

Massimo Monteduro · Pierangelo Buongiorno
Saverio Di Benedetto · Alessandro Isoni *Editors*

Law and Agroecology

A Transdisciplinary Dialogue

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Preface

This collective volume is the first outcome of an experiment in transdisciplinary scientific research started in 2012 with the creation at the University of Salento (Italy) of a group of young researchers called LAIR (an acronym for *Law and Agroecology – Ius et Rus*), and continued in 2013 with the organization of an International Conference in Lecce entitled *Agroecology and Law: A Transdisciplinary Dialogue*.

The research was motivated by a growing awareness of profound changes in the socioeconomic paradigm that have taken place in agriculture. Agriculture has evolved from the monofunctional perspective, referring exclusively to the production of goods for private use (raw materials to be used for food or industrial purposes) and to the remuneration of producers for those goods, towards a multifunctional vision. It is recognized that agriculture provides fundamental ecosystem services, inspired by the principle of sustainable development and conforming to the rule of environmental cross-compliance.

This process of transformation has been accompanied by the emergence of a vibrant and expanding field of international research, namely agroecology.

Agroecology has progressively integrated the points of view of various disciplines: agronomy, ecology, environmental sciences, geography, sociology, anthropology, history, economics, ethics, and political science. Agroecology has evolved through overcoming the traditional frontiers between “natural” and “social” sciences and examining the concept of agroecosystem viewed as a socio-ecological system.

Law, however, has remained separate and very far from the debate within agroecology.

This volume proposes to explore, for the first time in a direct and broad-spectrum way, the relationship between law and agroecology. These two branches of knowledge that hitherto have not really communicated with each other are now called upon to become reciprocally acquainted, giving rise to a process of coevolution.

On the one hand, agroecology is called upon to integrate within itself the point of view of law. This means studying the complexities of agri-food systems also in the

light of normative and institutional variables, with the lens of categories such as rights, duties, powers, responsibilities, and procedural safeguards. On the other hand, law is called upon to review its own “internal geometries,” confronting them with the agroecological paradigm. In this sense, it must address the necessity of overcoming the divisive approach that so far has kept separate, on the disciplinary level, agricultural law and environmental law and, more generally, has disarticulated the legal regulation of closely linked matters, such as agriculture, environment, landscape, and food.

This volume intends to be the first moment of an open exchange between juridical and nonjuridical systems of thought with regard to agroecology. At the same time, it deals with the experiences of different countries, in order to start up a fertile dialogue destined to continue into the future.

On the level of the academic training of the authors, the approach based on transdisciplinarity explains why in this volume are included, besides legal scholars, also scholars of ecology, landscape ecology, agronomy, food governance, chemistry, engineering, history of agroecosystems and political institutions, rural sociology, and ethics. Among the legal scholars are representatives of various fields: from Roman law to international and comparative law; from constitutional, public, and administrative law to private and agricultural law; from environmental and landscape law to consumer law. The authors come from nine different countries (Italy, Denmark, France, Greece, Hungary, the Netherlands, Spain, the United Kingdom, and the United States of America).

On a structural level, the volume is composed of three parts. The first part addresses the methodological issues entailed in linking agroecology to law. The second part aims to identify some concrete challenges that agroecology presents to law, highlighting the correspondence between multifunctionality of agriculture and multidimensionality of the relationships between land, agriculture, and the environment on legal and scientific levels. The third and final part focuses on sustainable rural development and on rural civilization as paradigms in the new agroecological approach.

The volume is woven round a key concept that is ancient and modern at the same time, namely the concept of *rus*. *Rus* marks the plurality and the interdependence of different complex systems based jointly on the land as a central point of reference. “Rural” is more than “agricultural.” If agriculture is traditionally understood as an activity aimed at exploiting the land for the production of material goods for use, consumption, and private exchange, rurality marks the collocation of agriculture into a wider sphere, which is not only economic but also social and cultural; not only material but also ideal, relational, historic, and symbolic; not only private but also public.

There is a need for a transdisciplinary approach in order to integrate agroecological paradigm in legal regulation: but this does not require a super-law that

hierarchically purports to incorporate and replace the existing legal fields. It requires constructing a trans-law that progressively attempts to coordinate interlegalities between different legal fields by respecting their autonomy but emphasizing their common historical roots in *ius*.

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Massimo Monteduro
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