian conception of justice; since the principle of equal liberty has priority over the principle of difference, a society that does not guarantee basic liberties cannot be considered a fair society. Justice founded on equity thus requires conformity with the principles of justice that precede the redistribution of a society’s wealth.

But interpretations of Rawls’ contributions are seen to vary among the different disciplines and approaches. It would seem useful therefore to compare the empirical principles of the various social sciences with Rawls’ philosophical principles. Some similarities can be seen between the principle of equity based on equality and Rawls’ first principle. For Rawls, each individual in the

³ In practice, benefits are in relation to work done rather than to merits/efforts, as it is the results (or production) that is typically remunerated and not the intentions or sacrifices made by the individual. Merit has a moral dimension that is absent from considerations of remuneration for work (Perelman, 1977).

⁴ “Equity tends to diminish inequality where the establishment of perfect equality — of formal justice — is rendered impossible by the fact that simultaneous account is taken of two or more essential characteristics which come into conflict in certain cases of application.” (Perelman 1977).

⁵ In his preface to the revised edition, Rawls (1999) substitutes this principle with the *principle of utility*: “I continue to think the difference principle important and would still make the case for it, taking for granted (as in the second comparison) an institutional background that satisfies the two preceding principles. But it is better to recognize that this case is less evident and is unlikely ever to have the force of the argument for the two prior principles.”

“original position”⁶ is entitled to a set of liberties (or “primary social goods”) distributed equally between all members of the group. The principle of equality thus seeks to protect basic liberties pertaining to these primary goods, e.g. political freedom, freedom of expression, freedom from oppression, the right to personal property, etc.

Differences appear with respect to the longevity of principles. In the sociological view, principles are continuously adapting to societal changes and are thus social and reflexive in nature. For Rawls on the other hand, principles are the very foundation of the social contract and are, according to an established lexical order, immutable. This difference is due to Rawls’ focus on the ethical principles of western democratic societies, while sociologists and psycho-sociologists are primarily interested in how individuals translate the “universal” value of justice into rules of behavior and principles of action under specific circumstances. Another difference is the non-observance by the sociological currents of any particular hierarchy, including Rawls’ predefined lexical order. It is thus open to discussion whether the principles of equity based on merit or on need are compatible at all times with a society that sees itself as equitable and egalitarian.⁷

Justice and Distribution of Wealth: The Nature of the “Social Contract”

The preceding discussion on the principles of equity leads us to the question of distributive justice. One important aspect of Rawls’ vision, contrary to that of the egalitarians, is that a certain amount of distributive inequality is acceptable if and only if the inequality is a necessary condition for improving the lot of the most underprivileged.

This question is not just about goods and trade, but extends to the role of society as a system of distribution (Ricoeur, 2000). We can thus consider equity from two standpoints. From a procedural standpoint, equity can be seen as a set of rules intended to provide a fair context allowing individuals to find their place (according to the principles of justice previously mentioned). This view is based on the notion of an initial, theoretical contract (cf. Hobbes), founded on a set of common political values. In this view, society is considered “a mutual congregationalist phenomenon” (Ricoeur, 2000). In a procedural approach to achieving fair distribution, three features emerge (Rawls, 1971): the selection of an independent criterion of fairness; the definition of a procedure for choosing the fair outcome; and the outcome itself. From a sociological standpoint, the selection of the independent criterion is key, and justice is considered as being constantly redefined, since its multiple principles are often contradictory and must be adapted to the specificities of each situation. Judgments as to what is unjust stem from societal reflections, and are not considered to be final pronouncements⁸. For Habermas (1984), values applied to judge the fairness or unfairness of concrete situations are defined through a debate process.

In this theoretical framework of justice, a third party—one that is public and recognized by all as legitimate—is needed to regulate the principles of justice. This public authority will also have to enforce the principles chosen by the members of the group⁹, which in itself poses certain

⁶ Principles of justice are elaborated on the basis of (virtual) negotiations between individuals belonging to different generations and with no knowledge of the each other’s position or office, in conformity with the veil of ignorance hypothesis. Therefore the original position is a purely hypothetical one from which the parties seek to define the concept of *the good life*.

⁷ Dubet (2000) writes “A fundamental contradiction underlies our societies: as democratic, they endorse the essential equality of all subjects; as capitalistic, they continually rank talents and merits through market processes.” (*our translation*)

⁸ For Dubet (2005), such judgments are considered normative activities carried out by individuals.

