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The internal and external face of Dutch environmental policy: A case of fading environmental leadership?

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ABSTRACT

With regard to European Union (EU) environmental directives, member states seem to show a discrepancy between external ambitions as expressed in the European arena, and realisation of these ambitions at home. Depending on the level of their internal and external ambitions, states may ideal-typically take four positions: laggards, symbolic leaders, pioneers or pushers. Furthermore, the actions of member states can be characterised with the help of different types of leadership: structural, cognitive, entrepreneurial and exemplary. Taking the case of the Netherlands, we hypothesise that there is an external face, operationalised with reference to the Dutch role in the formation process of four major environmental directives (air quality, nature conservation, agricultural pollution by nitrate and water quality), and an internal face, observed through the practices of domestic implementation of those directives. Looking at environmental policy processes over time, the gap between external and internal faces actually widened as practical implementation evolved. We conclude that the overall development of the Netherlands as an environmental leader was influenced not only by changes in the wider political and societal environment, but also by an increasing awareness of the discrepancy between the country's external and internal faces. In the more recent cases, especially water quality, the focus of leadership shifted from substantive to governance ambitions. Despite a waning implementation record, the Netherlands still shows forms of entrepreneurial and, particularly, cognitive leadership.

1. Introduction

In the literature on environmental policies of the European Union (EU) and its member states, a fascinating issue has regularly surfaced: who are the leading or pioneering states? This is often combined with questions like: what constitutes a leader or pioneer, and why do member states act as they do? In this discussion, the conceptual meaning of the terms used is as important as observing the development of environmental pioneers and leaders. We would like to contribute to this debate by elaborating the perspective of an 'internal' and an 'external face' of an individual member state. This perspective raises questions on where and when member states are leading or pioneering and for what purpose and audience.

Various terms are used interchangeably for ambitious states (or other actors) in environmental policy. In a recent conceptual contribution, Lieferrink and Wurzel (2017) define leaders as actors explicitly seeking to attract followers, while pioneers are 'ahead of the troops' without the ambition to attract followers. Next to these roles, Lieferrink et al. (2009) suggest to think of distinct internal and external 'faces' of member states. Lieferrink and Wurzel (2017) combine these

insights on roles and faces by distinguishing between the visible and active stance of member states in environmental policy in the *European and international arena* (showing ambitions externally) and the visible and active stance of member states at home, in their *domestic* environmental policies (showing ambitions internally). Depending on the level of their internal and external ambitions, states (or other actors, for that matter) may ideal-typically take four positions: laggards, symbolic leaders, pioneers or pushers. Furthermore, the actions of member states can be characterised with the help of different types of leadership or pioneership: structural, cognitive, entrepreneurial and exemplary. This conceptual framework will be further explained in Section 2.

To elaborate these ideas on the internal and external faces of a country while giving a comprehensive analysis of different policy fields within the environmental domain, we limited ourselves to one EU member state, the Netherlands. This country was one of the early environmental pioneers (Andersen and Lieferrink, 1997; Lieferrink and Andersen, 1998; OECD, 2015; Hoogervorst and Dietz, 2015). The Dutch embraced leading environmental discourses such as reflected by the 'Limits to Growth' report (Meadows et al., 1972 – half of all copies worldwide of this famous report were sold in the Netherlands) and the

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concept of sustainable development propagated by the Brundtland Commission at the end of 1980s. The latter concept was promptly integrated into a very influential report on the Dutch environment (Langeweg, 1988).

However, when implementing core EU environmental directives, the Dutch built up an increasingly problematic track record. The Dutch encountered problems with the implementation of Natura 2000, the Nitrates Directive and the Air Quality Directives, and have difficulties to live up to new expectations in water quality and renewable energy. When we delve into the formation processes or ‘uploading’ of environmental policies and their implementation or ‘downloading’ (Börzel, 2002), it looks as if the Netherlands has indeed two different faces. This is what we would like to further investigate. What pattern of behaviour do we find when looking more closely to the formation and implementation of different EU directives? Is there a discrepancy between both policy stages? The time dimension could be an important factor in this analysis, as discrepancies as well as responses to such discrepancies may develop over time. Therefore we include in our analysis the development of these faces over the years and reflect on the Netherlands’ long term ambitions in environmental policy.

