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The Netherlands Food System Policy Nitrogen Emission Reduction Policy amidst Competing Interests and Struggles for Influence

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The Netherlands food system policy

Nitrogen emission reduction policy amidst competing interests and struggles for influence

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Preface

This paper gives a close look at how policymakers in the Netherlands are dealing with the issue of excessive nitrogen emissions. The study is commissioned by the Food System Economics Commission (FSEC), an independent academic commission set up to equip political and economic decision-makers with tools and knowledge to inform a transition towards healthy, inclusive, and sustainable food and land use systems.

The literature on the political economy of change has drawn attention to the role of coalition building among stakeholders. This paper, together with other case studies, was commissioned by FSEC to explore the role of coalition-building in transforming food systems. It looks at the issue of curbing excessive nitrogen emissions as a lens through which to analyze the Dutch food system political economy. The study analyzes the sets of government interventions that followed the Court ruling in 2019, interventions that have involved complex and competing interests and trade-offs. Nitrogen emission regulation is a salient issue in the Netherlands, and this paper reflects on how the policy and institutional framework is designed and equipped to deal with it.

The analysis is mainly based on the information available in July 2022. This version of the paper is updated to include later developments as well. The input on past policy making comes from the authors dissertation, which is expected to be published in 2024.

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Summary

The Netherlands is one of the few countries in Europe where excessive nitrogen use plays a strong role in public debate and in policy discussions on the future of agriculture and nature preservation. This paper looks at how policymakers in the Netherlands are dealing with this issue. The paper is based on desk research, (literature, reports, media articles) and discussions with the FSEC.

The management of nitrogen in Dutch agriculture was from 2015 based on the Programmatic Approach on Nitrogen (PAS), a nitrogen-licensing system based on estimated future emission reductions. In 2018, the European Court of Justice ruled PAS to be insufficient to protect Natura 2000 areas (protected areas under EU legislation). The State Council in the Netherlands, one of the high administrative courts, agreed. With that decision, the implementation of PAS was suspended and over 18,000 construction projects were blocked: including the building of new roads, houses, airports, windmill parks, industrial facilities, and new or expanding farms. Thousands of farmers lost their nitrogen rights. The economic loss of all these projects is estimated at over 14 billion euro and is still growing (Erisman, 2021).

In response to the situation, the Government of the Netherlands announced new measures, and more are expected. In January 2022 a dedicated minister for Nature and Nitrogen was installed. Currently, tough measures for farmers have been proposed to ensure nitrogen emission reductions. While voluntary participation is central to the policy, it is anticipated that forced closure of farms and reductions of livestock will be introduced, particularly for farms in or close to vulnerable nature areas. A transition fund worth a cumulative 25 billion euros up to 2035 is announced and the minister for Nature and Nitrogen is coordinating the development of a national integrated policy framework. These are now awaiting further political decisions after the election in November 2023.

The political objectives and measures announced represent far-reaching policy changes and their implementation calls for joint public-private actions. However, successful policy implementation can no longer rely on past ways of achieving consensus. During the decades after the Second World War, agricultural policies were an example of successful alignment of powerful decision-makers in the Netherlands, often referred to as the “Green Front”. Food production in post-war Netherlands was insufficient to feed the population and the necessity of increased food production was central to postwar recovery programs. Few, powerful players dominated problem definitions and solutions in agriculture and agribusiness. The decision-making process was based on reaching consensus between various parties. The Green Front was an iron triangle of firm collaboration between politics, administration, and corporate business: the Ministry of Agriculture; the parliamentary specialists, and the agricultural interest organizations. This type of cooperation was made possible through careful consultation based on formal and informal engagement, discipline, and a balance of interests. Contentious issues were neutralized and depoliticized in a technocratic process, where the elite represented the farmers. Conflicts were kept to a



minimum in a process that was shielded from outsiders (e.g. non-agricultural actors), in a carefully orchestrated hegemony. Many of the involved had the feeling that the measures were justified.

The powers of the Green Front have now crumbled with the rise of new issues and influential stakeholders who pursue issues such as environmental protection, nature conservation, and animal welfare. Problem definitions and solutions have become more ambiguous and powerful players are more dispersed. The institutional framework is today much less able to unify and establish solid coalitions and consensus. In the past, policymaking was more about agriculture itself. Now policymaking covers many other sectors, such as nature, water, infrastructure, climate, energy, industry, housing, and construction. We now observe an ongoing “battle of plans,” where private stakeholders launch their own plan and a policy agenda with multiple issues that must be resolved simultaneously, such as housing, urban development, energy, and climate.

All current issues together impose conflicting values and claims on scarce land, not only originating from the need to support farming and protect nature, but also due to a shortage of 1 million homes and the need to support industry, build roads and other infrastructure. Food production for domestic consumption and export is no longer the single undisputed priority of land use in the Netherlands. Farmers feel threatened in their subsistence and their trust in the government is low. The result is a situation of political turmoil, with competing rather than collaborating coalitions. The government’s ability to solve the problems of excessive nitrogen use while offering farmers a future is unclear, despite its determination in finding a solution.

The current policy have so far not brought a successful integrating policy and it is still on the agenda. Besides, the agricultural sector is very diverse and fragmented, which was also one of the conclusions from the analysis of the Agriculture Agreement process (2023). This process was based on an interactive dialogue, which resembled the principles of consensus building we saw during the Green Front. But the process was initiated in a period of emotionally heated discussion. The ability to depoliticize issues was therefore limited. It missed the enduring, continuous and institutionalised character of the interaction which featured the Green Front. And, as said above, the farmers are now less united and they lack the type of representation we saw in the past. As a result, we can say that the development of shared values did not mature and eventually was not sufficiently well advanced. The interests involved remained competing and the process stopped.

Thus the question now is how to proceed towards workable solutions. Using a food system analysis approach could help, by for instance being supportive in the identification of more efficient uses of natural resources and link it to the social economic context. Through such analysis, sector-crossing trade-offs and synergies could be brought more explicitly into the policy process and aid the search for priorities. New ways forward could follow Weick’s (1995, 2001) notion of Celebrate small wins, which refers to joint efforts to look at what



does and does not work, allowing for the identification of common ground and discuss lock-ins and trade-offs, and find solutions together. By that an inclusive governance for a food system transformation could emerge, based on credible and transparent institutions aligning interests, power, and influence, with negotiation and conflict management processes in cases where interests diverge. There is a need to mobilize and incentivize the process, and activate resources, innovation capacities, and outreach to all constituencies in society. The many values involved should then be embraced and respected. A return to the past when agriculture was a matter for the agricultural sector is not an option any more.



1. The rise of an urgent problem that is hard to regulate

1.1 Nitrogen emissions becomes a problem

Since 2015, the Dutch approach to reducing agricultural nitrogen use was the Programmatic Approach on Nitrogen (PAS), a nitrogen-licensing system based on estimated future emission reductions. But this system was essentially based on a promise of future emission reductions. The European Court of Justice in 2018 ruled PAS to be insufficient to protect Natura 2000 areas, which are areas of natural value protected by the EU member states. The Council of State in the Netherlands (with its Administrative Jurisdiction Division being the country's highest general administrative court)¹, agreed with the European ruling in May 2019 (Erisman, 2020). With that decision, PAS was frozen and over 18,000 projects blocked. Those projects included the building of new roads, houses, airports, windmill parks, industrial facilities and new or expanding farms. About 2500 farmers lost their nitrogen rights and the economic loss of all these projects is over 14 billion euros and growing (Erisman, 2020). By that nitrogen emissions became a problem for the Netherlands. The key challenges for policymaking was now about how to quickly and convincingly reduce ammonia (NH₃) emissions to de-lock the economy (Jongeneel and Gonzalez-Martinez 2020).

The Netherlands is one of the few countries where excessive nitrogen plays a strong role in public debate and policy. The emission level is too high, which creates many environmental threats. It is a small country with a high density of inhabitants, much industry and transportation, a large agriculture sector and nature areas to protect. High emissions contribute to biodiversity loss, climate change, ozone depletion, and air and water pollution. Nitrogen emissions come from various sources, and they have proven hard to manage. This paper is about how the need to cut nitrogen emission is playing out in the Dutch political economy.