⁹ The question of the identity of the members is raised here: Are they members of the European Union, of the nation state, or of the local farming or rural community?

difficulties. This puts the question of agricultural multifunctionality in a new light: if it is agreed to encourage the three functions (food production, protection of natural resources, safeguarding of jobs and the rural social fabric), will it be done in a way that is equitable for all farmers? We will now try to develop this reflection by taking a detailed look at the multifunctionality implementation scheme rolled out in France by means of the LMA. Our analysis will be limited to the department level (the administrative level for which the LMA was designed), specifically the department of Dordogne. Three issues will be addressed: the negotiation process through which the principles of justice to be applied were chosen; inequalities of access to the LMA; and distribution of allocated subsidies among the participants. From a justice perspective, we will attempt to determine how public support policies for multifunctionality influenced the selection of farmers for participation and whether this selection helped to reduce existing inequalities that were perceived as unfair, or, on the contrary, resulted in greater levels of exclusion.

2. Implementing Equity through Public Subsidies for Agricultural Multifunctionality

The LMA is a multifunctionality contract by which a farmer commits to developing activities aimed at producing added value while contributing to environmental stewardship, territorial stability and jobs creation/maintenance¹⁰.

The agreement consists of two main components: The first component requires the farmer to carry out certain environmental actions, while the second enables him/her to invest as needed to ensure the viability of the farm, including the purchase of equipment to be used for future environmental actions. Environmental actions are determined according to the specifications of agri-environmental measures (AEM) spelled out by the European Union.

Under the terms of the agreement, the farmer is entitled to subsidies for business investments. The AEM also provides for support to pay for loss of income or increased manpower requirements related to the farmer's implementation of the specified environmental actions.

We next wanted to investigate the impacts of the distributional norms implicit in LMAs on access to public subsidies, as well as the redistributive impacts of the actual subsidies. It is difficult to make direct correlations between the impact of subsidies on the socio-economic situations of participating vs. non-participating farmers and the definition of justice implicit in the terms of the final LMA documents. Nonetheless, we will attempt to evaluate the distributional norms discussed among the various departmental actors. We will also explore the principles of equity that underlie the distribution of environmental actions among farmers entering into LMAs.

Dordogne, Farmers Organizations and Discussions on Multifunctionality

Dordogne is a department in south-west France where agriculture occupies 330,000 ha, or about 40% of the territory. The choice of Dordogne for this pilot program was based on four characteristics relevant to multifunctionality. Firstly, farms are relatively small: 29 ha on average compared to 42 ha nationally. Secondly, many different types of farming are practiced in Dordogne. Mixed crop-livestock farming is quite common, but there are at least 16 other main production types to be found, including cattle/sheep, cereals and oil seeds, vineyards and fruit orchards. Thirdly, farmers sometimes supplement these main production modes with specialized productions such as tobacco, walnuts, waterfowl, berries, chestnuts, truffles, etc.). Finally, and of

¹⁰ For more details on the origins and specificities of this complex instrument, please refer to Rémy (2002).

particular interest to our study, the farmers organizations in Dordogne had asked permission to conduct trial runs of the LMA scheme prior to its official launch, which resulted in intense discussions about the objectives and the means of deployment. The rate of participation was one of the highest in France: with 657 agreements entered into as of June 2002, Dordogne was among the top five French departments in terms of farmer participation.

Examination of both the debates that took place during the trial period and the signed agreements shows that equity can be seen in terms of three distinct aspects: the selection process (which farmers can participate?); the impact of subsidies on farmers' incomes; and environmental stewardship. It will be seen that the principles of justice at play are not the same for each of these aspects.

Equality of Opportunities: The LMA Selection Process

Because Dordogne had positioned itself as the pilot department starting in 1998 (more than a year before legislation was enacted in France), the key details of the LMA (i.e. the institutions involved, agreement duration, eligibility requirements) had been worked out early, even if the aims remained undecided. Departmental institutions were thus given some flexibility in adapting the contractual details to local agricultural goals. A working group was formed with the specific mission of drafting a standard agreement to be proposed to farmers.