Securing a broad view on EU environmental policy, four major domains were selected: nature conservation (Natura 2000, i.e. the Birds and Habitats Directives), agricultural pollution (Nitrates Directive), air quality (Air Quality Directives) and water quality (Water Framework Directive). We scrutinised the Dutch role in the formation of these directives to understand the country’s external face, and we investigated the implementation to get a good impression of the Netherlands’ internal face. In addition, we assessed what types of leadership the Netherlands were practising. We further explain this in Sections 2 (Theory) and 3 (Methods). Section 4 briefly sketches the background of Dutch environmental policy, followed by an analysis of the four selected domains. Section 5 compares the cases and provides conclusions.

2. Theory

There are different reasons why member states show ambition in environmental policy. On the one hand, states may introduce stricter or more demanding policies mainly for internal reasons, e.g. with a view to improving the health of the population or the quality of life within their territory. In this case, attracting followers is not the primary aim, although others may nevertheless choose to follow the example (see below). Building on Liefferink and Wurzel (2017), we define states which are ‘ahead of the troops’ without being particularly interested in attracting followers as *pioneers*. The classical example is the Danish ban on metal beverage containers, introduced in 1982 for purely domestic purposes, but unexpectedly having a considerable impact on EU policy (Liefferink and Andersen 1998: 257). On the other hand, states may actively seek to lead the way and to push others, e.g. other states, the EU or international organisations, to adopt more ambitious policies. One can think of Germany in the 1980s in relation to acidification or, more recently, the UK and Denmark in climate policy (Rayner and Jordan, 2016). In this case, states can be characterised as genuine *leaders*. Table 1 systematically presents the four possible combinations of low vs. high *internal* ambitions and low vs. high *external* ambitions.

The combination of high internal and low external ambitions (field b) leads to the position of an ideal-typical *pioneer* as described above. The bottom row of the figure depicts the two possible cases of high external ambitions and can thus be associated with *leadership*. High external ambitions combined with high internal ambitions turn a state into a *pusher* (field d). However, efforts to push others can also go hand in hand with low internal ambitions, which results in little more than *symbolic leadership* (field c). The matrix is completed by the position of a *laggard* (field a), which is characterised by low internal and low external ambitions.

Within the *pusher* category (field d) a further sub-division needs to be made. A *constructive pusher* pursues its internal ambitions

Table 1

Ambitions and positions of states in domestic and EU/international environmental policy (adapted from: Liefferink and Wurzel 2016).

External ‘face’	Internal ‘face’	
	Low internal environmental ambitions	High internal environmental ambitions
Low external environmental ambitions	(a) Laggard	(b) Pioneer
High external environmental ambitions	(c) Symbolic leader	(d) Pusher – constructive – conditional

irrespective of its success in attracting followers. It often presents its domestic policies as examples to others. A *conditional pusher* acts more cautiously. It will actually adopt its ambitious internal policies only if other states take similar measures.

It is important to stress that the positions in Table 1 present ideal types. In the actual policies of countries, various shades between the positions may be expressed. In this paper, we will use this heuristic model for ‘mapping out’ the general pattern as well as the shifts in the Dutch position over time. Another necessary remark relates to the fact that member states may choose to go beyond the requirements of a directive (so-called ‘gold-plating’) for domestic reasons. This does not necessarily mean that the country is a leader across the board. Even laggards may choose to do so on specific aspects of the directive for specific, often legal reasons (Squintani, 2013).

In order to scrutinise the roles played by leaders and pioneers, it is useful to explore the different ways in which they exert leadership/pioneership. Building particularly on Young (1991), Wurzel and Connelly (2011) and Liefferink and Wurzel (2017), we distinguish four types of leadership:

- Structural leadership is often associated with military power (Nye, 2008), but may also involve economic strength or a state’s relative contribution to a particular environmental problem (e.g. China in the case of carbon dioxide emissions).
- Cognitive leadership refers to defining or redefining ideas and concept, cause-effect relations and possible solutions by providing scientific knowledge or practical experience (cf. Haverland and Liefferink, 2012).
- Entrepreneurial leadership involves the use of diplomatic and negotiating skills with a view to brokering compromises and agreement (Young, 1991).
- Exemplary leadership (or leadership by example) refers to setting examples to others. In the case of a pioneer, this may happen largely unintentionally. In the case of a constructive pusher, domestic policies are intentionally put forward as models to be followed by others.

The different types of leadership may be combined. A state can for instance invest in coalition-building around a particular issue (entrepreneurial leadership), support these efforts by providing scientific expertise (cognitive leadership) and at the same time set an example to others (exemplary leadership). The mix of types of leadership employed by a state may vary across issues and evolve over time.

Our approach complements other perspectives and approaches to EU policy implementation. First, EU compliance theories often focus on legal implementation (transposition) and not on practical implementation (Treib, 2014). Second, these theories very often stop at the initial phases of compliance and do not have a long term perspective to domestic implementation (Liefferink et al., 2011). With our approach we intend to ‘map’ changes in one country’s implementation behaviour across different domains in order to detect possible patterns.

