

# **The Europeanisation of the Agri-environmental Policy and domestic change: the cases of Germany and Poland**

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## **Abbreviations**

AAC Polish Agricultural Advisory Centres (Ośrodki Doradztwa Rolniczego, Polska)

AEM Agri-environmental measures

AEP The Agri-environmental Policy

AES The Agri-environmental Scheme

Abl The Cooperative for Rural Farming (Arbeitsgemeinschaft Bäuerliche Landwirtschaft, Deutschland)

ARMA The Polish Agency for Restructuring and Modernisation of Agriculture (Agencja Restrukturyzacji i Modernizacji Rolnictwa, Polska)

BMELV The Federal Ministry of Food, Agriculture and Consumer Protection (Bundesministerium für Ernährung, Landwirtschaft und Verbraucherschutz, Deutschland)

BMU The Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit, Deutschland)

BUND German Association for the Environment and Nature Protection, Friends of the Earth Germany (Bund für Umwelt- und Naturschutz, Freunde der Erde, Deutschland)

CAP The Common Agricultural Policy

CEE Central and Eastern European

DBN The German Association of Part time Farmers (Deutscher Bundesverband der Landwirte im Nebenberuf, Deutschland)

DBV The German Farmers' Association (Deutscher Bauernverband, Deutschland)

DVL The German Association for the Landscape Protection (Deutscher Landschaftspflege Verband, Deutschland)

EAGGF The European Agricultural Guidance and Guarantee Fund

EARDF The European Agriculture and Rural Development Fund

EEA The European Environment Agency

EC The European Commission

EEC The European Economic Community

ESA Environmentally Sensitive Areas

EU The European Union

FAL The Federal Agricultural Research Centre (Bundesforschungsanstalt für Landwirtschaft, Deutschland)

FFH Flora, Fauna and Habitat Areas

GAK The Common Task of Improving Agricultural Structures and Coastal Protection (Gemeinschaftsaufgabe zur Verbesserung der Agrarstruktur und des Küstenschutzes)

GAP The Good Agriculture Practice

GATT The General Agreement on Tariffs and Trade

GDP Gross Domestic Product

GVA Gross Value Added

HI Historical Institutionalism

IUCN The World Conservation Union

KULAP Agri-environmental Scheme of Brandenburg (Kulturlandschaftprogramm)

LBV The Brandenburg Farmers' Association (Landesbauernverband, NUTS1 level, Deutschland)

LSPA Large Scale Protection Areas

LUA The Brandenburg State Office for Environment (Landesumweltamt Brandenburg, NUTS1 level, Deutschland)

LVLF The Brandenburg Land Authority for Consumer Protection and Land Consolidation (Landesamt für Verbraucherschutz, Landwirtschaft und Flurneuordnung, Land Brandenburg, NUTS1 level, Deutschland)

MARD The Polish Ministry of Agriculture and Rural Development (Ministerstwo Rolnictwa i Rozwoju Obszarów Wiejskich, Polska)

ME The Polish Ministry of the Environment (Ministerstwo Środowiska, Polska)

MELF The Ministry of Food, Agriculture and Forests of Brandenburg (Ministeriums für Ernährung, Landwirtschaft und Forsten des Landes Brandenburg, Deutschland)

MLUR The Brandenburg Ministry of Agriculture, Environmental Protection and Regional Planning of Brandenburg (Ministeriums für Ländliche Entwicklung, Umwelt und Regionalentwicklung des Landes Brandenburg, NUTS1, Deutschland)

MLUV The Brandenburg Ministry of Agriculture, Environmental Protection and Consumer Protection (Ministeriums für Ländliche Entwicklung, Umwelt und Verbraucherschutz des Landes Brandenburg, NUTS1, Deutschland)

NABU The German Society for Nature Conservation (Naturschutzbund Deutschland, Deutschland)

NAES National Agri-environmental Scheme (Krajowy Plan Rolno-środowiskowy, Polska)

NDP National Development Plan (Krajowy Plan Rozwoju, Polska)

NI New-Institutionalism

NGOs Non-Governmental Organisations

NUTS Nomenclature of Territorial Units for Statistics

OECD Organisation for Economic Co-operation and Development

OTOP National Society for Bird Protection, Polish Division (Krajowe Towarzystwo Ochrony Ptaków, Polska)

PA Payment Agency

PHARE Polish Hungary Assistance for Structuring their Economies

PZ Priority Zones (Stefy Priorytetowe, Polska)

RDP Rural Development Plan

SAPARD Special Accession Programme for Agriculture and Rural Development, Polish Operational Programme for Rural Areas Development (Specjalny Program Akcesyjny na Rzecz Rozwoju Rolnictwa i Obszarów Wiejskich, Krajowy Operacyjny Program Rozwoju Obszarów Wiejskich, Polska)

SAC Special Areas of Conservation

SAP Single Area Payments

SPA Special Protection Area

SPO Sectoral Operational Programme (Sektorowy Program Operacyjny, Polska)

US United States

WTO World Trade Organisation

SI Sociological Institutionalism

WWF World Wildlife Fund

ZALF Leibnitz-Centre for Agricultural Landscape Research (Leibniz-Zentrums für Agrarlandschaftsforschung, Deutschland)

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## **Abstract**

This PhD thesis evaluates domestic strategies for adapting the European Agri-environmental Policy (AEP). The concept of Europeanisation is employed, as it relates to the adaptation of domestic policies and policy instruments to the existing EU legislation. This study argues that Europeanisation alters national policy-making arrangements, but prevailing domestic factors affect the adjustment patterns, which is why the outcomes vary among member states. This assumption enables the identification and the comparison of national mechanisms applied within AEP approaches.

Due to the fact that the range of tools available within the AEP is vast, the Agri-environmental Scheme (AES) measure has been chosen as the basis for a detailed examination. This research is confined to the Europeanisation of the AES in two case studies. A comparative study of the Land Brandenburg and Poland provides insightful points of reference on the level of changes undertaken and the process of policy-making in the domestic arenas. These analyses will present an explanation of the extent to which the European level affected the emergence and further development of the AEP in both cases. An examination of the policy-making arenas are needed to answer why and in which way reform capacities have been built and what factors affected the process. It will be possible to see to what extent the additional resources deriving from the AES legislation facilitated existing domestic arrangements. In this manner, this study identifies the dynamics of the redistribution of European authority in the domestic arenas.

## **Introduction**

The issue of Europeanisation has gained rapidly in importance. Analyses of patterns by which European policies affect national arenas are at the heart of the current research. Not surprisingly, a number of valuable contributions with reference to national politics and the policy-making process can easily be found (Bugdahn, 2005; Featherstone and Radaelli, 2003; Goetz and Hix, 2001; Ladrech, 1994). This study substantially improves on and stimulates this ongoing discussion with reference to the Europeanization of Agri-Environmental policy in the two case studies. The domestic impact of Europeanisation constitutes the main focus of this research. Thus, the level of change at the national and sub-national levels will be explored. Therefore, this PhD thesis attempts to improve the understanding of the linkage between European policies and domestic responses.

Studies investigating the way in which Europe shapes national arrangements provide not only various mechanisms and explanatory values, but also contradictory results in regards to the scope of domestic transformation. Although some authors point to the convergence of national styles and structures (Schneider, 2001), most of them acknowledge that differences occur as a result of Europeanisation processes (Börzel, 2000, 2002; Cowles Green et al., 2001; Falkner and Treib, 2008; Graziano and Vink, 2007; Héritier et al., 2001; Knill, 2001; Knill and Lehmkuhl, 1999; Knill and Lenschow, 2001). It is argued that mainly due to diverse national political and institutional perspectives and developed structures, how member states adapt to the European polity varies. As a result, '*Europeanization is not to be equated with convergance and across-the board harmonization. On the contrary, an emphasis on the differential impact and the need to come to terms with the factors explaining the differential effects is a common theme*' (Lehmkuhl, 2007, p.340).

According to Knill (2001, p.3) empirical studies have proved that in the case of the domestic effects of European policies a '*clear and consistent picture*' does not exist. The adaptation procedure does not directly derive from a particular policy. Additionally the capacity for change among member states differs. Instead, domestic transformation and persistence does not pursue a simple '*country-based*' or '*policy-based*' logic (Knill, 2001, p.3). Consequently, convergence and divergence as well as the persistence of institutional differences can be seen among the countries. Héritier (2001b, p.2) adds '*the political reality of European policymaking is “messy” insofar as it is uneven across policy areas and member states, institutionally cumbersome, and subject to the dynamics of domestic politics, each with its own particular logic. As a consequence, the outcomes of European policymaking tend to be much more diverse than one would expect and preclude any simplistic explanation of Europe-induced changes*'.

Drawing heavily on the studies mentioned above, the idea of a Europeanisation process is pursued in this thesis. The explanatory model encompasses three dimensions, namely the requirements deriving from the EU's Agri-environmental Policy, the level of incompatibility between existing domestic practises and policies, and finally the group of mediating factors prevailing in the national political and administrative arenas. This three-phased approach will enable one to investigate the impact of the Europeanisation mechanism on domestic adaptational change.

Elaborating on the conceptual framework presented above, it was argued by Bughan (2005, p.177) that '*Europeanization has to be linked to a policy area as a ‘measuring ground’*'. Adding to the Agri-environmental Policy perspective will constitute a noteworthy contribution to the existing knowledge. This research is novel and will lead to an extension of the empirical and analytical knowledge about both the use of the concept of Europeanisation

and the policy itself. The rationale behind the choice of this policy derives from the scarcity of examinations of the Common Agricultural Policy (CAP) and the Agri-environmental Policy in particular. Although there are a number of studies which broadly examine the AEP's practical implementation, a theoretical background allowing for the explanation of the results obtained is rare. Moreover, the emergence of the Agri-environmental Policy within the CAP demonstrates the integration of environmental issues within the agricultural ones. As opposing interests are combined in this policy area, this makes the investigation of the Europeanisation mechanism even more interesting.

However, the range of tools available within the AEP is vast. Therefore, the Agri-environmental Scheme measure has been chosen as the basis for a detailed examination. Firstly, this measure is acknowledged to be the primary Agri-environmental Policy tool which provides evidence for the integration of environmental and agricultural objectives. For this reason, it is of interest to this study to analyse how this instrument has been tackled by the domestic actors and how they reconciled their conflicting attitudes. Secondly, member states are forced to implement the Agri-environmental Schemes. This is an obligatory measure and therefore high European pressure for governments to adjust exists. Finally, the AES is chosen for a comparative case study as it offers many opportunities for domestic actors to exert their authority. Even though the AES' implementation is mandatory there is great flexibility in how the member states can organise this measure.

The AES instrument, relating to extensive production methods including the requirements for the protection and maintenance of natural landscapes, was initially recognised in Council Regulation (EEC<sup>1</sup>) 2078/1992<sup>2</sup>. In light of this, the AESs' requirements which have been

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<sup>1</sup> CAP legislation up to 31 October 1993, is in the form of EEC (European Economic Community) regulations and directives, whereas those which commenced from 1 November 1993 onwards are addressed as EC (European Community) regulations and directives as a result of the abandonment of the word 'economic' from the title in the Maastricht Treaty (Swinbank, 1997, p.59).

incorporated within two follow up Rural Development Plans Regulations (EC) 1257 (Articles 22-24) and 1698/2005 (Article 39) are examined.<sup>3</sup>

Having decided *what* is Europeanised, it is crucial to set out in *what manner* and *when* Europeanisation occurs. Europeanisation is defined as a process with which to understand the dynamic of the implementation of the EU Agri-environmental Policy within domestic arenas. The domestic focus of this study refers to European policy adoption at the national level and changes within domestic political circumstances brought about by this process. Consequently, this study seeks to examine whether Europeanisation provides new prospects or limitations to domestic actors and examines the ‘down-loading’ (top-down, domestic) aspect. It gives an explanation for how the requirements of the EU affect the national level, as well as what type of change can be expected. The focus will be on the effects of EU legislation on the country’s policies and institutions.

Nevertheless, the domestic institutional and political environment is also accountable for the adaptation of necessary alterations. Hence, it is argued here that the development and implementation of the Agri-environmental Policy within domestic arenas should be understood in relation to both the processes of Europeanisation and domestication. On the one hand it will explain how Europeanisation is driven at the national level, including the process of the elaboration and implementation of the AEP and the Agri-environmental Scheme instrument in particular. On the other hand, it focuses on the way in which domestic procedures and actors affect the process of agri-environmental policy adaptation. These

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<sup>2</sup> OJ L 215 30.7.1992, p. 85. Regulation as last amended by Commission Regulation (EC) No. 2272/95 (OJ L 288 1.12.1995, p.35). Regulation rectified by Commission Regulation (EC) No. 1962/96 (OJ L 259,12.10.1996, p.7).

<sup>3</sup> The Agri-environmental Schemes have been recently implemented under two Regulations; Council Regulation (EC) No 1257/1999 on the support for rural development from the European Guidance and Guarantee Fund (EAGGF) and Commission Regulation (EC) No 1750/1999 on the methods of implementation of Regulation 1257/1999 and their successor Regulations (EC) No 1698/2005 and 1783/2005.

enable one to outline both the advantages and the pitfalls of the domestic policy-making process.

This analysis is premised on the assumption that a longitudinal examination of the policy process is required. For this reason, it will be possible to scrutinise the development of the AES policy over time in order to observe the changes in policy systems as well as to assess the influence of background factors such as the role of institutions and their actors, interest accommodation, and finally policy learning. The timeframe considered in this study is from 1999 onwards, so as to encompass two policy-making processes. The first relates back to the elaboration of the AESs under the Rural Development Plans (RDPs) for the period 2000-2006 and the second for the RDPs for 2007-2013.

It has to be highlighted that this thesis concentrates only on the mechanism of the policy-making process. The evaluation of the implementation outcomes such as the effectiveness of the applied Agri-environmental Schemes is not an issue for this study. This study consciously focuses on the process in order to improve the understanding of the dynamics of Europeanisation in the member states.