Designated to provide the first outlines, the Chamber of Agriculture worked closely with the various agricultural institutions (public agencies, farmers unions, cooperatives, etc.) and the Conseil Général (departmental governing council). The Chamber of Agriculture also held consultations with several recognized environmental actors including an environmental protection group, the departmental agency for urbanism and the environment, and hunting and fishing groups. A second phase of discussion began in July 1999, when the legislation came into effect. The departmental Agricultural Commission was charged with examining farmers' LMA applications and to evaluate the various proposals for the standard agreement. The commission was made up of actors representing both environmental and farming interests. During the two phases of this consultation process (early 1998 – July 1999 / September 1999 – early 2001), a vision of agricultural multifunctionality took form, though it proved difficult for participants to consider both economic and environmental aspects at the same time (Candau et Chabert, 2003). The meaning of *justice* discussed below is derived from the contributions of the various actors at the local level; and does not seek to describe what a national political/moral consensus might look like.

The debate over the general guidelines of the LMA was driven by a number of political proposals from the various actors¹¹. Farming actors (and especially the Chamber of Agriculture) saw the LMA as a means of obtaining public subsidies, particularly for small farmers who until then had little access to them. They were also pleased by the prospect of receiving funds allotted to environmental stewardship, as opposed to food production, as a means of re-establishing some balance in the distribution of public subsidies between farmers. Implicitly, the actors wanted to apply the distributional principle of equality by taking into account not the volume produced by each farm, but rather the productive unit itself: each farm was seen as having a "right" to public support, even those with a low output of commercial agricultural goods.

Another political objective was to maintain the maximum number of farms. All actors agreed to this objective as necessary to halt the declining vitality of rural spaces. Public subsidies were

¹¹ Our investigation is based on semi-structured interviews of the institutional representatives involved in these discussions over the period 1998-2001. The interviews were conducted in 2001.

thus viewed as a supplemental income that could strengthen (or, if necessary, restore) the viability of some farms. This conception led the farmers unions to advocate for LMA access for all farmers, without regard to the size of their farm or to their amount of production. One would only have to be a full-time farmer, or part-time with another activity. To ensure that the norm of equality be truly operable, it became apparent that the standard agreements would have to include specifications that could be met by all farmers.

In the end, the Dordogne program proposed two types of standard LMA agreements: "certified quality" and "added value and diversification". Only 6% of department's eligible farmers (under 55 years of age) signed on, representing 10% of the department's usable agricultural lands. Furthermore, only 26% of the LMAs entered into concerned farms of less than 30 ha. Yet the agricultural census of 2000 tells us that these smaller farms account for more than 67% of farms in Dordogne. This low-rate of participation by small farmers is due to the combined effect of two selection mechanisms that put at a disadvantage farmers with low self-financing capacity and low networking habits. Indeed, it is precisely these smaller farms that have the lowest incomes, and entering into an LMA required in the end a minimum of self-financing capacity to make good on contractually agreed investments¹². Our analysis of the data also indicates that farmers with smaller operations had little contact with the institutional networks charged with implementing the reform, networks through which information and knowledge were discussed and shared to enable each farmer to make an informed decision about entering into an LMA. Thus, contrary to the desires expressed by the institutional parties during the trial phase of the LMA program, the principle of equal access to public subsidies was not fully implemented. Equality of access to public subsidies through the LMA would in fact have required that two conditions be met: equality of access to information, and equality in ability to take advantage of the opportunity.

Notwithstanding this inequality of access, we examined the extent to which entering into an LMA contributed to equity between farmers, i.e. the distributional impact within the population of participating farmers.

Principles of Justice and Inequalities between Participating Farmers

The dataset for farmers entering into LMAs does not contain information on farmers' actual incomes, but rather their income derived from farming activities. We chose operating profits as our reference variable; this is gross earnings before deductions for non-operating expenses such as loan payments, depreciation, and taxes, and provides a good indicator of a farm's economic vitality. Given the context of caps on government participation, it is not surprising to see a positive correlation between the operating profits and the total amount of contractual investments by farmers. In other words, farmers with high operating profits were able to take on relatively high investments, as they have, in absolute terms, a higher margin of economic maneuver. Analyzing the distributional impact of the LMA first required an analysis of the direct distributional impact of AEM supports, since supports for specified environmental measures are not conditioned upon any additional criteria.