Next to the insights this gives in long term processes of practical implementation, it sheds light on how stances towards European policies may shift over time and affect implementation behaviour in the long run.

3. Methods

In this article, the Dutch role in the policy formation in four EU environmental policy domains is taken as a proxy for the Netherlands' external face. Similarly, we use the implementation of EU directives in those domains as a proxy for the Netherlands' internal face. Although we are aware that the process of formation and implementation of an EU directive has its own specific dynamic, we argue that it well reflects the underlying internal and external ambitions regarding the environmental issues at stake. An important advantage of focusing on directives is that the external and the internal face can be studied in close connection to each other.

The four policy domains were selected because they, firstly, make it possible to sketch a broad picture of EU environmental policies in varying domains, relating to nature, air, soil and water. Furthermore they all represent core fields of EU environmental policy. As such, they are of great importance for both the EU and the Netherlands. Lastly, they are spread in time, giving a good idea of the behaviour of the Netherlands over the last three to four decades.

We collected data on the Dutch role in the formation process: did the Netherlands push the directive or was it reluctant to take up obligations? Our empirical analysis rests, first, upon an elaborate literature research on developments in environmental policy in the Netherlands more generally and on the four policy domains in particular. Second, we made use of data collected in the context of research projects on the four directives in which we were leading or had an important involvement (see below).

For the implementation phase, we scrutinised documents regarding the national legislative procedure, e.g. was there any discussion on the implementing acts, did the Netherlands implement in a strict or lenient way? Another important source of information is the Court of Justice of the European Union (CJEU). Especially rulings in infringement cases can show flaws in the implementation of a directive in the national legal order. We used data from the European Commission such as scoreboards on implementation and overviews of the CJEU, and reports on the implementation of specific directives. The analysis of legal and practical implementation was supported by data from more than 25 interviews with experts on specific directives and European environmental law in general, among others at the Dutch Ministries of the Environment and Foreign Affairs and with environment attachés at the Permanent Representation to the EU in Brussels. The interviews were conducted in the context of several previous research projects by the authors (notably Wiering, 1999; Uitenboogaart et al., 2009; Beijen, 2010; Liefverink and Wiering, 2011). It must be stressed that interview data were used for this paper only as background material. The paper does not contain any direct quotes from interviews. All empirical evidence used for our analysis can be found in the sources referred to in the text.

4. The internal and external face of the Netherlands in four cases

Before turning to the four cases, we will provide the reader with a thumbnail overview of the main steps in the development of the internal and the external face of Dutch environmental policy.

The Netherlands was one of the environmental pioneers in the early days of EU environmental policy (Andersen and Liefverink, 1997). As a small, densely populated, downstream country with an intensive agri- and horticulture, large industrial sectors and a heavy reliance on transport and trade in an open economy, it not only faced huge environmental challenges, but also saw international agreements and European cooperation as the preferred way to fight these challenges

and to create sustainable solutions. In 1989, it was the first country in the world to boast the publication of a long-term, integrated environmental policy programme (NEPP, 1989; cf. Weale, 1992). The Netherlands was also active in pushing its innovative approach at the European level (Kronsell, 1997). In this way, it generally acted as a constructive pusher and showed forms of cognitive and entrepreneurial leadership.

The Dutch environmental ambitions started to wane in the early 2000s (OECD, 2015; Hoogervorst and Dietz, 2015). This has been related to a number of factors, including the decreasing economic tide, the succession of a number of right-wing governments, the rise of environment-sceptic populist parties, and, more particularly, the increasing occurrence of difficulties in the implementation of EU environmental policies, for instance in the fields of climate change (Liefverink et al., 2016), nature conservation and agricultural pollution. According to the VROM-Raad (2008), an advisory council on the environment, this decline in ambition can be related to a late realisation of the country's 'distance to target' in many environmental domains and the difficulties it experienced in implementing EU policies to which it had agreed previously (see also Liefverink and van der Zouwen, 2004; Rood et al., 2005; Liefverink and Wiering, 2011). We see our contribution as a first step towards an analysis of the interaction between the external and internal faces of a wider range of member states. As explained above, the Netherlands provides a particularly good case for this. Rather than searching for more general political, socio-economic or other explanations for the fading of Dutch environmental leadership, the following sections will discuss in detail how external vis-à-vis internal ambitions developed in the four selected policy domains.