Cutting nitrogen pollution is a difficult policy problem for the Dutch government. The government sees (intensive) agriculture as a part of the problem. At the same time, the government acknowledges that the problem is far from limited to agriculture. It is strongly linked to other sectors as well, such as housing, transportation, infrastructure, manufacturing, and industry. The government states that the pressure on nature from agriculture is too high and that the emissions must be reduced. The necessity of a more sustainable agriculture for the government is evident. Its signal to farmers is that there is no alternative to reducing the nitrogen emissions, especially the emissions near vulnerable nature areas. At the same time, the government has announced that it wants to maintain a strong agricultural sector. The Netherlands is the world's 2nd largest agricultural exporter (Poppe and Erisman, 2020), and many parts of the global food chain are dominated by Dutch

¹ <https://www.raadvanstate.nl/talen/artikel/>



companies. The agricultural sector in the Netherlands is the most productive and efficient sector in the European Union per unit of land (Van Grinsven et al, 2019). About 54 % (2,2 million hectare) of Dutch land, is agricultural land². However, emissions of ammonia, surpluses of nitrogen and phosphorus, and the use of pesticides per hectare of agricultural land in the Netherlands are among the highest in the EU (Van Grinsven et al 2019). The livestock sector continues to pursue scale enlargement and intensification while critics point to the pressure on the environment from agriculture, not only ammonia emissions and nitrogen surplus depositions, but also climate gases, the use of pesticides, discharges to surface waters and drought (Sanders et al, 2023).

The long term changes in the institutional landscape for agricultural policymaking in the country compound the challenges of introducing new policies in the sector. Previous arrangements used to allow for a shared understanding of problems to develop through a consultation process and would allow for sustainable solutions to be identified. In the period after World War II addressing national food deficiencies by focusing on food production for national food security was a central policy objective. During this time, the national agenda was based on tight cooperation between the government and the agricultural sector, and agriculture was boosted with major public research and development. High productivity (due to the high intensity of input use) and the export orientation that followed led to the environmental problems the government is trying to solve today. These environmental problems related to agriculture started being recognized in the 1970s and 1980s, although they became a major public concern only since the 1990s (Termeer and Werkmann, 2011). High animal densities, high yields and high nutrient input levels have then typified agriculture in the Netherlands for a long time, with in particular high nitrogen and phosphorus surpluses per hectare since the 1980s (De Vries et al., 2021; Jongeneel and Gonzalez-Martinez (2020).

When environmental concerns became prominent on the policy agenda, the conventional networks of agribusiness interest groups crumbled and opened up to decision making processes less inclined to consensus and more open to discursive struggle (Selnes, forthcoming 2024). Several protests (see section 1.4) from farmers against the new policy to combat nitrogen emissions highlight the tense relationship between farmers and government (Aarts and Leeuwis, 2023).

Today, the government is working on plans to deal with the country's excessive nitrogen emissions. What is clear is that this issue has triggered forces related to both the economics and the environmental dimensions of the current food system. Many farmers see the measures as unfair because they are not the only ones at fault for nitrogen emissions. On top of this, farmers must then carry what they deem to be an unacceptably high price compared to other emitters. In their view, by adopting the new regulations the Netherlands

² <https://www.cbs.nl/nl-nl/longread/de-nederlandse-economie/2020/de-landbouw-in-de-nederlandse-economie?onpage=true>



will transfer the problem of high nitrogen emissions to countries with less environmental concerns. Others argue that agriculture has got away with the unaccounted (environmental) costs of food production for too long. Regardless, the high court has already made its decision, and the government is obliged to act accordingly to protect nature. Interestingly, and in line with its tradition of cooperation, the Netherlands is introducing a mix of mandatory and voluntary measures. This contrasts with the approach of other countries such as Belgium (Flanders), where the government will force the 41 most nitrogen emitting farmers to stop farming, introduce restrictions on 120 other farms, and implement generic nitrogen-use measures for all³. Also, the Dutch intention to allow area-based tailor-made solutions, typical of Dutch policy making, is not foreseen in Belgium.

The Netherlands' current focus on reducing nitrogen emissions has led to the introduction of a dedicated minister of nitrogen and an announcement of the introduction of a multi-billion fund for addressing the problems. The government is also prepared to meet the environmental targets at the cost of curbing livestock production. In particular the period 2020-2021 debates were raging on how voluntary the policy should be. Both government and farmers felt the strong pressure building up on the nitrogen emission policy and also between each other..

It is now time to take a closer look at both the policy arrangements introduced and the forces at work on the Dutch scene. The main Dutch policy plan presented and discussed here is the outline of its combined approach to nature, water, and climate in the countryside and the broader nitrogen policy, from 1 April 2022. In addition, we look at the plan launched in February 2020 because it contains important leads and measures for the future of the policy course. The government's plan from 10 June 2022 is also included, as this document deals with a new perspective for farmers. These are recent policy plans but none of them are set in stone because the political and societal discussions might lead to changes. An example of the difficulties of this policy process is provided by the resignation in September 2022 of the minister of Agriculture, Nature, and Food Quality, who had been appointed only in January. His resignation was precipitated by major clashes with parliament and the criticism that his approach did not offer future perspectives for the farmers. The minister stated that he was not the right person for the task.⁴

1.2 Studying complexity and rivalry

This paper examines recent policy development concerning nitrogen emissions in the Netherlands and aims to provide insights into how coalition formations enable consensus. This is done by looking at the recent government interventions and offering a view on why the government launched the recent policy initiatives against nitrogen emissions. We also discuss the institutional and societal context of the initiatives. Studying the nitrogen

³ <https://www.tijd.be/politiek-economie/belgie/vlaanderen/vlaams-stikstofbeleid-staat-verder-nederlandse-aanpak-is-completer/10397650.html>

⁴ <https://nos.nl/artikel/2443445-staghouwer-stapt-op-als-minister-van-landbouw-ben-niet-de-juiste-persoon>



reduction policy is entering a world of complex institutions and rivaling interests where the perceptions of trade-offs are not easily harmonized. One of the issues pursued here is whether the institutional arrangements that stabilized agricultural policies and solved similar challenges in the Netherlands in the past, will be of use in the current situation. In the past, the interface between contentious farming issues and the future of agriculture led to turmoil and protests from farmers, but the ability to work out a consensus or at least achieve workable solutions was stronger. This has changed over time and today it is harder to reach a consensus. In short, the main issue the paper addresses is how the Netherlands is dealing with the matter of excessive nitrogen emissions in policy and whether the institutional framework is designed and equipped to deal with this matter, and by that, achieve consensus. In addition to the challenges of reaching a consensus among non-governmental actors, the government faces internal challenges in achieving a coherent governmental approach. We will look at this challenge as well, also because it is interlinked with the ability to achieve consensus between the government and private actors.

The method of analysis for this paper is a desk study based on a literature and document search. These sources are supplemented with input from the recent media coverage of the forces active in the Netherlands. In addition, workshop presentations and discussions with FSEC added insights to the paper. These workshops took place online on 28 February and 4 June 2022.

1.3 Guide to the reader

Section 2 contains a presentation of the policy and the stakeholders involved. Section 3 describes and analyses the current policy and planning dealing with the nitrogen emission issue. Then, in section 4, the focus shifts to the way the Dutch government dealt with such issues in the past by building consensus and neutralizing problems. In section 5 the focus is on future challenges of policymaking amidst the forces of competing claims and resistance. Finally, in section 6, a conclusion is offered on barriers and opportunities for sustainable and future-proof solutions for agriculture and the food system with the policy approach being launched now.

2. Policy rooted in nature issues but stakeholders not so much

2.1 Much space for tailor made solutions

The current nitrogen emission reduction policy is rooted in the EU policies for nature protection. In 1979 the Bird Directive was introduced and in 1992 the European Union adopted the EU Habitat Directive and the LIFE programme, the latter being the EU's funding instrument for the environment and climate action. The EU sees these directives as pioneering pieces of legislation that gave birth to the EU-wide Natura 2000 Network, the world's largest coordinated network of protected areas. Natura 2000 was introduced by the EU as a network of core breeding and resting sites for rare and threatened species and



natural habitat types on land and at sea, aiming to ensure the long-term survival of Europe's most valuable and threatened species and habitats.⁵ The EU member states designated their own areas for protection and committed to ensure adequate conservation measures and avoid damaging activities. The directives grant member states much freedom to manage their Natura 2000 sites, as long as they take appropriate steps to protect species and avoid deterioration in the designated sites (Bouwman et al, 2018).