The empirical analysis that follows is intended to provide a better understanding of the impact of the distributive mechanism implicitly established for the distribution of AEM subsidies. For this purpose, we calculated inequalities in operating profits, inequalities in AEM subsidies, and inequalities when combining operating profits and AEM subsidies. In addition to this one-dimensional approach to inequalities, we also carried out a more detailed, multidimensional analysis to determine the contribution of each group to the total inequality. This was done using

¹² It should be noted that certain types of specialized farming can sometimes yield higher incomes for smaller farms.

Dagum's Gini index decomposition method (Dagum et al., 1995).¹³ This decomposition method allows the total inequality among a population to be explained:

- in part by the income disparities among members of a sub-group as defined by a second socio-economic variable (in this case the surface of the farm, thus distinguishing large and small farms) and,
- in part by the inequality of income (difference in average income) between the two sub-groups¹⁴.

We calculated the Gini coefficient for the distribution of operating income (gross income derived from farming activities) for the population of participating farmers. We calculated the relatively low index of 0.36., indicating a fairly low concentration in the distribution of the total operating income generated by the participating farmers. This is consistent with the fact that the participating farmers presented similar characteristics from the start of, and in part due to the nature of the selection process. The Gini index for the distribution of subsidies was calculated at 0.40 — rather close to that of operating income. On the other hand, the Gini index for operating income plus AEM subsidies was calculated at 0.28. This lower index shows that the inequalities among the participating farmers were substantially reduced when subsidies were included. 64% of the operating income Gini index can thus be attributed to intragroup inequalities. This is not surprising because if we compare two farms of only slightly different size, it is the type of production and not the difference in size that has the greatest impact (for example, one hectare of tobacco provides a higher income than one hectare of pasture). Intergroup inequalities only account for 36% of the inequality in distribution of operating income. Inclusion of the AEM subsidies when calculating the operating-income Gini index reduces to 21% the share attributable to intergroup inequalities.

The last figure indicates that, in spite of the inequality even with distribution of AEM supports, the mechanism nevertheless resulted in a slight reduction in the operating income gap between large and small farms. A Rawlsian interpretation would thus seem apropos, as the principle of difference is implicitly at work here. This persistence in inequality is thus not inconsistent with the aim of improving the livelihoods of those with the lowest operating incomes, and, to a certain extent perhaps, those with the smallest farms (but without details on the types of farming involved, we must exercise caution on the last point).

Environmental Protection and Equity between Farmers

With respect to the environmental component of the contract, the initial outlines of the national procedure foresaw the need to map potential risks and harms at the departmental level. With regards to the protection of water resources, natural landscapes and certain fauna and flora, the existence of a risks and harms map¹⁵ implied that participating farmers in the concerned areas must agree to specific AEMs. In these cases the offering of public subsidies would seem particularly justified by the efforts of the farmer with respect to the environment. The distribution of funds could thus be seen as conforming to the principle of merit.

¹³ The Gini index is a means of assessing the degree of concentration of inequalities within a population. Generally speaking, inequalities can be assessed in terms of income, but it is also useful to look at the distribution of other socio-economic variables (wages, farm size, supports). The index is given as a number from 0 to 1. The index approaches 1 for unequal distributions, and 0 for equal distributions. Classifying individuals into subgroups, as defined by the range of the main socio-economic variable under consideration (e.g. income), we can identify the contribution of each subgroup to the distribution of total income.

¹⁴ For a more detailed description of the decomposition method, please refer to Dagum *et al.* (1995).

¹⁵ Such maps were required by the EU's "Rural Development Regulations", which define the terms of AEMs.

However, the application of this principle was a subject of debate among Dordogne's institutional actors. One interesting question concerned the place of landscape management. Farmers who were already keeping up river banks or field edges would be able to benefit from AEMs allotted to this purpose. In principle though, the public subsidies were intended to compensate farmers for any additional work required by new practices, i.e. existing practices were not meant to be compensated. But the farmers unions considered it unfair that the "good" farmers already carrying out desired practices were unable to obtain AEM supports, while those that weren't could.