In our analysis we will take into account that implementation problems are not necessarily always the result of a lack of ambition or unwillingness in the member states. The obligations stemming from a directive are not always clear, may be different than expected and in some cases only become clear after rulings of the CJEU (Beijen, 2010). Even if a member state tries to comply, such circumstances may lead to flaws in implementation.

4.1. *Natura 2000*

The 1992 Habitats Directive (92/43/EEC, hereafter HD) and the 1979 Birds Directive (79/409/EEC, hereafter BD) form the basis of Natura 2000, the European network of natural areas. Both Directives aim at protecting individual *species* as well as the *areas* (habitats) in which they live. The HD in particular, as we will see in this section, turned out to be problematic for the Netherlands.

4.1.1. *External face*

Around 1990, the Netherlands was in the process of restructuring its domestic nature policy following the concept of a National Ecological Network (*Ecologische Hoofdstructuur*, EHS). Dutch civil servants involved in the preparation of the HD successfully put forward the EHS as a model for Natura 2000. Using its cognitive power, the Dutch government thus acted as constructive pusher on this issue. Due to considerable entrepreneurial efforts, moreover, final agreement on the HD was achieved under the Dutch Council Presidency in the second half of 1991 (Van den Top and van de Zouwen, 2000; Liefverink and van der Zouwen, 2004: 141).

4.1.2. *Internal face*

Dutch policy having served as a source of inspiration for the European requirements, implementation of Natura 2000 in the Netherlands was expected not to cause any major problems (Van den Top and van de Zouwen, 2000; SER, 2006). The EHS, however, happened to be based mainly on spatial planning instruments entailing lengthy procedures and bringing to light fundamental conflicts between different types of land use (Kuindersma et al., 2004: 13–19). As a result, the Netherlands failed to submit to the Commission a list of *areas* by

May 1995, as required by the HD. Three years later, the Netherlands was convicted by the Court (then European Court of Justice, ECJ) for not designating sufficient and sufficiently large areas under the older BD (ECJ C-3/96, 19 May 1998). The fear for another conviction stimulated the Netherlands to make up arrears with the designation of areas under the HD (Verschuuren and van Wijmen, 2002: 37; Kuindersma et al., 2004: 34).

In the meantime, the Commission had made it clear that it considered spatial planning instruments, e.g. land use plans, insufficiently binding for implementing particularly the HD (Van der Zouwen and van Tatenhove, 2002: 11; Verschuuren and van Wijmen, 2002: 35–38). In 2001, a letter of non-compliance was sent relating to an industrial development project in the city of Heerlen, threatening the habitat of the European hamster (Van der Zouwen and van Tatenhove, 2002: 29ff). On top of that, nature organisations started legal procedures demanding direct application of the Directives (Verschuuren and van Wijmen, 2002: 37–8; Beunen et al., 2013: 283). This led to the suspension of different building projects in the Netherlands. Media coverage and public debate on the issue were intensive between 2000 and 2003 and it was widely claimed that the Netherlands had been ‘locked’ by EU nature policy (*‘Nederland op slot’*, cf. IBO, 2003; Kuindersma et al., 2004: 9; Beunen et al., 2013: 283–4; Buijs et al., 2014: 679). This commotion and the perceived pressure from ‘Brussels’ led to frantic law-making activity. In the new Nature Protection Act of 2005, protection of Natura 2000 areas was largely decoupled from spatial planning and enshrined in stricter legal guarantees (Bouwma et al., 2017).

The Dutch government had also first intended to implement the requirements on *species* protection in the Directives via existing policies. In 1998, older legislation was replaced by the Flora and Fauna Act. Only then it was realised that the new Act contained stricter requirements than the Directives regarding both the number of protected species and the degree of protection (IBO, 2003: 34–35; Kuindersma et al., 2004: 41–44). A storm of protest arose against this perceived unnecessary form of ‘goldplating’ (Verschuuren and van Wijmen, 2002). In 2004, the Flora and Fauna Act was revised and introduced a distinction between species coming under the regime of the Directives and ‘other’ species coming under a ‘lighter’ regime. A limited degree of ‘goldplating’ was maintained, however, by including under the ‘heavy’ protection regime some additional species which, although not covered by the Directive, are under particular threat in the Netherlands (Kuindersma et al., 2004: 44; SER, 2006: 49).