Even though there is an ever-growing body of literature analysing the impact of Europeanisation on domestic structures, comparative analyses of the Agri-environmental Policy are still missing. The contention that a comparative research study encompassing old and new member states would make a valuable contribution, guided the case selection. Within the context of the issues outlined above, this study is confined to the Europeanisation of the Agri-environmental Policy in the Land Brandenburg and Poland. Due to the German federal political and administrative structure, the German *Länder* have jurisdiction over the Agri-environmental Schemes. Each region identifies the agri-environmental measures (AEM) and decides the way in which they will be used in practical terms. As the *Länder* have the

competence to structure the Agri-environmental Schemes, they vary considerably within the country. In order to assure the comprehensive feasibility of this research, only one Land has been chosen for the comparison. Thus, the sub-national and national levels of the analysis will be explored. It is interesting to trace the patterns in which the European level influences domestic change in this area. The examination will encompass all stages of agri-environmental policy-making in the analysed cases. Whilst analysing this matter, both the individual country and transnational patterns of scrutiny are adopted as the sub-region and the country's adjustment to the AES are given and then a comparison is made. The results obtained will enable one to assess the validity of the analytical framework as well as to show the commonalities and differences of these processes in both regions. A comparative analysis of the cases mentioned will present a detailed insight into the domestic and regional involvement in agri-environmental policy-making as well as shed light on factors that drive and constrain the Agri-environmental Policy dynamics in national arenas.

The notion that the elaboration and implementation of the AES depends upon European and domestic factors is scrutinised in both case studies. Each state, having unique socio-economic and administrative conditions, has employed distinct paths and patterns of transformation.

Therefore, the central claim is that:

***THE EUROPEANISATION OF THE AGRI-ENVIRONMENTAL POLICY ALTERS NATIONAL POLITICAL STRUCTURES AND STYLES, BUT INTERACTIVE DOMESTIC FACTORS AFFECT THE ADAPTATION PATTERNS. CONSEQUENTLY, ONE NEEDS TO FOCUS UPON THE EXISTENCE OF FORMAL AND INFORMAL STRATEGIES AND POLICY-MAKING PATTERNS TRIGGERED BY THE DYNAMICS OF DIVERSITY IN ORDER TO ASSES THE CAUSES AND LEVEL OF CHANGES UNDERTAKEN IN POLAND AND BRANDENBURG.***

The main research question reflects the hypothesis above and is as follows: *How do national policy-making approaches and factors influence adoption strategies for establishing and implementing the Agri-environmental Scheme's policy in the Land Brandenburg and Poland and which approaches are the most significant?*

By focusing on this query, this research offers great insights into the process of the Agri-environmental Policy's application. Vink and Graziano (2007) examined the challenges of Europeanisation as a new research agenda and highlighted the need for further systematic comparative work.

**This research aims at responding to this lacuna by providing:**

- ✖ A novel focus on the adaptation of the Agri-environmental Scheme in regards to the Land Brandenburg and Poland.
- ✖ The benefits and pitfalls of these processes in each case study.
- ✖ An assessment of the Agri-environmental Scheme from the Polish and the Land Brandenburg perspective which will offer an understanding of how opportunities are used and difficulties overcome.
- ✖ A focus on an old and a new member state within a comparative framework, which makes this analysis even more interesting.
- ✖ An evaluation of the dynamics of change based on empirical considerations.

**The main innovation of this research is that it attempts to broaden the empirical evidence of European politics through the lens of domestic politics. Meanwhile, the theoretical dimension will provide a foundation on which to assess the empirical evidence.**

### *The structure of the thesis*

This study is divided into six chapters. Chapter 1 provides an overview of the existing literature on the Agri-environmental Policy and its implementation. It will be illustrated that Europeanisation studies in regards to the AES' application are scarce and that comparative research is lacking. Studies in this field have primarily focused on the CAP's reforms as well as the AES' positive implications for the environment. National policy-making grounds and

their underlying principles still constitute the issues to be explored. Additional research questions will be set. In order to answer these queries a mechanism for addressing them will be presented in the following chapter and then the case studies will be employed to offer empirical utility.

In regards to Chapter 2, the recognition of an empirical ‘puzzle’ is rooted in the concept of Europeanisation. The framework of Europeanisation is understood here, as the process of the alteration of national arenas by the European level. An explanatory value for domestic change will be based on European pressure, which occurs when there is no compatibility between the EU level in the aspect of institutional and policy arrangements in particular and existing national practises as well as its interactions with national conditions. When attempting to enhance the concept of Europeanisation, the new institutionalist perspective is used as a theoretical starting point which provides the most comprehensive analytical insights.

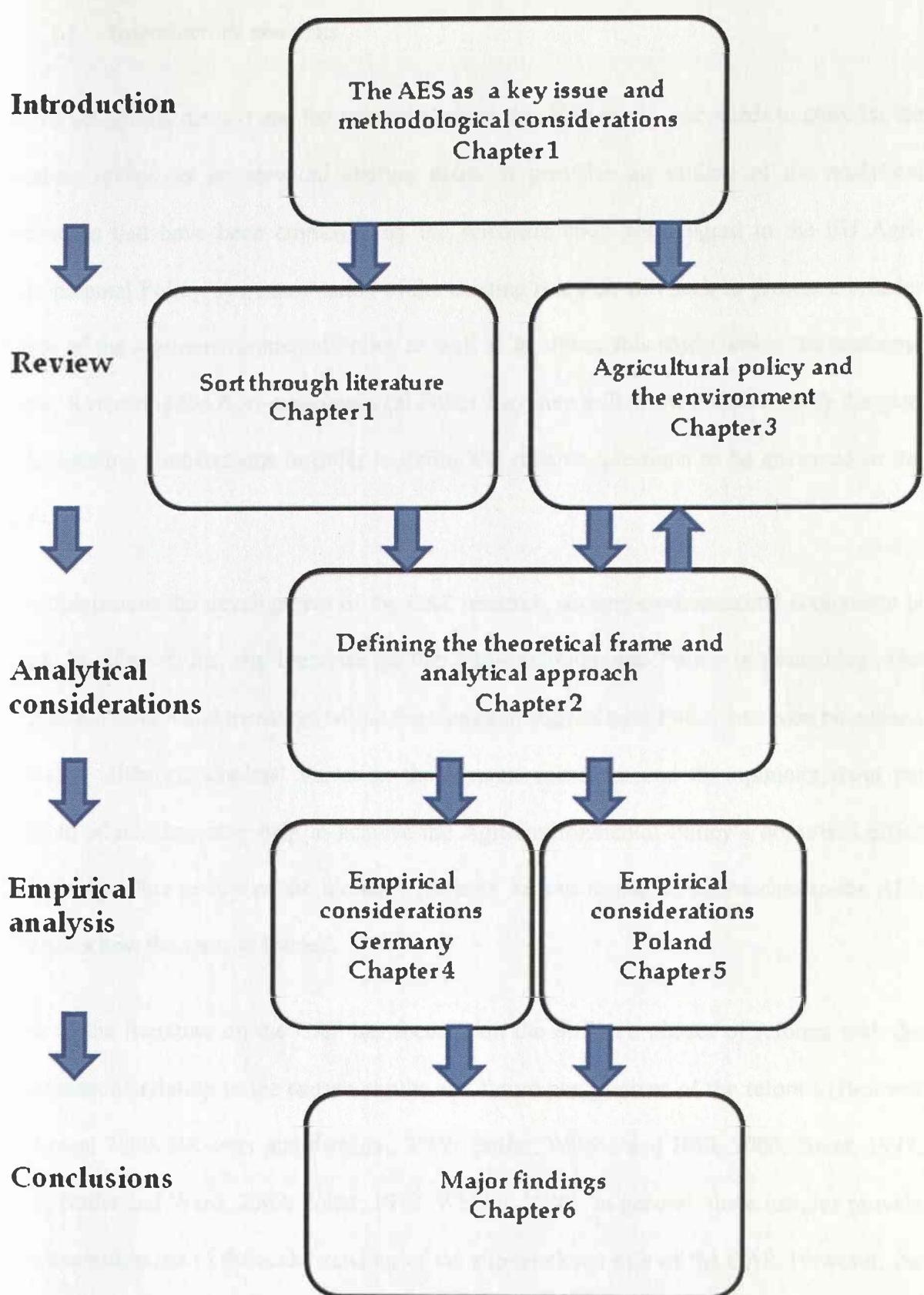
Chapter 3 focuses on the development of the agricultural and rural policy at the European level. At the same time the environmental matter is addressed. The process of the integration of environmental incentives within the CAP is traced. The causes, objectives and future prospects of the CAP reforms are presented. Hence, the rationale behind the development of the Agri-environmental Policy is given. Once the politics behind the reforms are uncovered the institutional dimension of the Agri-environmental Policy in the EU is offered. In order to fully understand the subject under scrutiny the objectives of the AES and the requirements that member states have to fulfil will be explained.

Central to this thesis is the domestic impact of the European Agri-environmental Policy mainly in terms of policy and institutional changes in Brandenburg and Poland. For this reason, Chapter IV (Germany) and Chapter V (Poland) add to the understanding of these matters. However, to offer a comprehensive understanding of the Land Brandenburg’s

perspective the German case relates to the national background of the AES' application first. Subsequently, attention is paid to this particular Land. These original studies will explain in detail the agri-environmental circumstances. As a basis for examination, the scope of relations between agriculture and the environment will be analysed first. This will provide an explanation for the political importance of agricultural sectors and allow for a better understanding of policy aims. Furthermore, the case studies look at the origins of the AEP. The following sections will focus on 'the goodness of fit' and the institutional and political context in which the AESs were developed in the Land Brandenburg and Poland. In this manner the assumptions deriving from the theoretical findings will be examined which will make allowances for further clarification. It is necessary to scrutinise these matters in order to ascertain whether it is the European or the domestic influence that has a major impact on the process of change. These analyses will highlight the extent to which the European level affected the emergence and further development of the AEP in the examined cases.

Finally, a comparative investigation into the factors affecting the development of the domestic strategies towards the Agri-environmental Policy approach in both case studies will be outlined in Chapter VI. An assessment of both AES adaptation patterns underlines the unique dynamics of the process stemming from the differentiated combination of domestic factors. Hence, it will be possible to assess to what extent these two states responded to the adoption pressure, what circumstances affected this process and what changes within their domestic agendas it required. A comparative study of the Land Brandenburg and Poland provides insightful points of reference as to the level of changes undertaken and the processes of policy-making in the domestic arenas.

# Thesis outline



# **1 The Academic Debates over the Agri-environmental Policy and its Europeanisation References**

## **1.1 Introductory remarks**

Having set out the context and the rationale behind this PhD thesis, one needs to consider the literature review as an essential starting point. It provides an outline of the analytical approaches that have been employed by the scientific body with regard to the EU Agri-environmental Policy. An examination of the existing research will seek to present a broader picture of the Agri-environmental Policy as well as to situate this study within the academic debate. Reviewing the Agri-environmental Policy literature will allow one to identify the gaps in the existing contributions in order to define the relative questions to be answered in the thesis.

In comparison to the development of the CAP research, its agri-environmental component is recent. In spite of this, the literature on the Agri-environmental Policy is flourishing. The range of environmental measures within the Common Agricultural Policy has been broadened gradually. Hitherto, scholars' views on the separate measures and the opinions about the extent to which they may help to achieve the Agri-environmental Policy's objectives differ significantly. This review of the literature presents various academic approaches to the AES and shows how the issue is framed.

Much of the literature on the CAP has focused on the different phases of reforms with the core questions relating to the causes, results and future perspectives of the reforms (Brouwer and Lowe, 2000; Brouwer and Straaten, 2002; Buller, Wilson and Höll, 2000; Grant, 1997; Lowe, Buller and Ward, 2002; Potter, 1998; Whitby, 1996). In general, these insights provide a great contribution to the understanding of the supranational role of the CAP. However, the purpose of this study is to look at its domestic influence. In this regard, it is noted by

Roederer-Rynning (2007, p.212) that '*agriculture is perhaps the policy domain where claims of Europeanization have been routinely made and yet so little documented*'. Even so, the contention of this study is that one needs to get familiar with the above mentioned analyses of the causes of the reforms, in order to fully understand the origins and increasing meaning of environmental incentives within the CAP and to be able to relate and scrutinise the domestic arenas. Despite the fact that this section concentrates mainly on the review of the AEP and the Agri-environmental Scheme in particular, the scientific debate on the CAP reforms is uncovered later on in this study (Chapter 3), where an explanation of the origins of the Agri-environmental Policy will be given. This will allow one to gain a better understanding of the arrival of environmental incentives within the CAP.

This section commences with an explanation of the terms and meanings applied. In order to present the various aspects of the research on the Agri-environmental Policy, this thesis proceeds with a review of the research on the AES' domestic implementation patterns. Subsequently, a picture about its comprehensiveness and limits will be provided. By means of these reflections the increasing importance of further analyses will be presented and the choice of the concept of Europeanisation to the study of the Agri-environmental Policy legitimised. Finally, a window of opportunity will be highlighted to indicate the need for a German (the Land Brandenburg) and Polish comparison, which will add significantly to the existing contributions.

### *The meaning of the Agri-environmental Policy*

Prior to giving an overview of the existing Agri-environmental Scheme literature, this study provides a clarification of its terminology as one should be aware of the subject that is being considered.

The Common Agricultural Policy is the largest policy field in the Community. It comprises 40% of the total EU budget (about EUR 55 billion per year) since rural areas cover 90% of the territory ([www.ec.europa.eu](http://www.ec.europa.eu), 2007). The CAP defines the priorities of agricultural and social structures. Simultaneously, it provides the instruments and financial support in order to achieve its goals within the Community. The CAP is based on two pillars. The First Pillar (Pillar I) encompasses market and price policy and the Second Pillar (Pillar II) concerns structural policy development of agriculture and rural areas. It should be emphasised that the two pillars are interlinked. Due to measures such as modulation and decoupled payments some of the funds from Pillar I have been redirected to Pillar II (see Chapter 3 for details).

Nowadays, the CAP is perceived as the driving force that has caused environmental damage. It has been proved that in several sectors the support policy of the CAP has influenced an extensive increase in production, which resulted in negative environmental consequences. Thus, the CAP has brought both positive and negative effects. Although the agricultural policy is efficient due to food supply, the intensive farming has brought soil and water pollution, the deterioration of bio-diversity and the destruction of natural landscapes. Other undesirable effects include sectoral problems like food surpluses and the occurrence of high costs in their storing plus budget shortages and trade disagreements (Potter, 2002). The policy measures which provided such pressure were intensification and specialisation. In an attempt to prevent further environmental losses, the issue of major concern has become the integration of environmental incentives which are mostly allocated within Pillar II. Therefore, financial support within the CAP is gradually redirected from the First Pillar to the Second Pillar. Attention is given to the development of agricultural and rural policy. At the same time the environmental matter is addressed. The issue of environment and its quality has gained importance and the environmental objectives are well incorporated.