2.2 Many stakeholders at work but not much unity

There are many key stakeholders at work in the Dutch setting, both public and private stakeholders. The following ministries are regarded as key stakeholders in the nitrogen emission reduction policy:

- The Ministry of Nature and Nitrogen is designated to regulate nitrogen emissions ;
- The Ministry of Agriculture, Nature and Food Quality is important for the broader agricultural planning;
- The Ministry of Economic Affairs and Climate is responsible for economic and industry matters, and for climate, with a second minister for Climate and Energy;
- The Ministry of Infrastructure and Water Management takes care of environmental policies, in addition to infrastructure and water;
- The Ministry of Interior and Kingdom Relations is central to countryside planning. At this ministry, there is also a separate Minister for Housing and Spatial Planning.

The 12 provinces are vital for the forthcoming (regional) implementation plans and for the actual implementation of policies. Furthermore, the Netherlands' 344 municipalities are involved in local matters of policymaking and implementation, just as the 21 water boards are for issues concerning waterways.

Central actors here come from the agricultural sector. The farmers do not represent a united front of farmers but a diverse group. Of the approximately 54,000 farmers, the farmer organization LTO reports to have 35,000 members. With the protests against the nitrogen policy new action groups were also initiated. Two of the most prominent farmer groups were established in 2019. Agriactie⁶ and the Farmers Defence Force⁷ were both initiated to defend the farmers' interests, although the latter started as a reaction to animal rights organizations' occupation of pig farms in Boxtel in 2019, and from there evolved as an action group on its own. In addition, there are other farmer interest organizations, such as the pig production organization (Producentenorganisatie Varkenshouderij POV)⁸; the pig farmer trade union (Nederlandse Vakbond Varkenshouders NVV)⁹; the dairy farmer trade

⁵ https://ec.europa.eu/environment/nature/natura2000/index_en.htm

⁶ <https://agractie.nl/>

⁷ <https://farmersdefenceforce.nl/>

⁸ <https://www.pov.nl/>

⁹ www.nvv.nl



union (Nederlandse Melkveehouders Vakbond NMV¹⁰; the Dutch Dairymen Board DDB¹¹); and the poultry producers trade union (Nederlandse Vakbond Pluimveehouders NVP)¹². Another stakeholder is the Nitrogen Claims Foundation (Stichting Stikstofclaim), initiated to fight against disadvantages to farmers of the nitrogen emission reduction policy.

In addition, there are other stakeholders involved, such as the nature organizations Natuurmonumenten, Natuur & Milieu, and the Bouwend Nederland, an interest organization for 4,800 construction and building companies; the MKB, an interest organization for 135 private economic branch organizations and 1,860,000 businesses; and the VNO-NCW, a Confederation of Netherlands Industry and Employers, which is the largest employers' organization in the Netherlands with over 160 branches covering more than 185,000 enterprises. VNO-NCV and MKB have also joined forces into a Taskforce Nitrogen.

Two public organizations are important to the public discussion as they are tasked with measuring the effects of both nitrogen emissions and plans. These are the National Institute for Public Health and the Environment (RIVM)¹³, an agency under the Ministry of Health, Welfare and Sport, and the Dutch Environmental Assessment Agency (PBL).¹⁴ They

We should also note that political parties are important. The Cabinet, where the centre-right, the VVD (People's Party for Freedom and Democracy) delivered the Prime Minister, is a coalition with the social liberals from D66, the centrist Christian Union, and the Christian Democratic Party CDA. The Christian Democratic CDA is a party with historically tight relations with the farmers. CDA had been part of the Cabinet Rutte III (2017-2021) and Rutte IV (2022-2023), thus also the Cabinets responsible for the strict nitrogen emission reduction aims. But the traditional support from farmers to the Christian Democrats has over time been reduced. The regional branches of the party are highly critical of these aims, which also prompted the leader of the Christian Democratic Party, and member of the Cabinet, to announce that the aims, are not holy¹⁵. He specifies that nature must be protected but the timeframe of 2030 for the emission reductions is not set in stone. Other Cabinet parties quickly stated that the aims are not up for debate. However, among the regular members of the VVD, the party of the Prime Minister, there is major resistance to the Cabinet aims.¹⁶ Another aspect of the political landscape is the development of a new farmer party in 2019, the Farmer-Citizen Movement (BoerBurgerBeweging, BBB). BBB was established as a result of the nitrogen issue and very visible in the public debate. In the elections of 2021 BBB got

¹⁰ <https://nmv.nu/>

¹¹ <http://www.ddb.nu/>

¹² <https://www.nvpluimveehouders.nl/>

¹³ <https://www.rivm.nl/en>

¹⁴ <https://www.pbl.nl/en>

¹⁵ <https://www.telegraaf.nl/nieuws/1354661279/cda-leider-hoekstra-stikstofdoelen-halen-in-2030-niet-heilig>

¹⁶ <https://www.ad.nl/politiek/vvd-leden-wijzen-koers-kabinet-over-stikstof-af-wel-veel-bijval-voor-bedreigde-minister-van-der-wal~a61f5a92/>



just one member of parliament, but in the provincial elections in 2023 BBB became the biggest party in all provinces and in the political polls of 1 November 1, 2023¹⁷ it reached 12 seats in parliament. In addition, the new party NSC of former CDA parliamentarian Peter Omtzigt (26 seats) is rather critical to the policy, the Party for Freedom, PVV (17 seats in the poll) and Forum for Democracy are against any nitrogen emission reduction. All these represent rather new parties and their electoral support is substantial, in particular for the NSC, BBB and the PVV. In general, we see a divided political landscape, but also one where the same polls show that more than the half of the electorate is uncertain of their choice for the elections in November 2023. The discussion on the nitrogen emission reduction policy is thus not yet fully completed. For understanding the background to the policy we should look closer at the recent developments of the nitrogen emission reduction policy.

2.3 The Dutch policy 2015-2021: The Programmatic Approach Nitrogen (PAS)

An evaluation of the program (Berenschot en BügelHajema, 2020) showed that the making of the plan led to much and enduring political discussion. The plan was built on extensive consultation with all the stakeholders although many had their doubts about parts of the plan. Eventually, it led to a plan based on broad consensus. But in 2016, three farmer organizations (the dairy farmer trade union NMV, the pig farmer trade union NNV and the poultry farmer trade union NVP) refused to continue the collaboration with the government on the further concretization of the PAS-plan because they felt left out of (and sensed that they were ambushed by) an additional package of (conservation) measures that they disagreed on.¹⁸

The evaluation of the PAS (Berenschot en BügelHajema, 2020) identified a number of weaknesses in the planning process and in the plan itself. The planning process took much time initially, but eventually was influenced by strong political pressure to come to a decision rapidly. The process was also mainly oriented towards how to provide nitrogen pollution permits rather than on how to support the recovery of nature. In addition, after the policy was devised, it lost political interest. Details of the plan were left to non-political actors - legal administrators, ICT-people, various experts, and process leaders. This resulted in a series of often legal-technical or model-based choices and operational decisions which the evaluators considered very important (and problematic) for the implementation. Those however did not attract much attention from the political leadership. Additionally, the implementation was in the first instance guided towards easy measures with minor effects, not the more complex ones with potentially much greater effects (Berenschot en BügelHajema. 2020). In the end, it turned out that the program was not legally sustainable, as permits were issued against promises of future reductions of emissions. The court found such 'promises' or aims to be highly uncertain and not sufficient. The economic activities that depended on the permits that had been issued were put on hold.

¹⁷ <https://www.ipsos.com/nl-nl/politieke-barometer-week-44-3>

¹⁸ <https://www.nieuweoogst.nl/nieuws/2016/01/29/nvv-nvp-en-nmv-stappen-uit-pas-overleg>



Developments since the court decision have been paved with a series of protests from farmers. A trigger for the protests was the proposal from D66 on 9 September 2019 to reduce livestock numbers in the Netherlands by 50%. On 1 October 2019 about 2,200 tractors took off for The Hague, a protest against the new policy proposal. The minister assured the farmers that such a proposal would not be passed. A range of protests followed throughout most agricultural provinces. On 14 October 2019 the administrative headquarters of at least six provinces were blocked by tractors. Throughout 2019 and up until now, many protests were carried out. There were reports of intimidating visits to the private homes of politicians, death threats, burning of tires, trash dumping, and blockades of roads and buildings. Many of the actions were carried out by Agriactie and the Farmer Defend Force. On 10 June 2022, minister Christianne van der Wal (VVD) presented the new nitrogen emission reduction plan, with a 70 % reduction of nitrogen use in 131 areas close to vulnerable nature. A map of protected areas drew much attention. Many farmers now sensed that they would not be able to continue farming. In addition to Agriactie and the Farmer Defend Force's actions, a group called Voll Gass protested by turning up at the doorstep of the private home of minister Van der Wal.