4.1.3. *Summing up*

Having started as a strong proponent of Natura 2000 in the early 1990s and acting as a constructive pusher based on a combination of cognitive and entrepreneurial power, the Netherlands gave up much of this position in the implementation phase. Only regarding species protection, the country retained a certain position as pioneer by bringing a limited number of species under a stronger protection regime than required by the Directives for purely domestic reasons. With regard to the politically more weighty aspect of area protection, due to a combination of legal complications and a considerable degree of unwillingness, at least initially, to solve the ensuing conflicts according to the requirements of the HD, the Netherlands dropped to what may be seen as the EU average (Jordan and Liefferink 2004: 238) and thus moved to the position of a symbolic leader.

4.2. *Nitrates directive*

The objectives of the Nitrates Directive (91/676/EEC, hereafter ND) are to reduce water pollution caused by nitrates from agricultural sources and to prevent further pollution. The ND requires member states to designate vulnerable zones of land draining to waters affected by nitrate pollution and to make a mandatory action programme containing measures regarding the use of manure. The ND works with a target for nitrate pollution in groundwater of no more than 50 mg/l

which is translated in kilogrammes of nitrogen per hectare per type of agricultural land (Ondersteijn et al., 2002; Van Grinsven et al., 2016). Because of both the volume of Dutch intensive livestock farming and the intensive use of fertilizers, the Netherlands had great difficulties meeting the ND targets.

4.2.1. *External face*

The decision to endorse the Directive was not particularly controversial. The Ministries for the Environment and for Water Management were leading in the negotiations on the ND. They closely collaborated with the Ministry for Agriculture, but in the decisive stage of the negotiations, the latter quite easily accepted the proposal. Van Bavel et al. (2004) explain the initial underestimation of the Directive’s impact with reference to the ambitious National Environmental Policy Plan, adopted shortly before (NEPP, 1989), and the Dutch reputation as one of Europe’s environmental pioneers. Declining or seriously watering down the ND would have implied ‘losing face’, especially as the final decision was made during the Dutch Presidency of the EU Council of Ministers in 1991. Apart from that, the Dutch considered the problem of fertilizers and manure above all a domestic affair that could be solved internally without causing conflicts with ‘Europe’ (Van Bavel et al., 2004). Thus, the Netherlands acknowledged that the nitrate problem was important, but was not externally active to push the Directive nor tried to influence its core elements. On the contrary, it relied on convincing the European partners of a different approach during the implementation stage.

4.2.2. *Internal face*

The ND gradually became one of the ‘hot potatoes’ of Dutch EU environmental policy implementation. The Directive was first implemented with the help of a so-called Minerals Accounting System (MINAS), an instrument of bookkeeping of minerals (N, F and others) coming in and going out of the (livestock) farm (Wiering, 1999; Henkens and Van Keulen, 2001). This created room for flexibility and discretion, but was not strongly formalised in legal measures and decisions. The Commission, however, requested strict and legally embedded standards. Although the Dutch perceived MINAS as more encompassing, goal-oriented, tailor-made and precise, and thus superior to the Commission’s approach, the Commission rejected the Dutch implementation method. This was the start of a joust of proposals and requests for derogations, followed by an infringement procedure started by the Commission in September 1998 and a conviction by the ECJ in 2003 (ECJ C-322/00, 2 October 2003). In 2005, finally, the Commission granted a derogation to the Netherlands, temporarily allowing for a higher amount of nitrogen applied to the land. In 2006, MINAS was replaced by a system of application standards for animal manure as required from the beginning.

The Dutch internal ambitions with regard to the ND cannot be judged straightforwardly. Although the Dutch sincerely believed the MINAS system would work (Ondersteijn et al., 2002) and thus tried to show cognitive leadership in implementation (and even considered themselves as pioneers in agri-environmental management), the Netherlands was a laggard in terms of complying to what had been agreed in the Directive. For this reason, the European Commission insisted on the establishment of clear application standards for manure and, if necessary, corresponding measures with regard to manure transport or processing. The Dutch tried hard, but could not convince the Commission of the value of their more flexible approach and failed to create sufficient legal assurances. The European Commission identified a long list of shortcomings with regard to the sufficient and timely implementation of the Directive (Henkens and Van Keulen, 2001). Only after several years and with the help of a derogation temporarily relaxing the requirements of the ND, the Dutch were prepared to meet the Commission’s demands.

4.2.3. Summing up

In conclusion, the Dutch did not show high ambitions in creating a very ambitious Directive nor in complying with the measures proposed by the Commission on the basis of the ND. They did show willingness and some internal ambition to reach the goals of the Directive, but only in their own specific way. This comes close to the position of a laggard, or – in the most optimistic interpretation – that of a ‘pioneer at loss’ moving in the wrong direction. We did not detect significant entrepreneurial leadership through diplomacy or negotiation tactics in the formulation or implementation phases of the ND.