Looking from a wider perspective Grant, Matthews and Newell's (2000, p.7) definition of environmental policy is as follows: '*environment is that which surrounds us, the physical set of conditions in which we and other sentient beings exist. One might go on to argue that environmental policy is what the EU seeks to do to protect the physical environment*'. It should be borne in mind that environmental policy is extremely divided and encompasses policies related to specific objectives. What is more '*it is at the interface between agriculture and the environment that one becomes aware of some of the boundaries of environmental policy*' (Grant, Matthews and Newell, 2000, p.8).

In this respect, the definition of Agri-environmental Policy is not easy to find as the majority of contributions investigate particular topics without further elucidation. However, Potter (2002, p.85) undertook an attempt to describe the issue: '*Agri-environmental Policy, defined in its broadest sense to include regulation, incentives and site safeguard, is now well established as an important mechanism for stewardship in the EU*'. According to Hanley, Whitby and Simpson (1999, p.67) the AEP may be defined as '*any policy implemented by farm agencies or ministries, for which funding comes out of the agricultural support budget, and which is concerned mainly with encouraging or enforcing the production of environmental goods, as joint products with food and fibre outputs*'.

Edwards and Fraiser (2001, p.314) offer a comprehensive explanation, in which: '*the rationale of agri-environmental policy is that the drive for productivity growth has seen a significant intensification of agricultural production. Intensification has led to the destruction of flora and fauna at a hitherto unprecedented rate. Agri-environmental policy aims to prevent environmental degradation and destruction, and the maintenance of ecological integrity, by promoting agricultural practices that are environmentally friendly*'.

Scholars give different time-scales concerning the emergence of the Agri-environmental Policy. Consequently, some researchers consider the AEP to originate from the unification of environmental incentives within the CAP (MacSharry reform), while others consider a broader perspective, namely bringing pollution prevention (command-control) measures into effect. With the intention of increasing the practicability of this project the following notion of the Agri-environmental Policy is employed here. The term Agri-environmental Policy relates to the above mentioned broader spectrum of environmental incentives incorporated within the First and the Second Pillars of the Common Agricultural Policy starting from the command-control instruments introduced in the 1970s and 80s including Wild Bird Protection, the Water Framework, the Nitrate and Habitat Directives, Less-Favoured Areas and set-aside, to the most recent instruments such as cross-compliance and modulation. As there are both direct and indirect effects on the rural environment, depending on the instrument, they all provide key means to understand the '*environmental wave*' within the CAP (for a detailed description see Chapter 3). In general, the Agri-environmental Policy approach is increasingly important not only at the international but also at the national level. However, to present a clear picture about the domestic outcomes of European integration only one measure is scrutinised in detail, namely the Agri-environmental Scheme. As previously indicated, the AES instrument is used to provide extensive production methods including the requirements for the protection and maintenance of natural landscapes. This measure is mandatory, thus each member state is required to implement it.

Having explained the meaning of the Agri-environmental Policy for empirical scrutiny, one needs to draw attention to the existing Agri-environmental Scheme research. This will allow one to assess to what degree the issue has been uncovered.

## **1.2        The implementation of the AES**

The MacSharry reforms provided the Agri-environmental Scheme Regulation (EEC) 2078/1992 in order to outline environmental issues and to integrate them within the CAP. This policy instrument is perceived as one of the most important policy outputs as it takes regional differences into account in an otherwise rigid CAP, together with addressing environmental issues (Grant, Matthews and Newell, 2000). According to Brouwer (2004, p.6) '*Agri-environmental programmes are an important tool, and are developed as such, to reverse a trend towards the intensification of production*'. Piorr (2003, p.18) adds to this contribution by stating that this tool constitutes '*a main possibility to encourage less intensive production, both to reduce market surpluses and to alleviate environmental pressure*'.

The Agri-environmental Schemes, as a new integrated policy tool, have quickly gained scholars' attention. Not surprisingly, this novel research area has been broadly examined and the majority of studies have an empirical focus. Comparative analyses, mostly relating to the differences between southern and northern countries, have been developed. The differences in the adoption priorities and ways of implementation are pointed out in a great number of studies (Buller, Wilson and Höll, 2000; EC, 1998a; Kleijn and Sutherland, 2003; OECD, 2005; Whitby, 1996). The focus of these analyses is mostly practical. Additionally, examinations at the national, regional and farm levels are made.

According to Hanley, Whitby and Simpson (1999) the evaluation of the AES can be offered in the form of effectiveness and efficiency analyses. The former includes participation and ecological outcomes, whereas the latter comprises of cost-effectiveness analyses. Drawing upon these issues, the first attempts to examine the implementation of the Agri-environmental Schemes in the domestic arenas have occurred within the scientific community. The matter of effectiveness rather than efficiency is widely explored.

Issues related to the AES' application such as policy content, budgetary spending, as well as participation including area coverage and farms benefiting from the AES are at the centre of attention. The following examinations concentrate on the variations between southern and northern countries: Baldock and Mitchell (1995), Grant (1997), Mazorra (2001). Looking at the area covered by the AESs the European Environment Agency (EEA) (2004a, p.12) reports that '*The level of implementation of agri-environment schemes in the different countries varies considerably. In Finland, Sweden, Luxembourg, Austria and Germany, relatively large proportions of the utilised agricultural area are under agri-environment schemes, in contrast with Belgium, the Netherlands, Spain, Italy and Greece*'.

Authors like Carey et al. (2003), Kleijn et al. (2001), Lowe and Baldock (2000), Primdahl et al. (2003) as well as Wilson and Buller (2001) and Winter (2000) were at pains to evaluate the effectiveness (positive environmental policy results) of the agri-environmental measures, whereas Whitby (1996) took into consideration the design and the methods of adoption of policy incentives within eight member states. It was concluded that in most cases it was at setting up stage at that time and further research on the topic was needed. The European Commission obtained similar results in its comprehensive survey in 1998 (EC, 1998a). Buller, Wilson and Höll (2000) have carried out research concerning the implementation in addition to the effectiveness of Regulation (EEC) 2078 within nine European countries. The views of the individual authors have been presented. The diversification in the types of application is highlighted and the dimension of adoption differs at national and regional levels. Concluding affirmative notes are as follows: '*agri-environmental schemes are essentially locally constructed mechanisms that respond to a wide variety of essentially local, and hence territorial, agricultural and environmental concerns*' (Buller, Wilson and Höll, 2000, p.240). Accordingly, Buckwell et al. (1997) and Whitby (2000) hint at more precisely targeted agri-

environmental programmes as the best way of improving their efficiency and cost-effectiveness.

Opposing opinion is presented in a study by Jones and Clark (2001), in which they claim that the majority of agri-environmental programmes are ambiguous in meaning and only a few are comprehensive and realise precise goals. Moreover, in the short term, the appraisal of the relative '*success*' and '*failure*' of agri-environmental incentives in terms of environmental and policy outcomes may not be appropriate. Hence, it is not easy to verify the '*success*' or '*failure*' of national and regional agri-environmental programmes, as the precise goals were not set out in the legislation. Regulation (EEC) 2078/1992 was initiated, but its meaning is unclear and therefore it does not provide the accurate mechanisms for attaining its goals (Jones and Clark, 2001).

Additionally, Potter's survey (1998, p.8) in which a comparison is made of the origins, evolution and the prediction of the future development of the Agri-environmental Policy in the US and the EU represents a midway point. The author not only shows the achievements of agri-environmental reforms but also provides guidelines for the improvement within each country. He concludes that the Agri-environmental Policy '*is set to remain a permanent feature of the rural policy scene*'. However, the survey also highlights that the Agri-environmental Schemes have more than an environmental purpose and that they support a traditional agriculture oriented policy approach.

Irrespective of the opposing opinions concerning the environmental effectiveness of the AESs, some studies judge the results of the Agri-environmental Schemes based on farmers' responses (Mazorra, 2001; Morris and Potter, 1995; Morris, Mills and Crawford, 2000; Walford, 2002). Additionally, a number of research projects sought to offer an AES evaluation system. This was based on the information gathered using a group of agri-

environmental indicators for monitoring environmental integration in the CAP (EC, 2000, 2001a; EEA, 2005; Moxey, Whitby and Lowe, 1998; Piorr, 2003). Moreover, the institutional context of the Agri-environmental Schemes is presented by Nitsch et al. (2005).

Finally, there are some examinations of the AESs supported by various theoretical backgrounds including policy learning (Kröger, 2005), policy implementation theory (Wilson, Petersen and Höll, 1999), network analyses (Curry and Winter, 2000; Morris, 2004) policy discourse analyses (Clark et al., 1997), policy knowledge culture (Morris, 2006) and ultimately new institutionalist explanations linked to both the European (Jones and Clark, 2001) and domestic arenas (Montpetit, 2000) are employed. Thus, Montpetit (2000) argues in his study that adding a liberal intergovernmentalist perspective constitutes a noteworthy contribution.

In regards to this thesis, it becomes clear that further research on the AESs is needed. This section has shown that the bulk of studies primarily analyse the AES' implementation from the policy effectiveness perspective. However, it is not satisfactory to look purely at policy outcomes when assessing how the AES' performance can be improved. It was outlined by Morris (2004) that further research on the AES' adoption requires a social focus, embracing actors along with communication and dealings connected with this. This study concurs with Morris that attention should be given to the attitudes and surrounding circumstances of policy makers, as these are the actors that eventually may or may not employ the scientific advice. The discussion above has proved that adoption patterns differ and it is the objective of this study to analyse to what extent these variations derive from the domestic policy-making process arrangements. Jones and Clark (2001) have already argued that adoption approaches vary depending on a combination of national factors.

Due to the fact that the AES decision-making process at the state level constitutes the primary analytical focus, this section pays attention to this issue. Hence, outlining the existing research on the domestic AES policy process allows for a better account of national perspectives.

A study by Jones and Clark (2001) has been influential in uncovering the European background of the AES Regulation (EEC) 2078/1992 (see Chapter 3 for details). Additionally, the notion of probable domestic decision-making circumstances is highlighted. It is assumed that bargaining, negotiation and compromise, together with mediation power among national actors over agri-environmental policy-making will occur in the domestic arena, as it had taken place during the policy's development at the supranational level. What is more, the authors assume that the ambiguity which occurred during the policy shaping and policy setting phases at the EU level characterises also the '*formulation/implementation continuum*' of the AEP in the member states (Jones and Clark 2001, p.166).

Lowe and Ward (1998, p.4) state that '*each national policy has a particular set of social, economic and institutional conditions that shapes the national interest and policy positions and gives rise to the distinctive national policy style*'. Indeed, '*the concept of national policy style is a useful explanatory device in addressing the relationship between European policy, national government and other domestic policy actors*'. Theoretically, there ought to be a strong connection between policy aims and the instrument chosen and between implementation and effectiveness. Notwithstanding this, the conditions among policy arenas differ and it is problematic to generalise about the relationship between objectives and instruments. Brouwer and Lowe (2000) argue that it is not certain whether the most cost efficient instrument will be taken. They assume that political factors, such as self-interest, distributional consequences, the strength of sectoral interests, regulatory traditions, political

institutions and organisational arrangements are often given more attention while choosing the instruments.

Moreover, the recent reforms of the CAP had a strong influence on institutional and political decision-making, at both national and regional levels. Member countries are given the freedom to design their own agri-environmental policy in order to respond to their own conditions and circumstances (Lowe and Ward, 1998). Consequently, this may cause conflicts among political actors whilst adopting the policy in the member states. As it was stated previously the ambiguous notion of the above mentioned Regulation provided implicit structural demands and as a result it may be difficult to reveal systematic differences describing the variety of domestic responses (Jones and Clark, 2001). It should be borne in mind that Commission legislation constitutes only a part of the EU environmental policy approach. The individual context of the environmental policy is implemented among member states. Therefore, as a result of diversified natural, economic and social conditions, the implementation of agricultural and environmental policies differ among member states. Although the main beliefs are applied throughout all member states, the completion of some controversial issues varies. The member states can adapt application methods in response to their own concerns. However, one might argue that the AEP could be adapted more closely to the broader domestic agendas (Buller, Wilson and Höll, 2000). Thus, the European Union's national agri-environmental policies are still at an early phase in their development: '*The idea of government contracting on behalf of the community to enhance the quality of the rural environment is a novel one and there is much to learn about the best methods. In order to meet the challenges that lie ahead, Agri-environmental Policy must be developed further*' (Latacz-Lohmann and Hodge, 2003, p.136).

In regards to this study, the main objective is not to assess whether the AESs are responding to national or regional needs. It is rather the issue of the above mentioned conflict among policy-making actors whilst adapting the measure that is of interest. Thus, the following research questions arise: *(i) How do EU Regulations 1257/1999 (Art. 22-24), and 1698/2005 (Art. 39), in which the Agri-environmental Schemes are stipulated, affect domestic institutional and political decision-making in the Land Brandenburg and Poland? (ii) To what extent have existing national policies diverged from European Agri-environmental Policy demands, and to what degree are the two cases able to congregate the institutional reform capacity to undertake the required changes to comply with the exigencies? (iii) What are the most significant factors and interactions between them which affect the process?*

In order to make the scope of this research entirely legitimate, the next part is devoted to the application of the concept of Europeanisation to the Agri-environmental Policy.

#### 1.4      **The concept of Europeanisation in regards to the Agri-environmental Policy**

A narrow range of research dealing with the Europeanisation of Agri-environmental Policy exists. The literature on this topic has emerged recently, suggesting that more studies are clearly warranted. In most cases these are empirical studies rather than theoretical ones. Zemeckis, Lazaukas and Gorton (2005) scrutinised the issue of Agri-environmental Policy implementation in regards to water quality in Lithuania (the karst region). Scholars emphasised budgetary problems and the lack of knowledge, skills and human resources in regards to agri-environmental matters as the main constraints for the implementation of EU requirements. Additionally, it is noted that the administrative body rather than political officials are engaged in the setting up process. The authors underline that the adoption of the *acquis* has put officials in the executive in a privileged position over other branches of the government: '*Civil servants have benefited from how the EU has chosen to handle accession preparations with an emphasis on the technocratic transposition of rules*' (Zemeckis, Lazaukas and Gorton, 2005, p.9). Hence, these rules imposed by the EU encouraged better communication between the ministries involved as well as allowing for the inclusion of domestic experts. In regards to social learning the authors state that '*Lithuania has not just been 'downloading' EU legislation but also importing institutional responses from a small group of proactive green member states*' (Zemeckis, Lazaukas and Gorton, 2005, p.9). This hints at the learning process as well as at cross-boarding.