The farmers' protests are also fueled by feelings of frustration about their lack of appreciation. A research survey called the State of the Farmer, conducted by the newspaper Trouw (2018), collected the views of 2,200 farmers and 1,200 personal stories. The survey found that farmers often find themselves presented in a negative way in the media. Examples include recent food safety scandals such as the 2017 affair when eggs were contaminated with the insecticide fipronil¹⁹, and the recent manure fraud²⁰. The negative framing then dominates, while the farmers define themselves as hardworking people who take good care of the landscape and nature. In their view, the media is too negative, and usually talks *about* farmers, rather than *to* farmers.

3 Current policy making

Current policies and government actions on managing nitrogen pollution are facing great political and economic challenges in the Netherlands.²¹ Some of the current measures relating to nitrogen emission reductions were launched in 2020 (section 2.1), replacing/complementing earlier measures introduced in 2015 (but found inadequate by a 2019 court ruling). In April 2022 a new outline was added to the policy (section 2.2). And in June 2022, another policy plan was launched to strengthen the future perspectives for farmers (section 2.3). The new policy plans are all under great pressure, causing turmoil and struggle (section 2.4).

¹⁹ <https://www.foodsafetynews.com/2020/05/dutch-firms-found-liable-in-fipronil-scandal/>

²⁰ <https://www.dutchnews.nl/news/2021/06/widespread-manure-fraud-largely-goes-unpunished-report/>

²¹ <https://www.aanpakstikstof.nl/maatregelen>



3.1 New policy in the making in 2020

In February 2020, the Minister of Agriculture, Nature and Food Quality, published a new direction for the policy (Ministry of LNV, April 2020). The novelty of the policy lied in combining an objective to reignite growth for after the pandemic with managing the nitrogen pollution challenge. New measures were announced to reduce nitrogen emissions and restore and strengthen nature²². All sectors, including farming, would have to contribute to these efforts. The government wanted to facilitate the needs of both farmers who want to quit and those who want to continue.

The plan launched contains a mix of nature restoration measures, more nature-inclusive spatial planning, and a number of measures for reducing nitrogen emissions, not only in agriculture but also within industry, energy, transportation, and construction work. The plan is estimated to cost about 5.1 billion euros for the period leading to 2030, with more than half (2.8 billion euros) for nature-oriented measures. Agricultural measures for the closure of farms covers about 1.65 billion euros. The minister has stated that she wants to work with farmers to make investments in technology and business practices to reduce emissions. Farmers will be offered coaching for individual support in introducing nitrogen-reduction measures or navigating the system of innovation and buy-out schemes. The government will organize regional meetings to explain the options to farmers, in collaboration with provincial authorities. The minister also called for measures to improve monitoring and enforcement. Also, implementation of an area-based approach will be applied. Through this way of working, the provincial authorities will be central, for instance, to prevent uncontrolled buy-outs of livestock farms. This is a prerequisite for the sale of emission rights released by the closure of farms, and will help keep rural areas livable.

3.2 The policy outline 1 April 2022: balancing interests

On 1 April 2022 a new policy was signed by the new Minister of Agriculture, Nature and Food Quality, Henk Staghouwer and Christianne Van der Wal-Zeggelink, the new Minister for Nature and Nitrogen Policy, a newly introduced ministry. The policy is called the *Outline of the combined approach to nature, water and climate in the countryside and the broader nitrogen policy* (henceforth referred to as “the Policy”, Ministry of LNV, 1 April 2022). The Policy for nitrogen emission reductions announces an integrated approach guided towards an improvement of nature, soil, water and climate.

The rationale behind the policy: balancing interests

The Policy is framed as a plan to create conditions for “a clean and livable country with a rich nature, ‘a place where we like to live and one we like to pass on to the next generation’”. The aim is to balance the needs of entrepreneurs with the obligations towards nature and climate. It is emphasized that nature is under great pressure, weakened by vanishing plants and animals. Biodiversity recovery is therefore of great importance. The

²² <https://www.government.nl/latest/news/2020/02/07/new-steps-to-tackle-nitrogen-pollution-offer-prospects-for-farmers>



Policy, it is argued, must achieve a balance between nature's carrying capacity and what society demands from nature. "There is a reason for the international agreements and the Netherlands will comply to these. Ultimately nature is the foundation for our existence. Soil, water, air are our capital" (Ministry of LNV, 1 April 2022).

The Cabinet is not starting from scratch with this policy. A foundation for a structural approach to nitrogen was laid out under the previous administration. The Policy underscores that much has been done to reduce nitrogen emissions and let nature recover, and the same goes for climate and water, though this is not enough. There are huge nature tasks to carry out, while also addressing other major societal challenges, such as the energy transition, a shortage of housing, transportation, infrastructure and defense. The Policy aims to speed up and intensify these efforts, specifying that all sectors are concerned. Voluntary agreements are central to achieving these aims, though a voluntary approach is not always possible or sufficient. In such cases the government must consider compulsory measures, such as expropriation. It is acknowledged that such solutions will have drastic consequences for farmers. That is why the government is investigating how voluntary solutions could be made attractive and effective.

Policy goals

The integrated approach will serve to achieve four national and international objectives:

Nitrogen emission reductions

Accelerate the 2035 targets from the Law on Nitrogen Reduction and Nature Improvement. This means that in 2030 74% of the nitrogen sensitive, Natura 2000, areas must be under the critical deposition values, with 40% achieved by 2025.

Nature recovery and improvement conforms to the Bird and Habitat Directives

There are no mandatory timelines for the Bird and Habitat Directives, but the European Commission might impose mandatory goals for 2030 and 2040 in relation to the new EU Biodiversity Strategy. The directives demand that certain pressure points are addressed, inside and outside nature areas (nitrogen; water quality and quantity, better habitats, and corridors). In the long term, they call for sufficient space for plants and animals outside the nature areas, calling for more extensive and nature inclusive agriculture. The norm suggested is 10% landscape elements in agricultural areas.

Climate task agriculture and land use

The government aims to reduce climate gas emissions by 60% compared to 1990. The legal aim is 55%. All sectors must comply with this target: mobility, energy, industry, construction, agriculture, and land use. The climate goals for agriculture include livestock, horticulture, peat meadows, agriculture soil, agricultural forests, and nature. If the integrated approach leads to the achievement of the nitrogen deposition target, the water quality and quantity targets, and the extra habitat targets, about 82% of the Bird and Habitat Directives objectives will be realized.

Water quality and quantity



By 2027 the required conditions described in the Water Framework Directive must be met. The Nitrates Directive is important and the EU carries out strict enforcement (see Second Chamber 33037, nr. 4372).

An integrated and area-based approach

The policy outline of 1 April 2022 includes both a national and an area-based approach. Given the priority of reducing the peak load of nitrogen, the policy goals and implementation will vary from one area to another, depending on the location (vicinity to vulnerable nature), soil or water quality. There will be area-specific targets that have to be achieved. The provinces will work out the actual plans per area, together with stakeholders, such as farmers, landowners, citizens, and NGOs. As the plan evolves, permits for economic activities, housing plans, infrastructure/roads, and construction work involved will be adjusted to the new plan. Through these adjustments, more space for building houses and roads, and developing sustainable economic activities will be made. The ministry of LNV (LNV, April 2022) emphasizes that this is a large and complicated task that will not be welcomed by everybody and that will require coordination for the coming years. Collaboration will be needed between national and regional governments, and with and between nature organizations and business communities. A coherent plan will reduce uncertainty, especially for investors, and ensure an effective use of means.

Some of the specific measures that are being considered at the national level include: lowering the limits of allowed ammonia emissions, a buyout of farmers and fiscal arrangements, for instance, to promote extensive agriculture. These are major steps that must be made together with the provinces and the sectors. International collaboration is also needed. The ministry of LNV state that all sectors must deliver; including industry, construction and building, and transportation. Removing the bottlenecks created by nitrogen emissions is of great importance and the Minister of Nature and Nitrogen Policy is in charge of achieving coherence between these matters (Ministry of LNV, April 2020; April 2022).²³

National plans and policy initiatives

The central government and the provinces are supposed to agree on the plans per province. The measures will depend on the spatial choices needed; for the conversion from agriculture to nature, the management of groundwater and surface water on the higher grounds of sand, freshwater in lower parts of the Netherlands, the waterlogging/wetting of peatland; and integrating green-blue landscape elements for the connections between nature, land-use, and water. Based on their expertise in these areas and their competencies, the provinces establish measures and instruments, based on new or already existing plans and area processes. The national framework will be strengthened by several plans and policy initiatives for nitrogen related issues:

²³ See Second Chamber 35 334, nr. 82; 33 037, nr. 437; 25 295, nr. 1357.