Several parties on the "environmental side" (state agencies, environmental protection groups) shared this view, which was reinforced when LMA applications were reviewed by the departmental commission in charge. Transcripts of these discussions reveal however their arguments were somewhat different than those expressed on the "farming side". For the environmental parties, the farmers likely to enter into LMA agreements were those practicing the most intensive and specialized agriculture, and consequently were the most responsible for local environmental degradation. They viewed as paradoxical the idea that those who were previously harming the environment would suddenly be able to receive public subsidies for repairing it, while those who had been practicing more eco-friendly methods would be excluded. They thus considered it important not only to encourage new methods among the former, but also to symbolically reward the latter through some form of remuneration. In taking such a stance, they were promoting the application of the distributive norm not only for future merits, but also for past merits.

We can extend this view and consider that reward for past merits is similar to the notion of fair remuneration for non-market agricultural services. When considering environmental services as externalities or public goods to be freely consumed by the public, public intervention can be seen as essential to correcting the market's inability to adequately manage amenities. Therefore, policies offering subsidies for the production of amenities appear as key to meeting social demand. In such a framework, it is appropriate that farmers already engaged in eco-friendly practices should be entitled to subsidies. However, the value was not to be calculated on the basis of additional cost to the farmer, but rather according to the economic value of the non-market services provided to society as a whole. Thus defined, the norm of distribution assumes absolute equality between farmers involved in the production of amenities, independently of any redistribution goals. As a result, the amount of support made available for these services could prove insufficient to encourage farmers to enter into agreements.

Conclusion: Contradiction between Agricultural Multifunctionality and Principles of Justice

The LMA experience in Dordogne encourages a mode of regulation that is consistent with Rawls' principle of equity. Far from egalitarian, the tool nevertheless allows for fair distributive justice between farmers, since it was able to significantly reduce income gaps between large and small farm operators. But the non-participation by the majority of farmers due to unequal access to the LMA highlights the inefficiency of the scheme in terms of redistributive impact.

Many small farmers were excluded from the program, contrary to the intentions of the department's institutional actors involved in the initial phase. We thus consider the LMA to be only slightly effective as a redistributive instrument, as farmers are much more likely to be selected for participation when they have large operations and high operating incomes.

Our results are based on empirical evidence from just one French department, and so we must refrain from making broad generalizations. Nevertheless, our conclusions are similar to those

drawn by Dupraz *et al.* (2001), who also describe the exclusion of small farmers from an LMA scheme.

Looking beyond the redistributive aspects of the LMA, this paper has attempted to illustrate the difficulties involved in reconciling equity and multifunctionality, whether in agriculture as discussed here, or perhaps more generally at the territorial level as well. Indeed, we have pointed out the incompatibility that exists between the principle of equality (used to promote the social vitality of rural spaces) and the principle of merit (used to promote environmental stewardship). These two aims of multifunctionality, as inscribed in the LMA process, are irreconcilable from the standpoint of equity. One approach to resolving this difficulty might consist in developing separate instruments of public intervention for each of the aims. But wouldn't this simply project the contradiction down to the lowest level of action, i.e. that of the individual farm? A Rawlsian approach to this problem would consist in introducing a hierarchy. An assessment of multifunctionality from an equity perspective would thus require reflection as to the ordering of aims, since the principles of justice underlying them are incompatible. And because potentially contradictory aims such as environmental protection and social vitality present a spatial dimension, the ordering of aims would depend on the specificities of each territory; the scale of decision-making with respect to ordering would necessarily be sub-national, and might coincide, in France, with the departmental grid. Aims would thus correspond to local priorities (e.g. environmental or social). Clearly though, one should not expect any ideal of justice to be attained in this way; at best, such a course might help us move slightly towards such an ideal.

Decisions about such hierarchies involve moral and ethical questions because they examine the collective ideal. The meaning of justice raises the issue of who belongs to the social group, because "it is just to treat alike those who (...) share a same characteristic" (Perelman, 1972). Choices relating to the application of justice necessarily redefine the boundaries of the group and the profile of its ideal member according to the "characteristic" selected. In our case, should we focus on each individual farmer for the sake of the vitality of the rural space? Or should we perhaps encourage those currently using eco-friendly methods? Or those who promise to do less harm? Or again, should we focus on farmers with the greatest economic influence? Choices such as these are required for implementing "equitable" actions and define who is or isn't a "good" farmer. Despite the difficulty of the questions raised during the LMA implementation process, many in Dordogne strongly embraced the opportunity to debate the ethical dimensions of their common future.

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