Zellei, Gorton and Lowe (2004, 2005) in their comprehensive study based on six 'new' member states provide an explanation for the various patterns of Europeanisation in Central and Eastern European countries. The authors give an overview of the development of the Agri-environmental Policy in the area of biodiversity and water quality problems and the way in which policies and institutions are rearranged by the accession process. What becomes

clear from the analysis is that historic trajectories affect both institution building and administrative reform. It is argued that '*path dependency*' is crucial in order to comprehensively understand the complexity of agri-environmental matters in CEE countries (Zellei, Gorton and Lowe, 2005, p.4). In the transition period communities have to consider a number of agri-environmental problems, even though the availability of political and organisational resources varies significantly among the countries. Consequently, the problems that need to be solved are as follows: the budget, human resources, the lack of cooperation between actors involved in the setting up of the agri-environmental process, the entrenched interests and opposition of the agricultural lobbies, frequent changes in government and last but not least the lack of experience, which further hinders proper development. As a result of Europeanisation the vast centralisation of institutions together with capacity building deriving from the adoption of the *acquis* occurred. According to the authors the accession process was a key incentive for CEE countries to undertake modernisation and administrative reform. European adaptation pressure within the scope of law harmonisation and technical standards have forced member states to make the necessary resources available in order to implement the changes.

Prazan, Ratinger and Krumalova (2005) have also conducted a study from a CEE perspective. They tackled the issue of Europeanisation within nature conservation policy in the Czech Republic. They argue that a lack of harmonisation between policy instruments, faulty policy design, uncertainty over property rights to farmland as well as a lack of engagement with local communities prevent the accomplishment of the policy objectives (Prazan, Ratinger and Krumalova, 2005, p.1). The EU's demands provide significant challenges to national policy development, administration and monitoring as well as ensuring that local actors' participation in regards to developing the policy increases which results in broader co-operation. However, domestic factors deriving from the Socialist era such as land ownership,

institutional development and local governance exist and have a detrimental affect on change. For this reason, to complete the reform of national policy, capacity building and co-operation between the ministries is needed in addition to EU law adoption.

The Europeanisation of the Agri-environmental Policy is also traced in Kröger's study (2005), in which the origins and development of the Finnish Agri-environmental Programme, the Nitrate Directive and the Water Framework Directive are scrutinised. The author proves that EU requirements provide new opportunities and provoke change. However, the results obtained depend upon the interactions between national actors' interests and beliefs as well as administrative traditions. As the issue of the existence of policy-change is common and is discussed by various authors from different theoretical angles, the literature on learning based policy change was applied as the theoretical reference point in this research. According to Kröger it offers the most comprehensive theory for an understanding of policy change. This study provides an examination of the characteristics of different policy beliefs, defines the actors that hinder or enhance co-operation and finally assesses the role of policy learning in the process (Kröger, 2005, p.15). The scholar concludes that the agricultural and the environmental administrations found it necessary to cooperate, which facilitated the learning process. Therefore, the Agri-environmental Scheme constitutes an effective measure given that mutual learning and the development of a common understanding, along with the increase in the actors' interaction occurred. The scholar argues that a set of completely new requirements was provided under Regulation 2078/1992 but the biggest success was that the Finnish Agri-environmental Policy was founded on the principles and political objectives of the EU. In comparison, the Nitrate Directive shows an unsuccessful policy process, mainly because of the lack of common understanding among the actors. Kröger highlights that '*this shows that policy learning across the coalitions occurs only when there is a common interest to find the solution*' (Kröger, 2005, p.24). It is also added that in the scope of the Water

Framework Directive where the requirements for cross-sectoral co-operation and public participation are needed, the likelihood of resistance increases.

A comprehensive study on the implementation of the EU agri-environmental legislation in Spain is carried out by Mazorra (2001). The focus of analysis is partially similar to this study; however the author is not using the term Europeanisation but instead refers to the implementation at the national, regional and local levels. This study is strictly empirical and theoretical considerations are missing. The main objective was to examine the uniformity across various levels and stages of decision-making, in regards to the Agri-environmental Policy. Hence, the interest groups' patterns and their ways of exerting pressure as well as the farmers' perspective have been emphasised. The reasons for the delayed and reluctant implementation of the Agri-environmental Schemes along with the farmers' non participation have been discussed. In connection with the former, five causes have been mentioned: a negative demographic, social and productive conditions, the lack of a common view among the interest groups, financial constraints and difficulties deriving from the decentralisation of power among the national and regional levels as well as governmental distrust towards the sufficiency of the AES (Mazorra, 2001, p.84).

The discussion above has shown that there are some common results such as the role of national institutions and path dependency. Hitherto, comprehensive research in the area of institutional and policy changes deriving from the EU's Agri-environmental Policy implementation within the domestic arena is still limited. Wilson, Petersen and Höll (1999, p.200) highlight that in regards to '*the eastward expansion of the EU, and its growing influence on regional and national policies, it is evident that conceptual studies that aim at providing frameworks for a better understanding of the implementation of EU policies will gain increasing importance*'. Therefore, this study contributes to the ongoing debate about the

AES' application. It is clear that theoretically based and empirically tested frameworks regarding this issue are still needed.

While seeking to answer how and to what extent the Europeanisation of the AES influences the domestic agenda, one may consider the supplementary questions: *(iv) Can general AES' adaptation patterns be established or has implementation depended on the uniqueness of national opportunity structures? (v) Do similarities between Land Brandenburg and Polish adaptation approaches exist?*

## Conclusions

The literature on this subject has been analysed in order to reveal gaps in the existing research and to develop additional research questions to be assessed in this thesis. With regards to the Agri-environmental Schemes, the literature review has disclosed quite a diverse uptake of these measures between member states. The implementation studies have pointed out and demonstrated various ways of applying and developing Agri-environmental Policy incentives within the member states.

However, the scarcity of theoretical considerations, including using the concept of Europeanisation in regards to the AES's application, is apparent. Therefore, this research will further expand on this issue by analysing the Land Brandenburg and Polish Agri-environmental Schemes' development. Prior to a detailed explanation of the theoretical underpinnings, the methodological approach, advanced in the country and case study selections, is exemplified. Hence, Radaelli and Pasquier (2007, p.35) outline that '*conceptual analysis is a component of the wider attempt to explain and understand politics via theories. Finally, concepts have to be made amendable to empirical analysis via appropriate methods*

*and research design. Concepts, research methods and methodology are therefore closely connected'.*

## **1.5 Methods of survey**

### **Cross-country case study - Germany and Poland in a comparative research framework**

Whilst selecting the case studies, Schimmelfenning and Sedelmeier's (2007, p.97) assumption that '*research on the accession countries and their Europeanization has mainly used a "within-region" design - that is, the scope of the studies is usually confined to Central and Eastern Europe and comparisons are made between accession countries or accession policies but not beyond*' was considered. Additionally, the authors highlight the need for '*comparative studies of Europeanization, including old and new members and previous and current candidates and new members. Such comparative studies promise to expand our knowledge about the great variety of Europeanization processes and mechanisms and about the conditions under which they are observable and effective. They would not only make the empirical picture more complete but, above all, permit us to test the established findings of member state Europeanization in a new context and check some new variables'* (Schimmelfenning and Sedelmeier 2007, p.97). Hence, this study advances this argument by choosing Germany (as an old member) and Poland (as a new member) in order to scrutinise Europeanisation processes relating to the AES.

Why these two out of 27 member states? It was noted by Nitsch et al. (2005, p.5) that key to the successful performance of the Agri-environmental Policy within the member states is the conversion of ideas, aims and framework conditions elaborated at the supranational level into administrative and private action at the regional and local level. Whilst maintaining the common scope for environmental aims and public efforts provided by the EU, one has to take

into consideration the various structural and geographical conditions as well as the different regional and local environmental targets.

Having this in mind, this research will examine German and Polish approaches to issues such as environmental and agricultural policies, geographical conditions and agricultural structures. Poland has been chosen for the comparison because it lies on the same latitude as Germany, which translates into similar climatic conditions in protecting and maintaining natural resources. Additionally, it is the largest state from the 10 accession countries, with a high biodiversity rate which makes this choice even more attention-grabbing. Both countries however, differ in agricultural systems, environmental problems and the degrees of their politicisation and institutionalisation. Therefore, the selection of these two member states under consideration will allow for a particularly interesting comparison.

Regarding environmental policy, Germany was an environmental leader until the 1990s. In this respect, it is well known that two of the instruments within Regulation (EEC) 2078/1992 (set-aside and extensification) were introduced by Germany. The country has succeeded in transferring its interests within the formation of the AEP onto the EU level (the bottom-up perspective of Europeanisation, see Chapter 2 for details) (Jones and Clark, 2001). The bottom-up and top-down perspectives could be applied to Germany. Hence, it would be possible to scrutinise the extent to which this state has shaped the processes of Agri-environmental Policy development at the EU level as well as to analyse how German structures have responded to the implementation pressure (the top-down perspective of Europeanisation).

By contrast, Poland as a new member state was only in a position to adopt the AEP (top-down perspective of Europeanisation) and had no influence on the process of development of the AEP at the EU level as such. Owing to the fact that the Agri-environmental Scheme's

guidelines under (EC) Regulations 1257/1999 Art. 22-24 and 1698/2005 Art.39 constitute an extension of the initial Regulation (EEC) 2078/1992, analyses of the bottom-up perspective have been rejected. Thus, the accession process has driven policy and institutional changes so Poland has mainly been a policy ‘downloader’. This argument further strengthens the appropriateness of the application of the top-down perspective in both case studies, as the key objective is to present the domestic impact of EU policy. The main focus will be given to changes in domestic politics and their core institutions in the analysed countries.

In the case of Germany the East Land Brandenburg has been chosen in order to relate to the post-communist common experience due to which this region had not affected the bottom-up approach. It shares a border with Poland and surrounds the capital which adds to the attractiveness of the comparison. Moreover, the Land Brandenburg, similarly to Poland, is qualified as an Objective 1 region,<sup>4</sup> which results in similar socio-economic conditions. Their geographical location is in close proximity. It will be shown in Chapter 4 that this translates into high biodiversity levels and a high number of nature valuable areas on the one hand, but similar soil fertility problems on the other hand. Rural areas cover the majority of territories and high forestry rates are characteristic to both cases. These similar circumstances lead to the conclusion that this particular Land is the most suitable for examination and will allow for a good comparison. A close geographical resemblance enables one to draw attention to decision-making arenas and to highlight in detail similarities and differences of the dynamics of policy change in both case studies.

Furthermore, the Land Brandenburg was selected rather than one of the other four Eastern *Länder* as in regards to the AES’ development it can be located somewhere in between (see

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<sup>4</sup> Objective one regions are (NUTS 2) regions most at need of the regional policy. To qualify for objective one status the GDP per capita for the region must be below 75% of the EU average; areas with very low populations such as much of Sweden and Finland also qualify for objective one status. In the case of the Land Brandenburg it has received the Objective one status since unification and it is upkept in the current budget 2007-2013. ([www.ec.europa.eu/eurostat](http://www.ec.europa.eu/eurostat), downloaded on 05.06.2008).

Wilson and Wilson, 2001 for details). Such a middle point position constitutes a good basis for comparison. It allows one to verify if these common circumstances translate into similar prospects and pitfalls for both case studies.

In the case of Germany, it is interesting to examine how the Land Brandenburg has used the AES instrument. The first AES was launched in 1994 and from this perspective 10 years of experience gives the Germans an advantage over the Poles. Moreover, the next benefit lies in the fact that this Eastern Land was in a position to use help from the Federal Government and Western *Länder*. The question is whether this state is still encountering similar difficulties to Poland in applying the AES.

In the case of Poland the first Agri-environmental Policy objectives, equivalent to EU standards, were imposed in May 2004. It is crucial to present the ways in which the Polish representatives responded to '*European pressure*' and set new policy goals as well as institutional arrangements. Therefore, it will be possible to analyse the methods of applying the AEP by answering this question: have new institutions, instruments and opportunities or different ways of policy making developed in response to the AEP's development? This case study will show how the political and economic transformations have influenced agri-environmental issues. Additionally, it is important to assess in what ways the accession process has rearranged policies and institutions.

It has been disputed that less developed administrative traditions in Central and Eastern Europe along with stricter conditionality during the recent accession process, makes Europeanisation more feasible (Goetz, 2001b, p.1041). The scrutiny of this case study will highlight whether Poland constitutes a contradiction or an agreement with such an assumption.

## **The scope of analysis and its design**

In this study, as with the majority of ‘Europeanisation’ studies one considers national adaptation encompassing institutional and policy transformation as the dependent variable and the notion of European regulatory policy, as the independent variable (figure 1).

The choice of intervening variables is based on the administrative capacity for reform. The level of alteration will depend upon the policy preferences of domestic actors as well as upon the capacity of institutions to apply reforms and undertake policy change. Hence, the veto points and facilitating institutions constitute the explanatory factors that concentrate on the attitudinal level of the relevant actors. Nevertheless, institutional actors such as political and organisational cultures also affect the policy change. Last but not least, policy learning may be a vital factor, which contributes towards change.

As Knill (2001, p.51) notes '*the cross-country comparison of administrative systems requires concepts with analytical categories*'. For this reason, the comparative approach is based upon issue by issue analyses. The relative merits of the two case studies enable one to further clarify and point to the final assertions regarding this thesis. The examined cases along with these concluding analyses will offer a practical contribution to the debate about the Europeanisation of domestic politics.