4.3. Air quality

Air quality is transboundary by nature. It thus makes sense that the EU has a role to play. The Air Quality Directive (2008/50/EC, hereafter AQD 2008) which is currently in force is the most important piece of legislation. It is the successor of the Air Quality Framework Directive (96/62/EC, hereafter AQFD 1996) and former Daughter Directives (one of which, 2004/107/EC, is still in force).

4.3.1. External face

Air quality is an important issue for the Netherlands. Due to its small surface and geographical position, there is a large influence from neighbouring countries and a special interest in regulating emissions on the European level. At the same time, the Netherlands will have to deliver a considerable effort itself in order to comply with the norms.

In the negotiations on the AQFD 1996, the Netherlands took an ambitious position, amongst others by propagating a standstill principle in the Council (Dutch Parliament, 1995: 2–3; SER, 2006: 54), which can be seen as entrepreneurial leadership. In the negotiations on the First Daughter Directive, the Netherlands was aware that it might be extremely difficult to comply with the norms proposed for specific substances. In the negotiation phase, the Dutch were critical about the feasibility of the proposed norms. In the Council, the Minister for the Environment declared that the Netherlands would probably not be able to comply with the norms without stringent European source measures and advocated a stringent provision on the evaluation of the Directive (Rood et al., 2005: 17–18; SER, 2006: 55). This tends towards a conditional pusher position (‘we want this directive, but only if...’), although the Netherlands did agree with the directive without any guarantees on emission norms.

In the negotiations on the AQD 2008, after the experiences with the AQFD 1996, the Netherlands was even more aware of the difficulties to comply with strict norms (Neven et al., 2006: 60). It welcomed more flexibility, e.g. by postponing deadlines for limit values. In 2015, the Minister of Infrastructure and the Environment emphasised that the Netherlands needed a policy for the permanent improvement of air quality, but also that the Netherlands promotes a high European level of ambition regarding the sources of air pollution, i.e. emission standards (Ministry IM, 2015).

4.3.2. Internal face

In the years 2001–2005, the AQFD 1996 and its Daughter Directives and especially their implementation in Dutch legislation (Besluit luchtkwaliteit, 2001) caused many problems. The highest administrative court annulled many administrative decisions concerning infrastructural and housing projects because of the air quality legislation (Koелеmeijer et al., 2005; VROM-raad, 2008: 49). The Dutch implementation was stricter than that in other member states and went beyond the requirements of the Directives by creating a direct link between air quality norms and spatial planning decisions (Backes, 2006: 13–14). This was not sign of a high internal ambition (pioneering), but merely the consequence of a legally strict interpretation of the obligations stemming from the Directive (Ministry VROM, 2001; Backes, 2006, p. 13–24). If 2007, after it had appeared that this interpretation seriously hindered local building activities, the national

legislation was revised. Since then most projects no longer had to be individually tested against the air quality standards (VROM-raad, 2008: 49).

The Netherlands was not able to comply with the norms of the AQD 2008 in due time and made use of the possibility offered in Article 22 to postpone the deadlines. In 2009, the European Commission granted a derogation based on the *Nationaal Samenwerkingsprogramma Luchtkwaliteit* (National Cooperation Programme Air Quality), which should have made sure the Netherlands would comply with the norms at the postponed deadline (EC, 2009). Although air quality in the Netherlands is improving (RIVM, 2014), the ‘Air Quality in Europe 2015 Report’ (EEA, 2015) shows that there are still some exceedances of the norms for PM₁₀ and NO₂ in the Netherlands. Busy roads in large cities and areas with much livestock are still vulnerable.

4.3.3. Summing up

The overall picture shows that external and internal ambitions have decreased after 2005. This has mostly been driven by a ‘reality check’, given the internal problems with the air quality norms. For the Netherlands there is a dilemma: a higher *air quality* can only be reached by stricter EU-wide *emission* standards. The Netherlands repeatedly made a case for the latter at the European level. It could therefore best be qualified as a conditional pusher on this issue.

4.4. Water framework directive

The Water Framework Directive (Directive 2000/60/EC, hereafter WFD) aims at reaching a good ecological status or a good ecological potential of all water bodies in the EU by 2027. Member states have to draw up River Basin Management Plans (RBMPs) to improve or secure the chemical and ecological quality of their water bodies. In the Netherlands this task is mainly taken up by the regional water authorities (or water boards) and the national water agency (*Rijkswaterstaat*).