- The Environment and Planning Act (Omgevingswet) combines and modernises laws for spatial planning, housing, infrastructure, the environment, nature and water and.
- The National Strategy on Spatial Planning and the Environment: NOVI

After a planning process of more than 10 years, the Environment and Planning Act and the new NOVI will be put in force from 2024. It is meant to be a new, integrated approach that brings together all levels of government and civil society, with greater control from national government.²⁴ In addition a broad governmental program is in the making for the implementation:

- The new National Program Countryside Areas The Nationaal Programma Landelijk Gebied; NPLG) is a government broad plan;
- Provincial area-based plans for the implementation of the NPLG. For this aim, the provinces work with stakeholders to make the plans, also to meet the obligations from the Nitrogen Reduction and Nature Improvement Act;
- Ecological Authority²⁵: installed 2022 for 8 years as part of the NPLG to assess the ecological information used for planning;
- Transition fund nitrogen The Cabinet will introduce a transition fund of 25 billion euros until 2035 for measures supporting nitrogen emission reductions (issues covering nature, water, climate, agriculture). The fund will aid the transition of agriculture and the countryside by contributing to future perspectives and reduce lock-in effects.

The minister of Nature and Nitrogen also works with provinces, municipalities, and knowledge organizations on a new monitoring system of the measures, the governance of the process, and the social-economic impact. New and improved ways of measuring progress will be implemented. But in general we conclude here that a common feature here is that most of these plans and measures still have to come. They are announced as important parts of far-reaching change, a process that also will cause pain (LNV, April 2022).

Acting together and in coherence – for far-reaching change – but it will cause pain

The political leader of the Ministry of LNV states that the government is making far-reaching choices with a huge implementation task, but also with a sharp objective. The changes aim to lead to a stable future with a resilient nature, a healthy environment, and with space for societal and economic development. The policy storyline is that the future will offer opportunities to fully utilize the innovation power and potential of the various sectors of society. However, this does not mean that the transition will not cause pain. The Policy points to the greater aim of accelerating and intensifying the ambition and making the changes irrevocable, establishing a viable system of granting permissions. For this to happen, it is essential to do this together with other parts of the government (provinces,

²⁴<https://denationaleomgevingsvisie.nl/publicaties/english+french+and+german+version/default.aspx#folder=1451456>

²⁵<https://www.ecologischeautoriteit.nl/over-ecologische-autoriteit/wat-doet-de-ecologische-autoriteit>



municipalities, and the Dutch water authorities) and in close contact with all of those involved, such as partners from the Acceleration Agreement 'A Sustainable Balance' (het Versnellingsakkoord 'Een duurzaam evenwicht'), signed by many interest organizations from the infrastructure and construction sector, farmer organizations, nature and environmental organizations, trade unions and other business organizations (Bouwend Nederland, LTO Nederland, Natuurmonumenten, Natuur & Milieu, VNO- NCW en MKB Nederland), and the organization for young farmers NAJK.

The Policy specifies that the integrated and area-based tasks will be demanding for farmers, but is also needed for a transition to a circular agriculture, based on a vital and resilient countryside. Farmers must be able to take suitable decisions for the tasks ahead and for the farm economy. It will be of great importance to offer clarity and stability for the sector and offer a framework that serves the farmers as well. For this purpose, a diversity of directions will be offered; innovation, extensification, new types of agriculture, moving farms to new locations, or terminating a farm. Recent developments related to the war in Ukraine have fueled discussions on food safety within the EU, the dependency of others, and the need for a transition to a sustainable agriculture and food system. In general, the Policy states that changes in the planning will be accepted as long as the objectives are realized. The provinces may also combine the objectives of the Policy with other development objectives as long as nature, nitrogen, climate, and water are given priority. It is important to fully include the farmers' perspective in these plans, both those farmers that will continue farming and those who will stop. Next to the ecology of, for instance, soil and water, it is specified that social-economic and societal aspects such as education, entrepreneurship, social cohesion, and the broader welfare of the areas, must be addressed.

The Policy explains that by acting together the energy and trust needed will rise. The minister will, together with the Minister of Housing and Spatial Planning and the Minister of Climate and Energy, follow the progress and ensure coordination with other major changes, such as the energy transition and the urban land development task. It is argued that a smooth process calls for frameworks and procedures that are clear and that partners at the regional tables are equals.

While all actors can join the processes for designing province-level strategies the Policy is also clear on the constraints to the process. First, these activities must be assessed and approved at the national level. Second, it is unavoidable that the activities in the close vicinity of an overburdened Natura-2000 area must include drastic measures to reduce nitrogen emissions. It is specified that a voluntary approach is an important principle of the process. But if the voluntary solutions deliver insufficient results there will be a shift to more obligation. If innovation, extensification of land use, moving farms or closing farms do not work sufficiently, forced interventions will be considered, such as expropriation. This will especially be the case in areas causing great pressure on nature. The Policy emphasizes that not all areas will be able to achieve the required results by a merely voluntary approach.



3.3 Enduring pressure on the policy plans: distrust, turmoil, and struggle

Despite the efforts of the government to declare a need to act together and in coherence, and build energy and trust, the farmers tend to be against the plans – some even state that this will mean an end to agriculture in the Netherlands. Those opposing government policy also display distrust and dispute the information used for the foundation of the policy. Farmers, including the LTO, the biggest farmer-interest organization, argue that the information is too uncertain to be used in the context of policy. In their view, the information is not correct and cannot be used for such a strict policy. A public commission, Commission Hordijk (2020) assessed the methods and measurements and concluded that they were suitable for the purpose but could be improved on certain points. For example, it found that the method for measuring the effects of traffic should be the same as for measuring farming. The farmers²⁶ argued that confidential documents showed how divided the ministries were on the matter and that the models have to be questioned. This led to discussions in Parliament as well. Some in civil society, for instance, an article by Yvonne Hofs in the Newspaper Volkskrant (14 June 2022), warned that improved measurements could show that the nitrogen emissions were even higher than previously reported, due to underreported emissions from new floors in the barns and illegal use of manure.

3.4 Perspectives from and for the farmers: Policy brief June 2022, the mediator and the dialogue towards an agricultural agreement

To provide certainty on the regulatory framework to farmers the government issued a new plan on 10 June 2022. Key to the plan was the idea that rather than offering a blue-print for action this new plan allows farmers to be behind the steering wheel. At the same time, the plan stated that the goals are not up for discussion and that delays will not be accepted. The plan nevertheless expressed a need for more collaboration and innovation. It describes how the government will support the changes with financial means, investments in the knowledge system, and more legal support to farmers in the food chain to remove unfair rules. But none of the farmer organizations found the perspective for farmers in the plan sufficient and it exacerbated indignation and anger. The government then nominated a mediator to bring the parties involved closer to each other. The mediator started his work in mid-July 2022 and delivered the report in October (Remkes, 2022). However, the farmers see little benefit in the mediation process if the goals, the time schedule, and the plans were not up for discussion. Besides, Remkes has led a previous commission on nitrogen that concluded that the nitrogen goals should stand. For many farmers, Remkes is not the person to mediate the differences. And on 6 August, Yvonne Hofs published in Volkskrant an article on the mediation with the message that the gap of trust is not being closed. The report (Remkes, 2022) came in October 2022 and indeed it did not achieve any consensus, uncertainty was still prevailing.²⁷

²⁶<https://www.boerenbusiness.nl/artikel/10898285/geheime-stukken-voeden-twijfel-stikstofmodel-aerius>

²⁷<https://www.landbouwakkoord.nl/>



The following step of the government was then to carry out an extensive process of dialogue called the Agricultural Agreement (Landbouwakkoord, 2023), which lasted seven months. This was a dialogue between the government, many farmer organisations (also for instance horticulture) and other food chain organisations. Despite the great efforts put into the dialogue, the gravity of the matters on the agenda and the ambitious objectives, the dialogue ends without success when the farmer organization LTO leaves the process and refuses to agree with the results. LTO does not see a sufficient future perspective for farming in the result of the Agricultural Agreement. According to the newspaper Volkskrant, the farmers are too divided to form a united front and the LTO leader answers ‘there is no trust’ on every question and (Volkskrant, 24 June 2023).