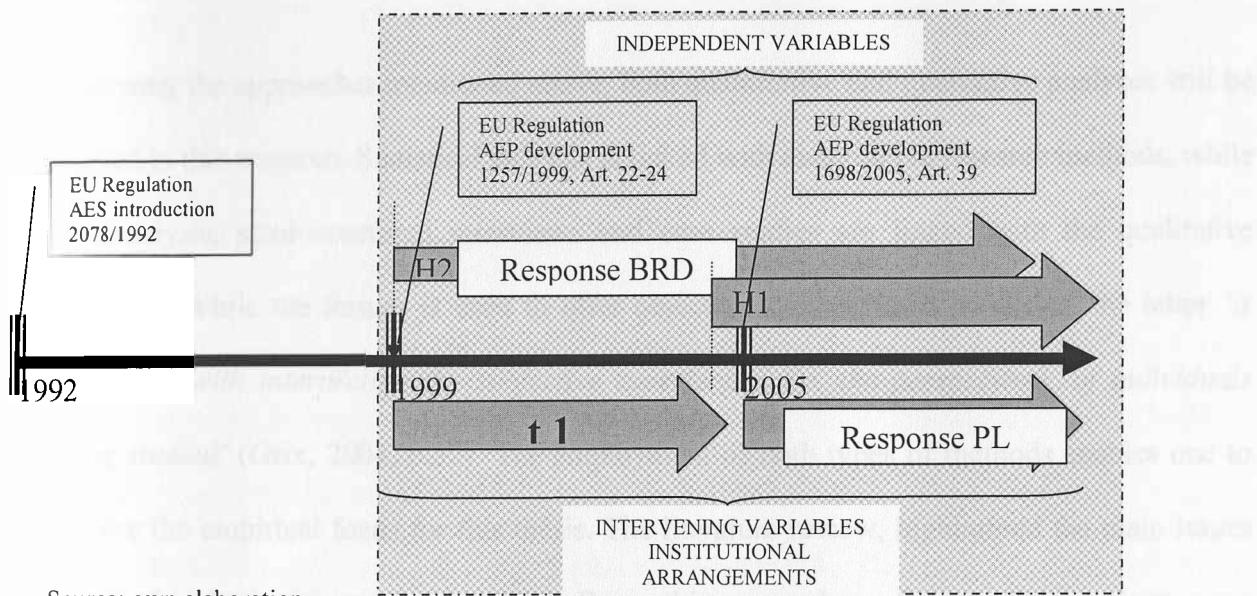
The administrative structures have been chosen as a dependent variable, based on Lenschow, Liefferink and Veenam’s (2006, p.39) assumptions. They state that '*institutional analysis argues that institutions are the main independent variable to explain political outcomes in a period of stability. Under highly dynamic circumstances, such as political or economic crises, however, institutions may break down. In that case, they become the dependent variable themselves*'.

The accession to EU structures can be qualified as a highly dynamic process for both Poland as well as the Land Brandenburg. During unification with West Germany, the latter experienced many of the challenges related with both the transposition of the economic system and the adoption of EU requirements all at once. These events took place at different points in time in each country, yet the timescale of this study is rather flexible. Hix and Goetz (2000, p.3,4) highlight that top-down policy analyses would require before and after European integration perspectives. It would then be possible to demonstrate the level of change, and to further examine European influence, which can be used as an explanatory value.

The framework of this study covers the period from 1999 to 2007, which corresponds with the changes at the EU level, as Regulations (EC) 1257/1999 and 1698/2005 were initiated during this timeframe. Furthermore, there were alterations at the domestic level in both case studies. Additionally, the analyses will be extended to the early 1990s in order to provide a comprehensive understanding of the origins of the AESs.

Hence, the assumption that Europeanisation is treated as a long term process in this study will be further supported. Along these lines, '*policy cycles hardly have clearly separated phases, actually they may be in different phases at different levels at the same time. This may imply that even without material outputs, the engagement of different actors in multiple interactions may contribute to changes in the preferences of actors. As a consequence, transformation of policies, politics and polities at the national level may occur over time*' (Lehmkuhl, 2007, p.342).

Figure 1 The scope of the study



Source: own elaboration

The diagram presents:

- two timeframes: t1 years 1999-2006 in which Regulation 1257/99 (Articles 22-24 relate to the Agri-environmental Schemes) establishing the Rural Development Plans for 2000-2006 has been implemented; t2 year 2006 onwards, in which Regulation 1698/2005 (Article 39 relates to the Agri-environmental Schemes) establishing the Rural Development Plans for 2007-2013 has been implemented
- domestic responses: H2- Brandenburg and H1- Poland
- INDEPENDENT VARIABLES: EU Regulations (1257/1999 Art. 22-24; 1698/2005 Art. 39)
- INTERVENING VARIABLES demonstrate the capacity for reform, they include: the redistribution of power and resources (veto points, facilitating formal institutions); political and organisational cultures (policy style, procedures/traditions); learning
- DEPENDENT VARIABLES domestic policy outputs and institutional structures

## **The selection of the empirical methods**

Following the approaches mentioned above, both quantitative and qualitative analyses will be applied in this research. Statistical analysis is linked with quantitative research methods, while text analysis, semi-structured interviews and case studies are linked with the qualitative approach. While the former is used to offer objective and verifiable evidence, the latter '*is concerned with interpreting the subjective experiences, i.e. the perspectives, of individuals being studied*' (Grix, 2004, p.32). The employment of both types of methods enables one to achieve the empirical focus for this thesis. The literature review, highlighted the main issues within the Agri-environmental policy. From this a number of research questions were formulated which guided the selection of methods. Bearing in mind that this thesis endeavours to uncover the AES' national approaches, in the framework of institutional and political decision-making, the interview technique is the obvious choice. In order to draw the clearest picture of personal opinions and motives for the AES' application, semi-structured instead of structured or unstructured interviews are selected. The choice of semi-structured interviews as the best methodological approach, is based on the contention that giving the respondents some leeway allows for a deeper insight into the interactions between formal and informal factors affecting the AES' adaptation. In comparison to structured interviews in which '*predetermined questions are put to the interviewee in a specific order and the responses are logged (either by recording electronically or by note-taking)*', the semi-structured option is more flexible (Grix, 2004, p.127). This in-depth interview technique incorporates a number of questions not associated with a set framework. Despite the fact that the original interview schedule guarantees the uniformity of the issues covered, each interview offers a new standpoint deriving from the particular response to the queries. The potential of, '*perhaps the most popular method of interviewing, is that it allows for the pursuit*

*of unexpected lines of enquiry during the interview. The results and findings of such an interview can still be compared, contrasted and even converted into statistics'* (Grix, 2004, p.127,128). The option of an unstructured interview with its open-ended questions is rejected due to its lack of comparability. This is due to the fact that for obvious reasons, the results obtained during such interviews differ significantly.

**Sources:**

**Semi-structured interviews** present the personal experience of the administrative, political and academic representatives which provide insights into the process of replacing domestic regulations and re-shaping the administrative arrangements. I conducted 41 interviews in total. As such I was able to uncover significant information on all aspects of the AES' adoption from a number of different perspectives which covered the full spectrum of opinion. By offering individual views deriving from particular attitudes and systems of values applied by each interviewee, one is able to explain the rationale behind the choices undertaken. Thus, this open form of questionnaire provides one with a sufficient understanding of the actions undertaken by the decision-making actors. Face to face interviews lasting on average over an hour offer insightful contributions and allows one to give a true picture of the Agri-environmental Policy in Germany (the Land Brandenburg) and Poland.

Whilst selecting the interview partners, attention was placed on the administration level. Hence, in regards to the AES elaboration process it is the ministerial body that is held responsible for the design and management process. '*Although the formal decision-making competence lies with the political level, the procedural and specialist knowledge of the civil service is a crucial factor shaping political programmes, especially with respect to more comprehensive or long-term decisions'* (Knill, 2001, p.94). Additionally, Knill (2001, p.93)

also argues that '*the political influence of the administration may vary as a consequence of differing legal, administrative and political traditions*'.

Furthermore, the interviews will be used to retrace the actions and the processes of decision-making that created the AEP and contributed to its further development and to provide an explanatory framework for the unique national positions in the Agri-environmental Scheme. They highlight the way in which interactions between domestic and European incentives affect domestic agri-environmental structures. Hence, the views of the representatives will allow for the tracing of a political culture and organisational insights as well as observing if policy learning is taking place. By doing this, this study will determine the extent to which both institutional and policy change took place as a result of the above mentioned factors.

***The literature review*** combining primary (EU official and national documents) and secondary text analysis will demonstrate the link between policy content and matching institutional preparations for domestic compliance.

***The statistical analysis*** of agricultural and environmental data sets will outline an initial profile of the economic significance of agriculture and environment in each country.

### **The selection of interview partners**

The study presents a cross-country comparison of the AES' policy settings. In regard to different levels of centralisation and decentralisation, each case study reflects the administrative stage that is decisive for the design and implementation of the AEP. As the procedures of setting up of the AESs differ among the countries, the national level will be the

focus of the Polish case study whilst the regional at NUTS<sup>1</sup><sup>5</sup> level (*Länder*) will be highlighted in the German case , with a particular concentration on the Land Brandenburg.

Germany



One has to take into consideration the federal nature of the political and administrative structures whilst setting up and managing policies in Germany. The constitution distributes power among the Federal State and the 16 *Länder*. Moreover, agricultural structures' policy together with nature conservation are the issues assigned to the *Länder*. However, Regulation (EEC) 2078/1992 became an issue of interest for the German Federal Government. For this reason, some of the measures under the Agri-environmental Schemes are implemented through the Common Task of Improving Agricultural Structures and Coastal Protection (GAK) as a common task for both the *Länder* and the Federal Government. Due to this, a basic set of measures of Regulation (EEC) 2078/1992, and its successors Regulations (EC) 1257/1999 and the current Regulation (EC) 1698/2005 is covered by the Federal State under the GAK. Not surprisingly, interviews within the Planning Committee for Agricultural Structures and Coastal Protection (*Planungsausschuss für Agrarstruktur und Küstenschutz*, PLANAK) the institution in charge of GAK arrangements and The Federal Ministry of Food, Agriculture and Consumer Protection (*Bundesministerium für Ernährung, Landwirtschaft und Verbraucherschutz*, BMELV) were conducted.

PLANAK is responsible for establishing aims, support frameworks as well as the eligibility criteria of the measures at the Federal State level. The procedure for the selection of measures, their design and implementation along with monitoring and enforcement is given to the agricultural administrations of each *Länder*. Bearing in mind the issues discussed above the

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<sup>5</sup> The European Union has divided national territories into statistical units-the 'Nomenclature of Territorial Units for Statistics'. Germany is divided into the following units NUTS: NUTS 0-Federal State, NUTS 1- *Länder*, NUTS 2-*Regierungsbezirk*, NUTS 3-*Kreis*; NUTS 4-, NUTS 5-*Gemeinden*. Poland as a country represents NUTS 0, NUTS 1-6 regions, NUTS 2-*Województwa*, NUTS 3-*grupy Powiatów*, NUTS 4- *Powiaty*, NUTS 5-*Gminy* ([www.ec.europa.eu/eurostat](http://www.ec.europa.eu/eurostat), downloaded on 05.06.2008)

list of selected interview partners at the Land level needed to include: The Brandenburg Ministry of Agriculture, Environmental Protection and Consumer Protection (*Ministerium für Ländliche Entwicklung, Umwelt und Verbraucherschutz des Landes Brandenburg*, MLUV), and the Brandenburg Land Authority for Consumer Protection and Land Consolidation (*Landesamt für Verbraucherschutz, Landwirtschaft und Flurneuordnung*, LVLF). These administrative actors are the main authorities for the design and implementation of the AES at the Land level.

Furthermore, farm lobbying organisations such as the German Farmers Organisation (*Deutscher Bauernverband*, DBV), along with nature conservation non-governmental organisations (NGOs) such as the World Wildlife Fund Deutschland (WWF), the German Society for Nature Protection (*Naturschutzbund Deutschland*, NABU), the German Association for Landscape Protection (*Deutscher Verband für Landschaftspflege*, DVL) and the World Wildlife Fund Germany were interviewed at both the Federal and the Land levels. The organisations mentioned above have been chosen as they influence the national administration whilst designing and implementing the Agri-environmental Schemes in both direct and indirect ways. It was pointed out by Höll (1996) that the mainstream farm lobby, the DBV, started to promote the idea of nature conservation only after achieving the conditions of voluntary participation and obligatory compensation for farmers. Non-governmental environmental organisations are established forces in Germany and they devote much attention to interdependence between agriculture, environmental protection and conservation issues.

Finally, the representatives of scientific agri-environmental authorities including the Federal Agricultural Research Centre (*Bundesforschungsanstalt für Landwirtschaft*, FAL), Leibnitz-Centre for Agricultural Landscape Research (*Leibniz-Zentrums für*

*Agrarlandschaftsforschung*, ZALF) and the Humboldt University offered useful insights. The FAL research groups work on a wide range of problems, including relationships between policy goals, the institutional context of policy implementation and quantitative assessment of particular policies. In view of the above mentioned arguments it is crucial to conduct interviews among these groups. The additional analysis of primary and secondary sources will add to the picture.

### Poland

In Poland, the Agri-environmental Schemes are implemented centrally and the scope of the programme is developed by the administrative body of the Ministry of Agriculture and Rural Development (Ministerstwo Rolnictwa i Rozwoju Obszarów Wiejskich). For this reason, interviews within the Department of Programming and Analysis (within the Rural Environment Section in particular) were carried out. At the national administration level scientific enquiries were also made in the Ministry of Environment (Ministerstwo Środowiska) and the Agency for the Restructuring and Modernisation of Agriculture (Agencja Restrukturyzacji i Modernizacji Rolnictwa). Additionally, political actors including farm lobbying organisations, nature conservation NGOs such as the World Wildlife Fund Poland, the World Conservation Union Office for Central Europe- Poland (IUCN), National Community of Birdlife International (Ogólnopolskie Towarzystwo Ochrony Ptaków), Nature Protectors Club (Klub Przyrodników) and the Polish Ecological Club (Polski Klub Ekologiczny) were questioned. Finally, the representatives of scientific agri-environmental authorities, such as the Institute for Sustainable Development (Instytut Zrównoważonego Rozwoju, ISD) at the Life Sciences University of Poznań (Poznański Uniwersytet Przyrodniczy) were interviewed.

At this stage, access to primary sources such as governmental documents and primary data (Statistical Office, Roczniki Statystyczne) along with Polish secondary source literature were obtained through the libraries of the Life Sciences University of Poznań and the Agricultural University of Warsaw. Additionally interviews with experts working on the AEP, in particular at the ISD were conducted in order to provide useful comments on the results.

This research will be followed with an explanation of the concept of Europeanisation and its theoretical considerations (Chapter 2) to provide a background for the empirical analysis.

# **THEORETICAL AND ANALYTICAL FINDINGS**

## **2 Defining the theoretical framework and analytical approach**

### **2.1 Introductory remarks**

The first chapter of this thesis has highlighted the need for additional comparative analyses of EU policy adaptation patterns, especially in the sector of the Agri-environmental Policy. For this reason, this study seeks to answer the following question: what is the impact of European AEP on member states' policies, policy styles and institutional patterns?

In order to tackle this query one should gain a better understanding of the settings that will contribute to domestic alteration. Indeed, it is argued that the domestic political and institutional preconditions constitute a focal point of this study. These intervening variables offer the explanation of national changes led by pressure from the EU level.

