

Elasticity for Civil and Political Society between the Formal Cadastre and Informal Land Tenure

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SUMMARY

The objective of this presentation is an analysis of some of the complexity of establishing formal cadastres in rural areas of Central and Eastern Europe with established informal land tenure regimes. This presentation considers the Polish cadastral infrastructure, which is undergoing substantial change. Currently Poland, along with other new member countries of the European Union, is creating a new quasi-cadastre for controlling agricultural policy. Discrepancies to the existing cadastre are provided by the central agency for Agricultural Restructuring and Modernization to local governments. How these discrepancies are resolved is an important question. Many ambiguities in land ownership arise from centuries of partition, occupation, war, and collectivization. This is seen in evidence that between 4%-30% of agricultural land in Poland is not recorded in a cadastral registry, a consequence of the gap between the formal registration of land and informal land tenure. Agrarian reform is now taking place that in many ways represents the first attempt in over 200 years to bridge the gap between political and civil society.

To analyze the tensions and conflicts between informal land tenure and formal land cadastre arising in the introduction of LPIS, this research relies on an extension of Katherine Verdery's theoretical concept of property "elasticity" as the articulation of similarities and differences between the formal cadastre for different instances of government and informal land tenure. The hypothesis for this research is that the multiple meanings of the term cadastre for different groups make it possible for the cadastre to function as a registry of property ownership, rights, and obligations. The cadastral infrastructure must address tensions between political and society as differences between formal and informal land tenure. No resolution of the differences should be expected. As a boundary object for these groups, the cadastre simultaneously relates different civil and political understandings of the cadastre while separating the differences.