The Agricultural Agreement would most likely have been organised differently in the past; say the 1960s. It would most likely been a process limited to people from the farmer community and the agenda would have been oriented towards agriculture production and less about the environment. In order to put the recent efforts into a larger perspective, it is useful to contrast the present situation with previous experiences of ambitious change in the Dutch context.²⁸ This analysis provides helpful insights on the conditions that in the past allowed the alignment of different interests, and points to how that has changed today. This analysis also allows us to discuss the likelihood of success of current efforts.

4 Past policy making

4.1 Institutional powers in the past: consensus building by depoliticization

A carefully orchestrated hegemony: results ensured

Agricultural decision-making and implementation in the post-war Netherlands is often characterized as a time of hegemony of the Green Front. Problem definitions and solutions were dominated by an elitist group with a closed decision-making process based on consensus. Issues were neutralized and detached from politics and by that depoliticized in a technocratic process. In this way, conflicts were kept to a minimum and the solutions were shielded off from outsiders, in a carefully orchestrated hegemony.

The historical context for this agricultural stronghold is the post-war reconstruction where food was scarce, and the necessity of more food production was pivotal to recovery. Food was the essence of the economy, and the country was largely rural. About 50% of the Dutch export in 1950 was food related, and other industries were largely broken down by the war (Van Merriënboer, 2008:175). In this time period the institutions of the Green Front started taking shape (Louwes, 1980; Frouws, 1994). A so called iron triangle of firm collaboration between politics, administration and business became powerful: The Ministry of

²⁸ Section 4 on the past is largely based upon Selnes (forthcoming 2024).



Agriculture, the parliamentary specialists, and the farmer's interest organizations. The iron triangle's power made cooperation possible by ensuring discipline and a balance of interests (Lijphart, 1975:196-197). Issues were settled with a minimum consensus. The pillars were value communities with their own structure of trade unions, education, broadcasting, sport, and research (Ellemers, 1984:129), covering the whole chain; farming, slaughterhouses, insurance, bookkeeping, legal support, education, and control instances. Farmers had an official and influential position in policymaking through their Agriculture Board, which together with the parliamentary (permanent) committee for agriculture took care of the summit of decision-making. This 'state within the state' (Van Merriënboer, 2008) controlled decision-making and implementation.

Closed decision-making and consensus formation for unified decisions

A system of closed decision-making and consensus was the outcome of a web of committees and public bodies authorized to define problems and decide policy, with minor opposition (Frouws, 1994). This made it possible to arrive at unified decisions by reducing disagreements and taking control of information and interpretations involved. Knowledge served the purpose of agri-business and its focus on technical development and more productivity (Frouws, 1994:163). Closed decision-making prevented other interests from access to information and influence over agriculture. Agriculture took hold of the privileged positions, the preparation of decisions, and the formal and informal consultations and agriculture's own ministry translated this into budget and plans. The relationship between the government and the organized part of the agri-business community safeguarded unity (Frouws, 1994:60).

Depoliticization and technocracy to legitimize decisions

An important construct for the legitimacy and functioning of the Green Front was the ability to depoliticize issues by technocracy. It gave agriculture a normative strength: agriculture is of great national interest and taken care of by the national government. As a consequence, others had to submit to this general interest. This allowed agricultural advocates to pursue a specific model for change, based on productivity and technology. A hegemonic dominance was then allowed as an answer to all problems in agriculture (Frouws, 1994:231), meaning that a technocratic elite was allowed to dominate, almost unchallenged. This elite had the ability to produce consensus and the power to deliver the only feasible policy. Alternative solutions could, in a legitimate way, be disqualified (Frouws, 1994). Agriculture was seen to choose so-called objective solutions and by that enable agricultural matters to be removed from the realm of politics. The language of the Green Front agriculture was developed to keep others at distance. Manure, for example, was called 'agricultural matter' (Frouws, 1994). Outsiders were declared 'subjective' and there was also no need to include outsiders as they could not contribute to constructive solutions.

Elitist hegemony for the formalization of decisions

The closed system of technocratic control culminated into decisive power at the summit of decision-making in the Cabinet or the parliamentary committee for agriculture. It worked



through mutual gains. The government offered farmer organizations influence, status, information and often a monopolistic position. The farmer organizations provided to the government in return, with collaboration, information, discipline, and legitimacy (Frouws, 1994:43). The Minister of Agriculture could make decisions even if the others in the Cabinet were against (Van Merriënboer, 2008). A requirement for the continuation of such an elitist hegemony is sufficient passivity of the farmers and their organizations, in order to speak with one voice, which in turn was necessary to keep the hegemony going. However, the type of management that fits best to this structure is hierarchical and authoritative (Frouws, 1994:248). At the same time decisions had to be, and were, prepared through a meticulous multilevel process, built on formal powers, but also on the great capacity of the Ministry to oversee, direct and coordinate policy. It was a demanding process for the Green Front to make societal problems, regarding agriculture, at least appear manageable, and make it stick, with agricultural technical solutions at the core (Frouws, 1994).

4.2 The crumbling powers of agriculture

The end of the closed decision making and consensus

We should note that the powers of agriculture were never a water-tight system. Breaches in the closed character of the decision-making and consensus formation were already present from the early days of post-war reconstructions. Many Dutch farmers were (and still are) skeptical of formal representation. There were internal tensions concerning the system of representation within farmers' associations and mandatory financial contributions by farmers. Also, farmers outside the religion-based organizations were never represented anyway. Throughout the years there were many incidents of resistance and protest. Riots and arrests were common. Many small farmers faced economic hardship and mandatory fees for 'The Hague' were not always popular (Krajenbrink, 2005). During the 1970s, the ability to keep internal discipline and achieve consensus was already reduced. A major unease in 1974, for example, escalated into riots by 30,000 farmers in Galgenwaard. Rising prices, the energy crisis, inflation, and damaged crops due to drought and frost fueled their anger and when the farmers found the political support insufficient, it escalated. The tensions between farmers, farmer organizations and the government were far from new in the 1970s. The internal ability to reach consensus gradually crumbled, together with the power to deliver "the only feasible policy"

The developments from the 1970s were reinforced during the 1980s and up until today. The closed nature of decision-making has been criticized for many years (Termeer and Werkmann, 2011). In previous times such criticism would have been silenced during the policy process, but gradually the power of the Green Front weakened too much for such a grip on the policy dynamics. Today, the very notion of food production as a national common interest and the ideological anchor of the Green Front has been reduced. The political rules have expanded beyond the powers of agriculture, and the Green Front has lost its grip (Frouws, 1994).



Declining confidence in technocratic dominance and more politicization

The declining confidence in technocratic dominance was accompanied by a lack of control over the policy agenda and a growing politicization of agriculture. Ever since at least the 1980s, environmental problems, unease related to market rules (like those that caused overproduction in the 1980s), and an aversion to governmental intervention overtook the agenda (De Vries, 1992:268). Manure as a problem is an example of an issue that has become increasingly politicized, and promised new technology is questioned. Agricultural foremen tried to maintain their roles as farmer leaders and at the same time collaborate with the government (Van Dijk, Klep and Merckx (1999:76). But the old ties between agriculture and government lost much of their strength. The old Ministry of Agriculture has become a ministry of more general affairs and not only agriculture. Many farmers now distrust their own leaders. The changes are part of what Gladdisch (1991:53) calls a longer trend of the declining importance of the pillars, where stability has given way to a more fluid, critical way of social and political behavior. A political struggle took over from negotiated compromises.

A crumbling elitist hegemony opened other ways of perceiving food production

With a crumbling elitist bloc-based hegemony, at least from the 1990s, there is much less reliance on successful policy-making through a settlement of divisive issues. The summit of decision-making has opened to ambiguity, uncertainty, conflicting views, and a struggle for influence. The agenda broadens from its earlier emphasis on agricultural production and productivity to include environmental issues, nature, animal welfare, biotechnology, and consumer and health issues. With such an agenda the Ministry of Agriculture is no longer able to control the issues at stake. New arenas for policy deliberation and decision-making occur, and other ministries and new ways of dealing with policy have become important. The institutional rules changed character. They shifted from overruling others with a tight single agenda to a multi-actor process of conviction and legitimate rule on many agendas at the same time. Nature and agriculture, for instance, must interact but have been in many deep been stuck in bitter struggles. On both sides, there are also cleavages between those ready to compromise and those not inclined to. The agenda-setting process and the implementation changed character and struggle has become a key part of the process. For the future, dealing with a diverging agenda is key to progress. For the likelihood of this to happen, we look closer at the setup of future policies.