Therefore, the core issue of this chapter is to understand how Europeanisation is driven at the domestic level, including the processes of negotiation, adaptation and the implementation of European policy. This study focuses on the ways in which European integration affects national arenas, primarily from the perspective of EU regulatory policies. Regulatory policies are said to have a great administrative impact, as they often necessitate transformation of national well-established institutional structures, procedures and practises as well as generating pressure for institutional adaptation (Knill and Lenschow, 2000b, p.28). Hence, administrative implications are transferred '*via both substantive and procedural obligations defined in EU legislation*' (Knill and Lenschow, 2001, p.116). Two types of regulatory policy providing different domestic effects are identified, namely (Knill and Lehmkuhl, 1999, p.4):

- old regulatory policy, related to the regulation for market processes with the aim of liberalising and deregulating of the Common Market,
- new regulatory policy, concerning the alleviation of negative externalities occurring as a result of market activities. Environmental protection is conceived as a classical example of this type.

The research presented in this thesis is a contribution to the new regulatory perspective, in which Community policies replace, reshape and reform prevailing domestic regulatory settings, with corresponding European ones. In this sense, EU legislation directly affects member states' regulatory systems, as national administrative arrangements have to coincide with the 'European model' (Héritier, Knill and Mingers, 1996; Knill and Lehmkuhl, 1999). It may prompt domestic alteration because of the institutional requirements that are set and must be fulfilled by the countries. In this regard, member states do not have much freedom while adjusting to the institutional model. Furthermore, there is a close connection between policy content (uniform standards) and matching institutional preparations for domestic compliance (formal and legal patterns of intervention) (Knill and Lenschow, 1998). Moreover, environmental policy is characterised by a high level of regulatory variety that is shown in various regulatory strategies and types of policy instruments. Classical approaches, namely 'command-and-control' regulations, which provide uniform and substantive objectives, like emission standards, are not the only forms used. One can also distinguish softer types of regulation such as self-regulation, procedural regulation and voluntary agreements (Knill, 2001; Knill and Lenschow, 2000a). Furthermore, in the new regulatory policy the focus is placed on broader public participation along with horizontal rather than hierarchical patterns of policy development and enforcement. The bulk of strategies and concepts include diverse implications for national administrations, which enables one to conduct comparative studies which encompass transformation patterns across countries. Bearing in mind the multiplicity of various policy instruments and strategies used, it is pertinent to scrutinize the Agri-environmental Policy whilst analysing domestic changes in terms of EU requirements.

In addition to these arguments, the Agri-environmental Policy (including the AES instrument) refers to the replacement of existing domestic regulations and the re-shaping and re-forming of administrative arrangements so '*that direct institutional adaptation to pressure is the*

*dominant characteristic distinguishing new regulatory policies from other European activities*' (Knill and Lehmkuhl, 1999, p.3). This 'downloading' approach is characteristic to the CAP and the environmental sectors of EU policy arenas. Thus, it often requires hard negotiations to set policy rules. However, once the legislation is provided, member states must implement it in a proper way, as EU legislation overrides national legislation.

Having clarified the nature of regulatory policy, this study will develop some explanatory avenues with a view to examining the conditions for and level of change. The exploration of how and to what extent the European level affects member states is structured as follows. This chapter starts with an explanation of the theories embraced within the issue of European integration (section 2.1) in order to assess their validity in regards to the issues of domestic change. While looking for a supporting theory for New Europe one has to distinguish between a classical debate of integration theory, in which 'Euro-polity' occurred as the dependent variable and the current 'governance' debate in which the 'Euro-polity' stays as an independent variable. The question now is not '*why does integration occur? But what effects does integration have?*' (Rosamond, 2003, p.113). Indeed, the EU moved from the phenomenon that has been explained to an aspect, in which it contributes to an understanding of other phenomenon.

Bearing in mind that the way in which European policy affects the national institutional and political arenas may be analysed from both the European integration as well as the policy implementation research arenas, the pros and cons of these frameworks will allow for an examination of their application to this project.

It will be shown that the 'grand theories' of European integration comprising neo-functionalism and liberal intergovernmentalism seek to understand the main characteristics of the development of European policy-making. Nonetheless, they only provide partial insights

into the performance of decision-making in specific policy areas at the member state level. For this reason, they fail to fully uncover national political interactions during the European integration process. As the top-down concept of Europeanisation engages chiefly in the domestic arena, this fact differentiates it from traditional frameworks to European integration and allows one to provide an understanding of domestic change. Nonetheless, Europeanisation is not a theory and this phenomenon requires further elucidation. Hence, ‘middle range theories’, new-institutionalism in particular, seem to be relevant to the issue of this study.

The second part of the chapter (section 2.2) will proceed by explaining the concept of Europeanisation as an analytical framework, building on the mechanism of Europeanisation, which is used to understand the dynamics surrounding the implementation of the EU Agri-environmental Policy within domestic arenas. The issues of misfit, mediating actors and their entrenchment in the new-institutionalisms allow one to identify the possible stages of alteration. These considerations will give an explanation for how the EU’s requirements affect the national level, as well as what type of institutional change may be expected.

The third section (2.3) presents the new-institutionalist theories as a supportive explanatory framework. In addition, the new-institutionalist perspective facilitates the explanatory patterns of domestic change led by Europeanisation in the most complete and thus appropriate way. It first explores the embeddedness of mediating factors before highlighting the role and influence of the domestic institutions on actors’ behaviour, which have contributable or constraining affects on the process of change. Although new-institutionalist frameworks differ substantially to each other, they are more attractive than other approaches as they explain institutional and policy changes comprehensively. In the final section (2.4), the level and

types of changes that may be expected as a result of the application of EU policy are recognised.

### **2.1.1 Neo-functionalism**

Whilst identifying and analysing the main features of the evolution and functioning of the European Union one needs to consider ‘grand theories’ (neo-functionalism, intergovernmentalism) in relation to the former and ‘middle range theories’ (new-institutionalism) in connection to the later. This study is not in line with ‘*much of the literature on European integration, which treats the process of integration as the end point of a causal process beginning with domestic and transnational societal interests and ending with European outcomes (policies, ECJ proceedings, activities of other key institutions)*’ (Risse et al., 2001, p.12).

One of the theories that focuses on European integration, in terms of explaining its nature, is neo-functionalism. The primary idea that should be mentioned when discussing neo-functionalism is ‘spillover’, which refers to the supposition that ‘*co-operation in one policy area would create pressures in a neighbouring policy area, placing it on the political agenda, and ultimately leading to further integration*’ (Strøby Jensen, 2003, p.81). This concept was used to illustrate the process of regional integration, which constitutes the core issue of this theory. In this sense the factors that affect this process are also crucial, namely: interest group activity, political party activity as well as the role of governments and supranational institutions. Three types of spillover are identified: ‘functional’ spillover, ‘political’ spillover and ‘cultivated’ spillover. The first is connected with the economic sector stating that ‘*the creation and deepening of integration in one sector would create pressure for further economic integration within and beyond that sector*’ (Rosamond, 2000, p.60). The second defines political integration as ‘*the process whereby political actors in several distinct national*

*settings are persuaded to shift their loyalties, expectations and political activities toward a new centre, whose institutions possess or demand jurisdiction over the pre-existing national states'* (Haas, 1968, p.16). Thus, the integration process is merely affected by the supranational institutions, whereas nation states and governmental actors are less influential (Nugent, 2003). The third dimension ‘cultivated’ spillover portrays *'the high authority's actions to upgrade the common interest of the various parties engaged in the new institutional setting. This brokering would allow genuinely progressive incursions into the realm of functional spillover'* (Rosamond 2000, p.61). However, little attention has been given to the results of the integration process such as *'how an integrated Europe would look'* (Strøby Jensen, 2003, p.81).

The above discussion does not offer a comprehensive understanding of the level of domestic change. It is apparent that this framework pertaining to European integration at the supranational level omits its domestic outcomes and is therefore not relevant to this study.

### **2.1.2 Liberal Intergovernmentalism**

The opposing picture about European integration derives from intergovernmentalism, which treats nation states as the key actors in international affairs. Hence, national governments are given precedence over the supranational actors (Nugent, 2003).

The most controversial premise of liberal intergovernmentalism (LI) underlined by Moravcsik<sup>6</sup> (1993) is that states are *a priori* in control of integration. For this reason, the European integration process follows the patterns of the core states' executives during the negotiation bargaining. Although recognition of other actors, both within and beyond states, exists, the influence exerted by them is not strong.

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<sup>6</sup> Moravcsik is a leading exponent of the theoretical framework, which he calls liberal intergovernmentalism and which was built upon intergovernmentalism.

Liberal intergovernmentalism encompasses three main assumptions (Nugent, 2003, p.482):

- rational state behaviour where states' actions are based on utility maximizing whilst achieving their goals,
- a liberal theory of national preference formation: states' goals are shaped by domestic pressures and interactions, which are often constrained by economic interdependence,
- governments have a key role in determining the relations between states.

As countries' policy-makers are the only representatives of their nation states at the EU level they have the power to accept the policies and impose the results on national groups on a '*take it or leave it*' basis. Graziano and Vink (2007) draw attention to the two-way bargaining process whilst analysing the domestic impact of European integration. Thus, national executives (governments or interest groups) are in a position to obtain more positive results in the international arena by highlighting domestic commitments. Simultaneously, they are able to convince the domestic political level of less preferable outcomes by emphasising international obligations. The issue of empowerment of actors links with the rationalist part of new institutionalism.

Nevertheless, LI does not pay much attention to the day-to-day policy development and has been criticized for its 'single agent' perspective, which focuses attention primarily on the head of a state ('chief executive') or the Minister of a particular sector. Therefore, internal diversity is not taken into consideration. Intergovernmentalism neglects the issues of the development of cooperation as well as the influence of previous decisions on interstate negotiations. Member states to some extent lose control over the development of institutions; this undermines the long-term effects of decisions already undertaken (Jordan, 2002). In spite of its relevance in the case of 'big' decisions, it is not useful when discussing day-to-day processes of the development and implementation of specific policies, which is the core issue of this PhD thesis.

Since neo-functional as well as inter-governmental theories are limited to EU studies and are restricted to the level of supranational institution building and policy-making, they have largely ignored the impact of decision-making rules on the integration process. However, they did set out to provide an understanding of the absence or establishment of supranationality. The main core of these studies is linked with the development of the supranational level, but its effects on domestic structures and processes are not given much attention. '*In questioning the state of the state, therefore, the Europeanization research agenda responds much better to the general concern of "unit variation" in contemporary political science*' (Vink and Graziano, 2007, p.14). In addition, integration studies do not focus on domestic change, but rather on the redistribution of power between European and domestic actors. Notwithstanding the fact that the issue of power may be in use whilst discussing institutional change, both concepts do not identify conditions for such change. As a result, both theories do not provide sufficient insights into the impact of European integration at the national level (Pollack, 2004; Knill, 2001, p.12).

Given grand theories' focus on the nature of the integration process, 'middle-range theories' consider the performance of the EU and thus focus '*only on parts of the beast*' (Nugent, 2003, p.488). Not only do they highlight international relations issues but they also scrutinise EU politics. From this perspective, this study should concentrate on middle-range theories in explaining the domestic change forced by the EU. Hence, three frameworks which are drawn from comparative politics and public policies will be tested for their relevance to this study: new institutionalism, policy networks and multilevel governance. Finally, the implementation of the research will be presented.

### 2.1.3 New-institutionalism

New institutionalism (NI) starts by supporting the intergovernmentalist premise of member state's significance, but advances the ways in which individual and collective policy choices are shaped by institutions (Pollack, 1996). It is argued that analyses of EU outcomes purely from the perspective of preferences and state power are not accurate. Moreover, both neo-functional and inter-governmental theories do not provide sufficient insights of the impact of European integration at the national level, whereas new institutionalist theories are suitable for a comparison of relevant national and international cases.

Hence, the new-institutionalist framework deriving from comparative politics is deployed in this study. It is widely accepted that these 'middle range theories' offer important insights into the functioning of the EU polity (Mazey and Richardson, 1993b; Bulmer, 1994; Hix, 1994; Peters, 1999). New institutionalism has been developed in the 1960s and 1970s. In order to revive the meaning and role of institutions in shaping political outcomes, attempts were made to put institutions into new frameworks (O'Riordan and Jordan, 1999). The core issue was to explain more explicitly the relations between human agency (i.e. process) and structure (i.e. organisation and position). In this regard, NI focuses attention primarily on the norms and values of institutional actors, entrenched socio-cultural routes, as well as the bases of institutional structures, and procedures<sup>7</sup>. National institutions are perceived as mediating pressures from the EU level as well as factors determining the outcomes of domestic change. Therefore, '*institutions are not primarily passive devices to reduce transaction costs, manage*

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<sup>7</sup> New institutionalism describes institutions in a broad sense 'to incorporate a wide range of formal and informal procedures, practices, relationships, customs and norms' (Nugent, 2003, p.489). Aspinwall and Schneider (2000, p.3) added to this notion that 'institutions encompass both formal and informal structures that influence human behaviour'. March and Olsen (1998, p. 948) view 'an institution as a relatively stable collection of practices and rules defining appropriate behaviour for specific groups of actors in specific situations. Such practices and rules are embedded in structures of meaning and schemes of interpretation that explain and legitimise particular identities and the practices and rules associated with them'. Therefore, an institutional approach focuses upon 'the role of institutions and institutionalisation in the understanding of human actions with an organization, social order, or society' (March and Olsen, 1998, p. 948).

*interdependence, and lock-in agreements. Institutions are also vehicles for implementing policies and spreading norms and expectations, sometimes against the wishes of key domestic constituencies. Institutions are explicitly political because different domestic constituencies have conflicting stakes in whether the new institutions take root'* (Risse et al., 2001, p.16). Additionally, this framework plays a pivotal role by providing a sufficient explanation for the implementation processes. For these reasons, new institutionalism allows one to assess to what extent institutional traditions help to describe the implementation process and highlights how institutions may themselves be transformed by the manner in which European policies are applied (Goetz and Hix, 2001).

It is apparent, though, that new institutionalism is much more all embracing and broad in its concerns and interests, in regards to the process of policy development and change, than the approaches presented so far. As Streek and Thelen (2005, p.1) assume '*an empirically grounded typology of institutional change that does justice to the complexity and versatility of the subject can offer important insights on mechanisms of social and political stability and evolution generally*'.

#### **2.1.4 Policy networks**

The concept of policy networks analysis relates to the politics of influence as well as shared dependency in cases of distributed power; it may be used to analyse policy processes and policy outcomes. The actors of policy networks have an interest in policy outcomes. In other words, policy networks constitute areas in which decision-makers and interests groups unite to mediate differences and search for solutions (Nugent, 2003).