4.4.1. External face

Having a special layer of functional authorities for water management indicates that water management is important in the Netherlands. Water issues are a domain in which the Dutch can excel. The EU Water Framework Directive was therefore welcomed by the water agencies as an instrument to amplify water quality issues domestically and in Europe. Santbergen (2013: 114–115) points to the active role of the Dutch in the formation of the Directive. In a very early stage they joined forces with the French to prepare policy briefs and documents for what was to become the WFD. But at a closer look, Dutch interference had much to do with the *governance* design of the Directive and less with its *substantive* ambitions and strictness. A first example was the wish to have integrated resources management rather than another separated piece of EU legislation. Second, the Dutch were worried about the feasibility of implementation and stressed more open and soft measures, while trying to avoid further legal strictness (Santbergen, 2013).

4.4.2. Internal face

Despite these efforts, the WFD was labelled politically controversial already in the phase of preparing its implementation in the Netherlands. The ‘Aquarein report’, an *ex ante* evaluation of the consequences of the WFD for Dutch agriculture published in 2003 (Van der Bolt et al., 2003), stated that under the Directive’s requirements, intensive animal husbandry would come under serious pressure in the Netherlands. With the problematic implementation of the Nitrates Directive fresh in mind (see Section 4.2), nobody wanted the WFD to lead to another political battle around intensive livestock farming. This led to an openly pragmatic way of implementing the Directive. A telling example was the renaming of the first ‘ambition document’ into ‘Pragmatic Implementation of the Water Framework Directive’ (cf. Ministry TPW, 2004; Bourblanc et al., 2013). Furthermore, the Netherlands designated a relatively large number of water bodies as Heavily

Modified Water Bodies (42%) and Artificial Water Bodies (53%). Other countries with roughly similar regional circumstances (e.g. with intensive agriculture and urbanisation) designated a greater portion of their water bodies as ‘natural’ implying that a higher ecological status would need to be reached. In addition, the Dutch did not opt for a strict formalisation of their domestic standards and made extensive use of the Directive’s room for exemptions (Uitenboogaart et al., 2009; Liefferink et al., 2011). The general Dutch implementation record can be characterised as ‘be careful, not too ambitious’.

4.4.3. Summing up

The Dutch were undoubtedly active in the formulation stage of the WFD, but this concerned the Directive’s governance design rather than its substantive ambitions. The Dutch strongly emphasised subsidiarity, discretion and feasibility, which effectively watered down some of the Directive’s initial strictness. The internal face soon betrayed pragmatism. The Netherlands increasingly behaved like a tortoise (Bourblanc et al., 2013), cautiously but steadily moving towards improvement of Dutch water bodies through pragmatic measures. The Netherlands obviously had little ‘hard power’ fostering structural leadership, but it had expertise and agencies’ manpower to interfere in discussions and negotiations. It once more played a role as cognitive and entrepreneurial leader, preparing new ideas and crafting coalitions. In some respect the Dutch even functioned as exemplary leaders, as the governance of water resources was considered strong in comparison to other member states. The Dutch position with regard to the WFD, combining the genuine pushing of specific ideas regarding the Directive’s governance design with a highly pragmatic stance with regard to its substantive implementation, can best be characterised as moving from that of a constructive pusher to that of a symbolic leader.

5. Comparison and conclusions

In this paper, we have investigated the Dutch position and role in the formation and implementation of four EU environmental policy domains as a proxy for the country’s evolving external and internal ambitions and its leadership and/or pioneership. As illustrated by Table 2, we frequently found the expected discrepancy between the Netherlands’ initial ambitions in the European arena and its final internal ambitions in domestic implementation.

However, this overall picture can now be further nuanced. In two cases – Natura 2000 and air quality – the Netherlands started out with moderate to high external and internal ambitions, which were gradually toned down mainly due to implementation problems. The gap between the external and the internal face actually widened as practical implementation evolved as a result of what may be called a ‘reality check’. In the case of Natura 2000 this led to the Netherlands moving to the position of a symbolic leader. In the case of air quality the situation was more complicated. The Netherlands increasingly perceived its ambitions with regard to air quality as being dependent on stricter EU-wide emission standards. We therefore characterised the Dutch position on this issue as moving from a constructive to a conditional pusher. The position with the WFD, a more recent directive, shows less discrepancy between internal and external faces, with some constructive pushing regarding the Directive’s governance aspects in the formation phase but pragmatism prevailing when it came to implementing its substantive requirements. By the time the WFD was negotiated and adopted, the Dutch had learned from the failure in complying with directives in other domains, including nitrates, nature and air quality (VROM-Raad, 2008; Bourblanc et al., 2013). The ND is the odd case in our sample as ambitions were low from the outset. Curiously, the Netherlands propagated an alternative method, the MINAS system, for the implementation of the Directive which it considered superior to the EU method. During part of the implementation process of the ND, the Netherlands may have perceived itself as a pioneer but remained a laggard from an EU perspective.