5 Future policy-making

5.1 A shift from sector-based policies to integrated policies or interests

The Court's decision on 29 May 2019, which prevented further use of the nitrogen permit system, PAS, and the proposals for a new nitrogen emission reduction policy that have followed, highlights how hard it is and probably will be to base policy making on sectors. An integrated approach is by policy makers argued to be the way forward (LNV, 2022). It is however difficult to reconcile highly productive and efficient agriculture with, for instance,



nature conservation and the preservation of attractive landscapes (Runhaar, 2017). Tensions between, in this case, modern agricultural production processes and other societal values are increasing, although the value tensions are much older (Goverde, 2000), calling for solutions based on broader views of trade-offs and competing claims.

Agriculture has now become more than a matter for agriculture. The political landscape of power should then develop ways to weigh various values and interests, with an eye for trade-offs. In the past, agricultural issues were dealt with within the agricultural institutions. The case of nitrogen demonstrates that policymaking is about many of the main policy areas; i.e. agriculture, nature, water, energy, infrastructure, transportation, building, and construction work. It has become a Cabinet-broad and society-broad matter, and negotiating competing interests and struggles is becoming pivotal. As a condition for policymakers, this means that the ability to arrive at a consensus is harder to achieve than in the past when the focus and capabilities were clear (productivity).

Farmers' support will depend on their sense of having future perspectives and business models for sustained farming. Policy and market incentives will play an important role in shaping that support, as will farmers' own ability to act. Yet, the farmers' internal mobilization seems to be rather weak. In the research survey State of the Farmer, mentioned in chapter one (newspaper Trouw, 2018; Selnes and Tacken, 2019), it is shown that nearly 80% of farmers do not feel they are well represented by the farmer organizations. If we look at the branch organizations, almost 90% of the farmers find that the organizations have failed in representing their interests. Most farmers also say they feel they are being over-regulated by a government that tends to change legal demands in a way that adds to frustration. At the same time, many farmers are concerned about their income and ability to sustain life as farmers. Overall, the frustration among farmers is deeply rooted in fundamental concerns, displayed by the current protest actions.

5.2 The Combined Approach: governments coordination tasks

The nitrogen issue shows that the government is facing major challenges. In this section we look closer at one of these challenges; the task of defining the government's own roles and responsibilities, and in that process enabling the making of a coherent governmental approach. Table 1 below maps responsibilities within the government for different areas of nitrogen governance. In chapter one we described the different ministries involved, with the provinces as key actors for the implementation stage. What we see is a picture of many complex tasks, with responsibilities spread out among various ministries.

Table 5.1: Governmental authorities for nitrogen-related issues

Government	Authority
Ministry of Nature and Nitrogen	System responsibility for the nature policy and Natura 2000 regulations. Coordination, implementation of funds, granting permits and measures, such as conservation measures under the Nature Protection Law and Natura 2000.
Ministry of Agriculture, Nature and Food Quality	Making policy/measures for agriculture in the broad sense: manure, circularity, buy-outs, peatland, CAP.
Ministry of Climate and Energy	Coordination of the climate policy.



Ministry of Infrastructure and Water Management	Policy responsibility for infrastructure, mobility, water quality and quantity, soil, and environment (such as air quality, emissions industry and agriculture). Implement Natura 2000 management plans.
Ministry of Economic Affairs and Climate	Measures for industry (regulations for peak load emissions, best available technical solutions, investment subsidies).
Ministry of Housing and Spatial Planning	Making an agenda and measures for public housing, and offer support to provinces and municipalities for building and construction work.
Ministry of the Interior and Kingdom Relations	The making of the new National Program Countryside.
Ministry of Finance	Oversees the responsible and effective spending of government resources, makes rules to ensure a stable financial system and oversees the quality of financial institutions.
Provinces	Make area-based plans for environmental quality, organize area-based processes, such as the nitrogen emission reduction program and nature improvement. Conservation measures such as Nature Protection Law and Natura 2000. Organize area based processes. Implement Natura 2000 management plans.

Source: this project, based on LNV, April 2022

The key implementation role of the provinces will be important for the ability to arrive at a coordinated and decisive policy practice. The provinces are central to the area-based plans for the implementation of policies. They have, however expressed concerns about their role in implementation. On the one hand, the provinces are reluctant and in some cases against their role as implementors of strict aims from the Cabinet. The province Gelderland, for instance, has made its own plan, with different goals than the central government. A dialogue on such issues is ongoing as the central government does not accept this without further discussion. On the other hand, it is the role of the provinces to direct and lead the implementation. Some of their reluctance could be related to the protest actions, and it is still not always certain how this eventually will result in concrete action.

The ability to achieve coordinated efforts is an element of importance to the future policy. In the evaluation of the PAS-policy from 2015 onwards, we saw in chapter one that the policy came into a pressure cooker, leading to prompt decisions. However, when it came to implementation, interest waned and troubles rose (Berenschot en BügelHajema. 2020). For the policy that is being developed now, we see an emphasis on the need for rapid action to build coalitions and consensus. This might be contradictory, because the institutional framework is no longer as well equipped to establish consensus as it was during the heydays of the Green Front. It takes time to come up with support for a convincing plan to protect nature while also offering agriculture some kind of future.

5.3 A battle of plans

In addition to the Cabinet plans, farmers and others have also developed plans that are meant as counterproposals to the governments' plan. Here, we look at two of these plans, one coming from a coalitions of stakeholders (Sustainable Balance) and the other from a group of experts (Towards a Relaxed Netherlands).



Sustainable Balance

In May 2021 the farmer organization LTO published the plan Duurzaam Evenwicht (Sustainable Balance), meant to accelerate the nitrogen emissions reductions in the Netherlands. This strategy was published together with the nature organizations Natuurmonumenten and Natuur&Milieu; the Bouwend Nederland, an interest organization for 4,800 construction and building companies; and VNO-NCW, which is the Confederation of Netherlands Industry and Employers (known as VNO-NCW), the largest employers' organization in the Netherlands with over 160 branch associations covering more than 185,000 enterprises.

The LTO plan for nitrogen emission reduction was not met with broad support. Farmers are critical of the plan. The news platform Foodlog²⁹ took stock on the views of the LTO plan and concluded that outside LTO almost every farmer organization is against it. Foodlog reports that the organizations POV (pigs), NMV and DDB (dairy), Farmer Defend Force and the Foundation Nitrogen Claims (Stichting Stikstofclaim) are rejecting the plan from LTO. There is a perception that the LTO leader did not consult sufficiently on this plan. POV sees the plan as being forced upon farmers, and in any case the pig sector will remain outside the plan. The Foundation Nitrogen Claims defined the LTO strategy divisive and no balanced plan, it will cost farmers too much, in terms of money, spatial rights and rights to develop business further. In addition, the plan does not include hard targets for biodiversity effects. There are concerns that such demands might be added later, making it an even more expensive plan for farmers with no guarantee for sufficient improvements on nature. The result might be even more expensive claims for measures later.

The columnist Vergaderboer from the magazine Boerderij (the Farm), is one of the few who supports the plan.³⁰ He notices that the Farmers Defend Force is angry and reject the whole plan. The organization threatens to go to court if members suffer any harm. Vergaderboer finds it a good plan because with this plan the farmers take the lead, and in times of a Cabinet formation he sees this as a good way of working, offering solutions rather than just coming with problems. Vergaderboer also argues that the plan is positive, because of the strong coalition of partners calling for 15 billion euros, which is argues is serious money. And the plan offers perspective, adds Vergaderboer, which is more than what is achieved lately by others. They achieved nothing, the columnist concludes. He expresses pleasure in the fact that at least the young farmers from NAJK support the plan.