This framework was applied for the first time in the national environment, where the ongoing exchange of resources between component members took place. The members comprised of

government departments, interests groups as well as organisations and agencies. Hence, cooperation among the actors was emphasised. '*The image of networks is an attempt to depict the highly segmented nature of EU policy-making in which advice, consultation, expertise and technocratic rationality are the means used to cope with the regulatory thicket of day-to-day decision-making*' (Rosamond, 2000, p.123). It seeks to understand the way in which sectoral policy-making takes place, in the scope of multiple 'stakeholders' and policy process.

As seen above policy network analysis hints at the importance of understanding the relations among members within particular policy sector. However, it neglects the issue of rule-bound policy-making, which constitutes a focal point of this study. Furthermore, this approach has its opponents, who criticise the abandonment of interactions of institutions as an issue necessary to understand the EU policy process comprehensively (Kassim, 2001). This research dismisses policy network analysis as an analytical tool, by concurring with such a critique. Consequently, the institutional circumstances surrounding the policy adaption process are crucial factors and are not to be excluded. "*Policy networks*" is a useful tool for analysing the links between types of governments and interest groups. It aids understanding of the policy process but it is only one variable in that process' (Nugent, 2003, p.492).

### **2.1.5 Multilevel Governance**

Multi-level governance (MLG) is rather an organising metaphor, which promotes the perception of the EU as a political system encompassing multiple levels of national and subnational arenas of action as well as the institutional context of Brussels. The notion of MLG has been highlighted in EU studies lately. Thus, it attempts to '*capture peculiar qualities of the EU's political system*' (Rosamond, 2003, p.120). MLG states that '*the EU has become a polity where authority is dispersed between levels of governance and amongst actors, and where there are significant sectoral variations in governance patterns*'

(Rosamond, 2000, p.110). The main assumption of this framework is a gradual shift of authority from national governments to the European level; hence the power has dispersed among informal and formal actors unevenly (Marks, Hooghe and Blank, 1996; Hooghe and Marks, 2001). According to Jordan (2001, p.4) European political integration is a '*policy creating process through which authority and power are gradually dispersing across multiple levels of governance rather than being retained in, and monopolised by, states*'. Paraskevopoulos (2002, p.3) drawing heavily on MLG research adds that '*sub-regional, regional, national and supranational authorities interact with each other in two ways: first, across different levels of government (vertical dimension); and, second, with other relevant actors within the same level (horizontal dimension)*'. Even though this framework is of use in studies applying the bottom-up perspective of the concept of Europeanisation (see section 2.2.1 for details), top-down analyses, constituting the core issue of this study, are missed out. In addition, the multi-level governance framework is not relevant to this research as it focuses on the power of actors but omits the issue of structural change and considers primarily the supranational level. For this reason, the issue of the transposition of EU policies to national and subnational levels is principally neglected.

### **2.1.6 Implementation Research**

Implementation studies consider the application of legislation, decisions, or policies formulated by the EU's policy-making institutions. In this regard, their interests seem to be analogous to this study.

However, this framework, similarly to policy network analysis, omits the role that institutions play in domestic change. The definition of effective implementation encompasses a two-step process. The first is congruent with the formal legal implementation, whereas the second refers to the practical process. The former requires the incorporation or transposition of European legislation into the national arena whilst the latter encompasses 'ground' or 'street level' implementation, necessitating the direct application of the legislation (Cini, 2003).

As far as the focus of this study is concerned, it is the compliance with the first step that matters the most. Hence, in opposition to much implementation research that is related with how to overcome ineffective implementation, namely the effectiveness of the instruments applied does not constitute the issue. Therefore, the evaluation of policy outcomes and the positive impact on the environment is not scrutinised in this research. '*European policies are taken for granted*' (*regardless of potential doubts on their quality*), and the study concerns whether their institutional implications have been complied with or not' (Knill, 2001, p.18).

In spite of the bulk of empirical implementation research, '*theory-building remained comparatively underdeveloped. With the increasing number of empirical case-studies it became more and more apparent that, given the high variety, singularity and contingency of implementation results, the ambitious plans for developing comprehensive and general theoretical models had to be abandoned*' (Knill 2001, p.18).

According to Knill (2001, p.18) general assumptions like '*the assumption that implementation effectiveness decreases with the number of structural 'clearing points' which are involved during the implementation process*' along with '*the success of implementation is not only dependent on policy characteristics and contents, but also on the preferences, capabilities and resources of subordinate administrative actors dealing with practical enforcement as well as societal actors addressed by the policy in question*' are not satisfactory to understand the way in which institutional change occurs.

Hence, even more systematic and advanced concepts were mainly interested in the appropriateness of particular policy instruments in relation with distinctive policy problems as well as in '*the design of optimal implementation structures, given a certain policy to be implemented*' (Knill, 2001, p.19). In contrast to this study, the implementation research put more attention on the improvement of the effectiveness of particular policy types and policy problems than institutions.

Knill and Lenschow (2000, p.28) point out that the difficulties related with institutional alteration are equally relevant '*and not only restricted to policies, which are explicitly directed at institutional change or reform*'. As previously mentioned, regulatory policies often demand adjustments in existing administrative structures, procedures and practises at the national level. As a result there is pressure for institutional adaptation whilst the implementation process is being generated. '*This 'by-product' of policy making is often overlooked in implementation research, either due to its problem-oriented focus on adequate policy design or due to an isolated reception and perception of certain policies in their specific context (including the interests and capabilities of implementers and target groups)*' (Knill and Lenschow, 2000, p.28).

For this reason, the concept of Europeanisation supported by new-institutionalism provides a more comprehensive base for this research. Hence, '*linking EU policy making and effective implementation through the intermediate step of institutional adaptation is not only empirically but also analytically relevant*' (Knill and Lenschow, 2000, p.29). It is common knowledge that institutional change rarely takes place in a smooth and unproblematic way. Institutions 'matter' and they may constrain adaptation to secure continuity. It is only in the case of external shocks that fundamental and path-breaking changes take place (Hall and Taylor, 1996).

### ***The superiority of new-institutionalism***

Before moving on to present the analytical framework, the primacy of new-institutionalist approaches over the theoretical considerations presented above needs to be highlighted. This review has revealed that the impact of European policies on the national policy-making process is only partially congruent with other approaches, whereas the new-institutionalist perspective is the most prominent theoretical framework that can be employed. The main advantage of NI is that it provides a full understanding of domestic change by offering various streams of argument. The policy-making process is scrutinised and it brings one closer to the understanding of the behaviour of actors as well as the patterns in which they might be affected by the institutional environment in which they subsist. Hence, a description of the different types of alteration that may occur, namely incremental, gradual or fundamental, is given. The performance of the policies and the patterns in which they are refracted and constrained by the institutional environment in which they function, is comprehensively explained. Finally, Vink and Graziano (2007, p.12,13) highlight that '*Europeanisation scholars have reverted almost without exception to the broad spectrum of theories that fall*

*under the umbrella of the so called “new institutionalism”*’. Thus, this confirms the idea that such theories are useful in explaining the Europeanisation phenomena.

The next section explores the analytical approach, by describing the nature of Europeanisation. It will be shown that this concept fits neatly into the explanation of domestic adaptation. Additionally, analytical factors are closely intertwined with the new institutionalist frameworks. They seem to be supportive and add to the concept, which then enhance one’s understanding of the mechanism of the occurrence of domestic change. Whilst taking into consideration the national change, the research conducted so far has primarily been explored within the scope of the new-institutionalist approaches (Bulmer, 1998; Knill, 2001; Risse et al., 2001).

Finally, with regard to the subject of this study, Jones and Clark (2001) have already argued that the new-institutional approaches provide a useful means to explain the processes of the *formulation and implementation continuum* of (EC) Regulation 2078/1992 among the member states. In this sense, their argument will be further supported, as the accuracy of these theories will be scrutinised with reference to the successor (EC) Regulations 1257/1999 and 1698/2005. In this section (2.3), new institutionalism will be used to explain whether it is the path-dependent nature of domestic institutions that drives responses to the Europeanisation of Agri-environmental Policy in Germany (the Land Brandenburg) and Poland. Hence, empirical analyses presented later on in this study (Chapters 4 and 5) will show *which and how much* institutions matter.

## **2.2 Europeanisation as an analytical framework**

In spite of the fact that much attention has been given to the extent to which national preferences shape the outcome of supranational institution-building and policy-making processes (bottom-up perspective), the effects of European integration at the state level (top-down perspective) have long been passed over. Only recently have scholars addressed the issue of Europeanisation of domestic policies (Börzel, 2000; Buller and Gamble, 2002; Cowles et al., 2001; Dyson and Goetz, 2003; Goetz and Hix, 2001; Graziano and Vink, 2007; Jordan, 2002, 2003; Knill and Lehmkuhl, 1999; Olsen, 1996). Hence, the studies have focused on the extent to which European integration affects nation-states, in terms of policies, institutions and political cultures. The impact of the EU on domestic policies is diversified in terms of policy sectors and countries. Thus, the common opinion is that the content of national policies is changed in a more prominent manner than political institutions and policy-making styles (Liefferink and Jordan, 2005).

This study further develops this issue, by showing whether and how European policies transform domestic policies and institutions. In order to assess the impact of Europeanisation on domestic structures one needs to provide an interpretation of the concept.

### **2.2.1 The development of various concepts of Europeanisation**

Firstly, the scientific literature addressed the concept of Europeanisation as the procedure of institution-building at the European level, namely the occurrence and development of the EU individual structures of governance, that is, of political, legal, and social institutions related to political problem solving that formalise interactions among the actors, and of policy networks specialising in the formation of authoritative European rules (Risse et al., 2001, p.3). Moreover, the process of political institutionalisation encompasses the development of formal

and informal rules, procedures and norms at all levels (European, national and subnational). Therefore, scholars sought to recognise the ‘nature of the beast’, in other words the nature of European integration (Bulmer and Radaelli, 2004, p.3).

Secondly, the effects of Europeanisation has been tackled. As the EU political system has been established and its impact on domestic structures acknowledged, the scientific body shifted attention towards the effects of this process. What becomes clear, in that sense, is that ‘*Europe matters*’ to national institutions. The main question for contemporary studies is ‘*how Europe hits home*’ as well as the transformation of ‘*the domestic institutions of the Member states*’ (Börzel, 1999, p.574). The results of the research conducted so far reveal that incremental rather than fundamental changes occur within the member states administrative structures and styles, legal rules and cultures and collective identities (Anderson, 2002; Goetz, 2000; Jones and Clark, 2001; Olsen, 2002). Correspondingly, the majority of studies point at prevailing domestic institutions, practises, cultures and traditions as mediating factors for adaptation patterns (Knill and Lenschow, 1998; Knill and Lehmkuhl, 1999; Ladrech, 1994). It is argued that Europeanisation alters national institutional structures, thus, every member state has to adapt to it. However, distinct national factors affect the outcomes, so it is more ‘*domestic adaptation with national colours*’ (Risse et al., 2001, p.2).

Thirdly, a number of studies conceptualising Europeanisation as a two way process exist. The investigation of European policy from both the top-down and the bottom-up standpoints has been undertaken by Bomberg and Peterson (2000) as well as Börzel (2002, 2003). The states’ agendas are perceived from both perspectives, namely describing their patterns of adaptation (top-down) and transferring their own preferences onto the EU level (bottom-up). The bottom-up angle states that national actors have the ability to shape the EU’s political integration process, whilst the top-down angle indicates the extent to which the application of

EU policies triggers off institutional changes. Two level game patterns combine the ascending (decision-making) with the descending (implementation) stage of European policy development. Member states' governments seek to follow competing policy preferences depending on the level of domestic regulation and therefore have different capacities when they participate in European policy. Due to the heterogeneity of preferences and capacities, the strategies in regards to Europeanisation may vary significantly among the states. It is acknowledged that national representatives play a pivotal role in both the decision-making and the implementation of EU policies and this affects the extent to which states shape European policies and institutions and then adapt to them. Therefore, new forms of cooperation between domestic and EU administrations have arisen (Börzel, 2002). As stated by Beyers and Trondal (2003), Goetz (2001a) and Börzel (2002) the 'top-down' perspective has its limits. It fails to explain why member states and their representatives behave in different ways at the European level. Thus, one adds the bottom-up perspective to estimate how domestic institutional constellations affect EU institutions. In this regard, Radaelli (2000) along with Bulmer (Bulmer and Radaelli, 2004) employ the following concept of Europeanisation: '*the process of construction, diffusion and institutionalisation of formal and informal rules, procedures, policy paradigms, styles, ways of doing things, and shared beliefs and norms which are first defined and consolidated in the making of EU public policy and politics and then incorporated in the logic of domestic discourse, identities, political structures, and public policies*' (Radaelli, 2000, p.3).

As highlighted in the discussion above, Europeanisation has been described from various angles, namely: the bottom-up process, the top-down process and the two combined. The question here, therefore, is: how is this research to be located in the scope of the literature on Europeanisation?

This study contributes to its ongoing discussion. The domestic impact of Europeanisation constitutes the main focus, thus the national and sub-national levels of the analysis will be explored. This '*narrower approach is to examine the impact of European integration from a 'downloading' perspective that stresses the hierarchical relationship between the EU and its member states. Empirically, the focus is, first and foremost, on EU laws and policies and the manner in which they are dealt with at the domestic level*' (Dyson and Goetz, 2003, p.15). However, studies investigating the way in which Europe hits home provide various mechanisms and explanatory values. In this regard, this research is in line with Jordan's (2002) and Schmidt's (2006) belief that European integration should be distinguished as a bottom-up process, which indicates the development of common rules and institutions at the EU level. Europeanisation is therefore defined as a top-down process through which member states adhere to the EU's growing decision-making power.

Whilst such a top-down perspective may be criticised for its incomplete perception of the EU's power and member states' responses, it is argued that the focus of this thesis is mainly absorbed in the national policy-making arena. For this reason, the choice of the exclusive top-down pattern will offer a sufficient explanation of this theme. The application of the top-down perspective of Europeanisation to the study of the Agri-environmental Policy necessitates an explanation of the mechanism that allows one to understand the patterns in which domestic policy-making is affected by the EU and how it responds to it.

### **2.2.2 Undertaking a top-down perspective on Europeanisation**

Despite the fact that numerous insights can be obtained by analysing both the bottom-up and top-down perspective of the European policy sequence, the focus of this study is mainly on European policy adoption at the national level and changes within domestic political arenas brought about by this process. A description of supranational policy development is not

within the scope of this study. It has been already noted that Jones and Clark (2001) have carried out a comprehensive study on this matter. This analysis does not entirely dismiss the issue of the supranational policy formulation process, but rather acknowledges its usefulness for a full understanding of the implications that the EU policy content brings. However, concentrating primarily on the implementation stage at the national level makes a cross-country comparison possible. Thus, as Jones and Clark add (2001, p.151) '*it is perhaps more profitable to examine the strategies of policy making that have arisen around the agri-environmental regulation in different member states, and to determine to what extent these processes are shaping different implementation patterns*'. Furthermore, in this study '*EU legislation is treated as an independent input into the national sphere, which allows for a focus on the distinctive impact of national factors in shaping domestic responses to European policy demands*' (Knill, 2001, p.10).