The cases demonstrate that positions can shift considerably, for instance from constructive pusher to symbolic leader, in the course of one single policy process. The overall development of the Netherlands as an environmental leader was influenced not only by changes in the wider political and societal environment, but also by an increasing awareness of the discrepancy between the country’s external and internal faces.

Our findings reflect a general decline of Dutch environmental policy ambitions over the last 10–15 years which has been observed by other authors too (OECD, 2015; Hoogervorst and Dietz, 2015). To be sure, we do not want to portray the Netherlands as a laggard or symbolic leader across the board. It must be noted that despite recurrent problems in the implementation of EU environmental measures, leading in some cases to formal infringement procedures, the total number of such procedures against the Netherlands has so far remained limited. The country’s implementation record in the environmental field is still above the EU average.¹ It should also be noted that non-compliance is not always due to low (or lower) ambitions. In some cases non-compliance is clearly related to features of the Directives themselves (Beijen, 2010) or to complications resulting from institutional adaptation pressure, i.e. the need to adjust policy structures (Knill and Lenschow 2000; Liefferink et al., 2011). The latter factor played a role for instance in the problematic connection between spatial planning on the one hand and Natura 2000 and air quality on the other. It has to be realised, however, that the two factors are interrelated: problems of institutional adjustment are more likely to be overcome in a situation of high ambitions. On the basis of our broad range of cases, however, and even when taking into account the above observations, the gradual decline of the Dutch role as a leader or pioneer can hardly be overseen.

As far as leadership was exerted by the Netherlands at all, it should be noted that *cognitive leadership*, e.g. by pushing key concepts, approaches or methods, was present in all four cases, although only to a limited extent in the air quality case and in the form of ‘pioneering in the wrong direction’ in the nitrates case. In the more recent case of the WFD, the focus of cognitive leadership shifted from substantive to governance ambitions. Not surprisingly, cognitive leadership usually went together with *entrepreneurial leadership*: in order to become effective, knowledge has to be actively brought under the attention of relevant actors by timely and well-orchestrated diplomatic efforts (Liefferink and Wurzel, 2017). In the early days of Natura 2000, cognitive and entrepreneurial leadership was additionally combined with *exemplary leadership*. *Structural leadership*, i.e. military but also economic power, did not play a demonstrable role in either of the four cases.

All in all, we see a member state that, despite its problems with domestic implementation, continues to bring in ideas and expertise as a basis for its input in the European arena (cf. VROM-Raad, 2008). One explanation for this recurrent pattern could be that the Netherlands is a country of planning and long-term policy making, with (still) a high belief in the possibility of ‘making and shaping’ the country. This arguably extends to the area of environmental policy (Weale, 1992). The production of high-quality scientific expertise as a crucial basis for policy, moreover, is in line with the Dutch rationalistic policy style (Van Putten, 1982). A related explanation is that different types of leadership work on different time scales. Whereas entrepreneurial power can in principle be mobilised at relatively short notice, both cognitive and exemplary leadership require long-term and consistent investment at the domestic level (Young, 1991: 298; Liefferink and Wurzel, 2017). The possibility to employ cognitive and exemplary leadership, in other words, builds on a minimum level of sustained internal environmental ambition. At the same time, a well-institutionalised domestic knowledge infrastructure, as it exists in the Netherlands, is likely to have a certain longevity, even in times of lower internal ambition. This may

¹ See: <http://ec.europa.eu/environment/legal/law/statistics.htm>

Table 2

The external and internal faces of the Netherlands in four EU environmental directives.

explain why scientific expertise also played an important and often successful role in negotiating increased flexibility, exemptions, derogations, postponement of deadlines in the later phases of the policy processes addressed in this paper. It may even be speculated that the unrelenting provision of high-quality scientific expertise contributes to the Netherlands being continuously perceived as an environmental leader by others in spite of the current waning of its internal ambitions.

As we have emphasised before, we see our analysis of external and internal faces as a first step towards a more encompassing and longitudinal approach to the behaviour of states in environmental policies. Further steps would be to look at how other EU member states act externally and domestically. Interesting cases would include (former?) pioneers such as Denmark (for a first attempt, see: [Liefferink and Wiering, 2011](#)) or Germany. We might find similar patterns of different faces in other countries because of an increasingly pragmatic attitude towards European policies or we might see countries with more consistent behaviour where the gaps are less wide.

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