Towards a Relaxed Netherlands

Another plan was made in 2021 by a group of experts. The plan is called Naar een ontspannen Nederland, which translates to Towards a Relaxed Netherlands. The plan is made for nitrogen emission reductions (Erisman and Strootman, 2021). The makers of the plan focus on the countryside because that is where they see major challenges concerning areas such as housing, biodiversity, sustainable energy, business locations, climate

²⁹ <https://www.foodlog.nl/artikel/boerenachterban-roert-zich-tegen-stikstofplan-lto-maar-dat-is-niet-verstand/>

³⁰ <https://www.boerderij.nl/lees-alle-columns-van-vergaderboer>



adaptation, circular agriculture, recreation, and nature. They argue that this convergence of challenges calls for tough choices. The plan is based on the quality of the living environment and (international) obligations, tasks, and ambitions. The physical characteristics of the environment are the entry point for this plan; the soil, landscape, and hydrology. For Erisman and Strootman (2021) it is important that good agricultural land is identified and used for agriculture, not for industry, solar power, or logistics. Due to the complexity, a system approach is needed, with an integrated plan based on a clear timeline. In line with the ministry's (LNV) plan, this one is based on an area-approach, as the regional areas are the places where the integration takes place. The implementation must be based on solutions that are appropriate for the people and culture at hand. Farmers must be offered sufficient perspective for the future, for the production of food, landscape management and promoting biodiversity. The authors of this plan argue for an integrated long-term perspective, a public-private nitrogen fund, a Land Bank for transactions and exchange of land ownership, a credit and a guarantee scheme for the transition, and a system for economic rewards and taxes for farmers, land owners and others in the food chain, supported by a digital dashboard with key performance indicators. In addition, the plan proposes a shift in taxes from labor to (sustainable) consumption.

The plan of Erisman and Strootman (2021) was met with negative reactions from the farmer organization LTO. The regional effects on farming are unacceptable for LTO³¹. The plan is made over the back of the farmers, says the leader of the LTO. There is already a plan, Sustainable Balance, LTO says, with broad support from farmers, nature, and business organizations.³² And the dairy sector has a Coalition for the Future of Dairy Farming, which might support the plan further. For LTO, it is now time for politics to end the call for more reports. LTO advises the adoption of their plan for an accelerated and fully financially supported implementation.

Public agencies concerned about the implementation in general

Public plans in the Netherlands, when they are launched, or ready to be launched, are usually assessed by the Dutch Environmental Assessment Agency PBL. The PBL concluded that it is hard to calculate the effects of the LTO plan Sustainable Balance Plan as the measures for PBL are not clear or detailed enough, and the objectives are open for interpretation. It is also unclear for PBL how the organizations behind the plans will be assessed. PBL is also critical to the speed of the measures. Rolling out concrete measures on a large scale is risky because their effects are not yet known. In addition, the single focus on nitrogen is a risk because other greenhouse gases could come into focus in climate policy at a later stage. PBL also warns against the legal risks of using future nitrogen emissions as a reason to allow for economic development now.

³¹ <https://www.lto.nl/ontspanning-over-stikstofplannen/>

³² <https://www.nieuweoogst.nl/nieuws/2021/07/03/de-gemiste-kans-van-erisman-en-strootman>



The Netherlands Court of Audit (Algemene Rekenkamer; Trouw 19 May, 2022) also expressed its concerns about plans and the planning in general. It is concerned about the efficiency and legality of the public plans for spending. The Court of Audit would like to check whether the Dutch central government is planning to spend public funds economically; e.g. efficiently, and effectively. Its statutory task is to audit the revenue and expenditure of the central government, and the Court calls for more realistic demands because it is skeptical of the new fund for climate and nitrogen. The government must reflect more fully on which aim it should serve and how to achieve it. There are too many public servants in the ministries working only on policy making, and too little attention is paid to the difficulties of implementation. There have been too many large and persistent problems for the government recently, such as the compensation schemes for the victims of natural gas production in Groningen and child allowances (issues not covered here). These are not single incidents, The Netherlands Court of Audit warns, but they are the result of a governmental organization that is not in order. The Court of Audit questions whether the climate and nitrogen fund will pass a future assessment.

5.4 Policy implementation: a view forward

The Minister of Nature and Nitrogen Policy is trying to create a narrative that connects solving the nitrogen problem with opportunities for the countryside. The approach aims to offer clarity for a future-proof agriculture and a vital countryside, and ultimately give a perspective for the allocation of permits needed for other societal tasks, such as housing, the energy transition, sustainable business opportunities, agriculture, mobility and defense. The current policy have so far not brought a successful integrating policy and it is still on the agenda (Remkes, 2020; LNV 2022). Besides, the agricultural sector is very diverse and fragmented, which was also one of the conclusions from the analysis of the Agriculture Agreement process (2023). This process was based on an interactive dialogue, which resembled the principles of consensus building we saw during the Green Front. But the process was initiated in a period of emotionally heated discussion. The ability to depoliticize issues was therefore limited. It missed the enduring en continuous character of the interaction which featured the Green Front. And, as said above, the farmers are now less united and they lack the type of representation we saw in the past. As a result, we can say that the development of shared values did not mature and eventually was not sufficiently well advanced. The interests involved remained competing and the process stopped.

Thus the question now is how to proceed towards workable solutions. argued that a food system analysis Van Berkum et al. (2018) can help, by for instance being supportive in the identification of more efficient uses of natural resources and link it to the social economic context. Through such analysis, sector-crossing trade-offs and synergies could be brought more explicitly into the policy process and aid the search for priorities. New ways forward could follow Weick's notion of *Celebrate small wins*, (Selnes and Termeer, 2011; Weick (1979; 1995; 2001). This style of working points to a joint way to look at what does and does not work, allows for identifying common ground, develops strengths and incentives, and discusses lock-ins, trade-offs, and other barriers to practice. It resembles what De



Steenhuijsen Piters et al. (2021) refer to as the importance of inclusive governance for a food system transformation, based on credible and transparent institutions aligning interests, power, and influence, with negotiation and conflict management processes in cases where interests diverge. There is a need to mobilize and incentivize the process, and activate resources, innovation capacities, and outreach to all constituencies in society, ranging from consumers to producers and everybody in between (De Steenhuijsen Piters et al, 2021). The many values involved should be embraced and respected with more investments in an open and ongoing cooperation between farmers, industry, government, scientists, and society in order to enhance mutual understanding and engagement (Polman and Selnes, 2024 forthcoming). A return to the past when agriculture was a matter for the agricultural sector is not an option any more.

The need for a new and systemic approach is not specific to the Netherlands. In *The Recipe for Change* the Independent FOOD 2030 Expert Group states that “Our current food system is not fit for the future. Farm practices are not sustainable, we eat less healthy than we should and we are unprepared for climate change. We also think about agriculture, the wider bio-economy and managing natural resources as being separate from the food system, while in reality they are all interconnected” (FOOD 2030 Expert Group, 2018).

Large external changes, i.e. crises, are often needed to bring about change (Anderson et al, 2013). The situation now is such a crisis, and it should be used wisely.

6 Conclusion

The Dutch policy on nitrogen emissions reduction is based on strict targets for emission reductions, in accordance with the court ruling in 2018. The policy is met with resistance from many farmers, and as such policy is not built on shared values and lacks broadly shared objectives. The ability to build consensus for a policy plan is rather far away, despite extensive discussions and the efforts of a mediator to achieve a stronger mutual understanding. In the past the agricultural decision making would probably have been solved through the centrally regulated and highly institutionalized way of solving problems. The old order was based on a continuous and tight dialogue within a closed decision making structure, with participation of the Ministry of Agriculture, farmer organizations and parliament. Through this dialogue issues were depoliticized as much as possible and then worked out in plans for implementation. Ever since environmental issues became a serious part of the agricultural agenda, the decision making became more open and more politicized, and by that featured by more uncertainty and struggle. Although there still were formal and informal structures for dialogue, these were no longer the tools for coalition building as in the past. And also the sense of working on a joint endeavor is much less present today. The decision making is now less able to converge the competing values involved and by that align the different interests involved. Besides, the farmers are far from united as a group. Their representation is then a matter of great concern.



Looking forward we can say that formal and informal dialogue is still pivotal to decision making but the old ways of closed processes controlled by few organisations is not very likely to again become the standard operating procedure. Both formal and informal dialogue is nevertheless necessary, and it must be linked to actual decision making; in an open and transparent way. It should be a dialogue for farmers together with other parts of society. Currently the provinces are central to making regional implementation plans. Although the provinces during the turbulent times of protests were reluctant to work out the strict targets into implementation plans, they have now reached the stage of draft plans. Whether these will work at planned remains to be seen.

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