Within the scope of the wide spectrum of definitions of top-down examinations of *Europeanisation* this research concentrates on the ones applicable to the policy-making process. Ladrech's initial (1994, p.69)<sup>8</sup> understanding of the concept of Europeanisation is employed:

*'Process re-orienting the direction and shape of politics to the degree that EC political and economic dynamics become part of the organizational logic<sup>9</sup> of national politics and policy-making'*. This description relates to Hix and Goetz's (2000, p.27) notion of '*a process of change in national institutional and policy practices that can be attributed to European integration*'.

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<sup>8</sup> Ladrech's notion includes incremental change whereas the author of this study expand the meaning of the concept by adding gradual and fundamental options.

<sup>9</sup> Organisational logic is perceived as the adaptive processes of organisations to a changed or changing environment (Ladrech, 1994, p.71).

This study also acknowledges Bugdahn's meaning of Europeanisation, as it points to the issue of domestication (2005, p.177,178): '*The implementation of EU policies is best conceptualized as a blend of domestic choices of options in a policy area, only some of which have been determined by the EU. Member states can make choices of non-prescribed or non-recommended policy options that limit, mediate or accompany the Europeanization of the policy area in various forms ('forms of domestication')*'.

Additionally, Harmsen (1999, p.6) considers domestication '*as the use of a familiar repertoire of institutional routines and practices to deal with the new challenges posed by European integration*'.

These concepts of Europeanisation appear to be suited to the Agri-environmental Policy and thus to the purpose of this study, as they relate to the adaptation of domestic policies and institutional arrangements to the prevailing EU political, legal and social structures.

For the purpose of clarity, the following meaning of **Europeanisation** is applied here, whereas its mechanism is explained in the following section:

*The process of member states' adaptation to EU policy is understood as a mixture of the pressure exerted by European requirements and domestic factors responding to it.*

This process makes adjustments in domestic institutions necessary, which includes changes within the regulatory styles and structures of the policy sectors. As previously stated, European legislation is obligatory and member states are required to implement the regulations and transpose directives into domestic laws. Regulations and directives have to be implemented and enforced by the state's administration. Each state, having unique socio-economic and administrative conditions, has employed distinct paths and patterns of transformation (Stark, 1992).

The broad range of studies conducted so far indicate that the process of a state's transformation is gradual rather than sudden in that it progresses '*incrementally and creeps into the political and administrative normality at the national level without causing dramatic structural changes there*' (Goetz, 2001a, p.212). Policy change occurs whilst new policy arenas or alterations to existing ones, by adding or erasing instruments, are provided. Thus, '*the sheer amount of policy expansion, modification and innovation, such as in the areas of environment, telecommunications and consumer protection to name but a few, which occurs in this continuous, piecemeal yet pragmatic way-rather than in great leaps and bounds-is quite literally enormous*' (Héritier, 1999, p.9).

As opposed to such views, some commentators point to the possibility of the observance of rapid and fundamental changes within domestic structures (Héritier and Knill, 2001). A mixed image of the variegated processes of change both great and small can be seen (Héritier et al., 2001).

The agricultural sector has been identified as being more influenced by adaptation pressure than others, whilst research conducted on environmental policy incentives point to the issue of non-compliance, which may occur when public administrators together with economic and societal actors do not want to take responsibility for the application of EU policies (Börzel, 2000, 2002; Knill and Lenschow, 2001). This reluctant approach derives not only from high adaptation costs, but also from the fact that administrators refuse to give up their traditional problem-solving pattern (Börzel, 2000). '*Public and private national actors at all levels are also likely to object to any policy proposal involving costly changes of instrumental adjustment, which will in turn compel them to adapt their structures of administrative implementation or blidge firms to adjust to new regulatory requirements*' (Héritier, 1999, p.15).

Increasingly, national policy arenas and policy patterns have been changed as a result of Europeanisation, but in a multifaceted manner. They may be enlarged, adjusted, overturned or proven by European policies (Héritier, 2001b). Nevertheless, differences between domestic adaptation needs and empirical outcomes occur within the executive's structures and actions. Policy and institutional results are frequently and substantially modified by the national context instead of EU pressure. According to Goetz (2001a, p.214) '*there is no straightforward connection between adaptive pressure and adaptive reactions*'. Kassim (2001) adds that the meaning of pre-existing domestic structural features, as well as the administrative ability to internalise pressure is important whilst adopting EU policies. Hence, policy preferences and action capacity, in regulatory policy in particular, have a significant meaning for strategy choice (Börzel, 2000).

As Héritier (2001b, p.2) points out '*it is hardly surprising that an ambitious undertaking in joint policymaking such as the EC is likely to generate the manifold policy changes at the national level. What is perplexing, however, is that so much remains to be empirically investigated and conceptualised regarding the way in which policies and structures are affected in different policy fields in the member states*'. There is an ever-growing body of literature analysing the impact of European policies on domestic structures, but comparative analyses of the Agri-environmental Policy are scarce. For this reason, research in this area is still called for.

What is more, to grasp the variety of AEP implementation patterns and to investigate whether there was some reluctance at the domestic level to adopt EU legislation, a top-down approach to Europeanisation is applied. Within the context of the issues outlined above, the main hypothesis of this study is as follows:

*The Europeanisation of the Agri-environmental Policy alters national political structures and styles, but interactive domestic factors affect adaptation patterns. Consequently, one needs to focus upon the existence of formal and informal strategies and policy-making patterns triggered by the dynamics of diversity in order to assess the causes and the level of changes undertaken in the Land Brandenburg and Poland.*

Hence, everyday policy-making is the issue that matters, as it brings a number of complicated issues that are not easily reachable and noticed by the layman. Although little public interest is given to this subject, its nature initiates alterations in domestic policy outlines, outcomes, administrative structures, and patterns of interest intermediation. For this reason, analyses of these procedures are needed (Héritier, 2001b). In addition, the case studies will show the extent to which the commitment of the top-level political and administrative bodies along with pressure and the mobilisation of societal actors are necessary factors for change.

Summing up, the concepts of Europeanisation presented above still do not provide one with a full understanding of the way in which the process of change takes place. The occurrence of new political arrangements at the EU level intertwines with the national level. However, the ways in which the interaction process takes place and the factors included are not presented in these definitions. For this reason, it should be examined empirically (Risse et al., 2001). This research will further explore the issue of why, how and under what conditions Europeanisation affects domestic structures.

Therefore, the following section will set out the explanatory framework allowing for the recognition of the variables that characterise the procedure of domestic response. New-institutionalism will then be used to account for the level of change that may take place.

### **2.2.3 The Analytical Framework**

Following Risse et al. (2001) the argumentation of this study will also apply the three dimensions of the explanatory model, namely the requirements deriving from the EU policy, the level of incompatibility between existing domestic practises and polices, and finally the group of mediating factors prevailing in the national political and administrative arenas. This three-phased approach, explained below, allows one to investigate the impact of the Europeanisation mechanism on domestic adaptational change (figure 2):

- Europeanisation at the EU level,
- the goodness of fit/European pressure
- mediating factors

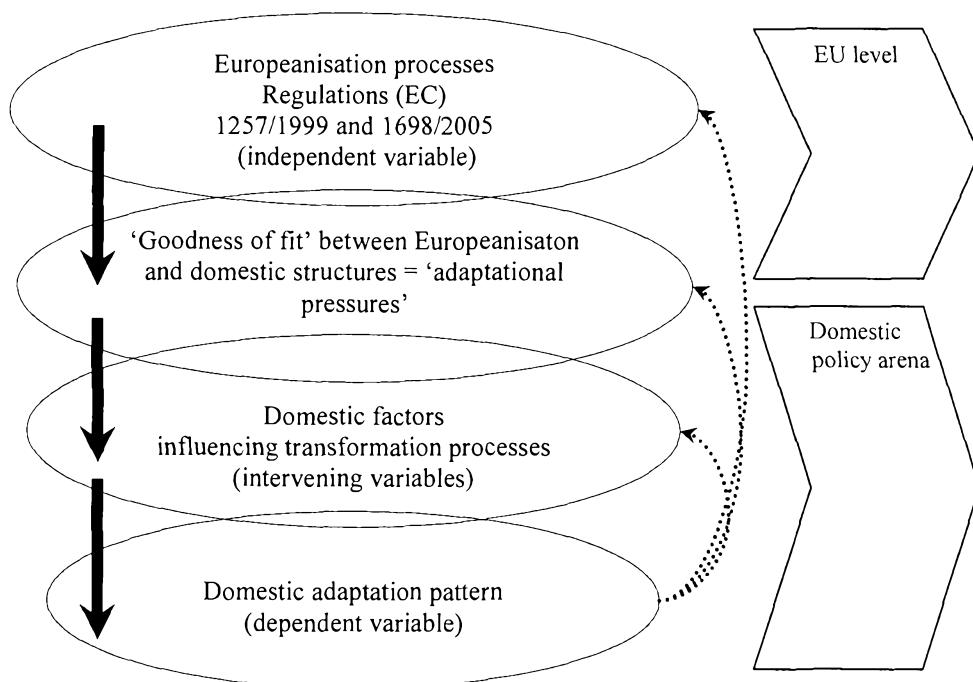
One should take into consideration the issues mentioned above when developing an analytical approach to the expansion of Agri-environmental Policy patterns in domestic arenas. First, the framework takes into consideration the multiple objectives of Regulations (EC) 1257/1999 and 1698/2005. An explanatory mechanism for domestic change is based on the European/adaptation pressure, which occurs when there is no compatibility ('fit') between EU level institutional and policy arrangements vis-à-vis existing national practises and its interactions with national conditions. Next, it should be possible to encompass various socio-economic as well as political and cultural perspectives of both member states. It should be achievable, then, to scrutinise the domestic adaptation pattern and to suggest to what extent change has occurred.

Assuming that European legislation initiated the transformation process, the main focus is placed upon the policy aspects, encompassing the problem-solving approach and the policy instruments applied, together with administrative structures and the issue of interest mediation embedded in this particular policy arena. As these illustrating variables will show, domestic

political and institutional transformation depends on a number of processes that result in a variety of outcomes (March, 1981).

Such an approach enables one to solve '*an empirical puzzle that Europe matters in different countries in different ways and that we don't know why*' (Héritier, 2001b, p.8), as well as allowing one to answer how and to what extent the Europeanisation of the Agri-environmental Policy influences the domestic agenda.

Figure 2 The link between Europeanisation and domestic structural change.



Source: Risse, T., Green Cowles, M. and Caporaso (2001) Europeanization and Domestic Change: Introduction. In: Cowles Green, M. Caporaso, Risse, T. (eds.) Transforming Europe. Europeanization and Domestic Change. Cornell University Press adapted.

### 2.2.3.1 The development of the Agri-environmental Policy at the EU level

First and foremost, it is necessary to identify the principal EU Regulations to be scrutinised and to emphasise the requirements and needs deriving from them for national political and

institutional arrangements. The European set of institutions (regulations, rules) interacts with member states' structures (Olsen, 1996). Community legislation affects domestic policy-making, thus the importance of this factor should be borne in mind. To illustrate this argument, the institutional demands encompassed in this particular EU policy sector have to be identified in order to trace national reactions (see Chapter 3 for details). The domestic impact of the Agri-environmental Policy must be related to the European institutional requirements. One needs to verify whether a specific model of compliance leaving a low or a high degree of leeway for national adjustments has been prescribed.

Consequently, the following research question should be asked here: *How do EU Regulations 1257/1999 (Articles 22-24), and 1698/2005 (Article 39), in which the Agri-environmental Schemes are stipulated, affect domestic institutional and political decision-making in the Land Brandenburg and Poland?*

#### **2.2.3.2 The ‘goodness of fit’**

In order to shed some light on the level of ‘adaptation pressure’ one needs to define the ‘goodness of fit’ between the Europeanisation processes and national institutional arrangements.

This study concurs with Knill and Lenschow (2001), Börzel and Risse (2000) as well as Risse et al. (2001) that the institutional compatibility of the European and national settings must be taken into consideration in order to understand comprehensively the effects of European policies on domestic policies and administrations.

It is well established that the bigger the gap or ‘misfit’, the higher the level of domestic change it requires. However, national policies and institutional structures respond to adoption pressure, that is, they decide to what extent prevailing policy practises and structures will be

transformed. If the ‘misfit’ between the settings of European legislation and domestic structures exists, the expectation for adaptation will occur, which as Héritier (2001a) and Bailey (2002) state is a superior precondition to change. According to Knill and Lenschow (1998) different levels of domestic change appear because of the various levels of European adaptation pressure. On the one hand non-adaptation may occur when there is a complete compatibility -‘fit’ or essential ‘misfit’ with reference to the main patterns of a state’s policy. On the other hand, efficient implementation takes place when only some changes within existing national arrangements are required (Bulmer and Radaelli, 2004; Risse et al., 2001). As stated by Knill and Lehmkul (1999, p.5). The paths of domestic transformation can be basically explained from a perspective, which takes into consideration institutional ‘goodness of fit’ of domestic and European arrangements. The institutional ‘fit’ results in unproblematic adaptation. In comparison, when fundamental changes within well-established domestic regulatory patterns are needed reluctance occurs (Knill, 2001; Knill and Lenschow, 1998).

Against this backdrop, some authors argued (Haverland, 2000; Héritier, 2001b; Bulmer and Radaelli, 2004) that the ‘goodness of fit’ is not comprehensive in capturing the way in which countries respond to the adaptation pressure. It was proved that European policies provoked domestic changes, even though there was a lack of adaptational pressure. What is distinct, in this sense, is that the EU and national arenas are well matched; yet transformation takes place. It is expected that EU policies will have a greater effect on domestic political and institutional arenas if they are well matched with the existing practises and structures. The role of policy traditions is crucial, as the more the dissimilarity from applied traditional practises exist the more difficult it becomes to undertake changes (Lenschow, 2002).

In the light of these arguments, the cross-national analyses concerning the implementation of the EU’s environmental policy point to different adaptation patterns in regards to policies and

countries. They hint at the ‘fit’ argument as one of the causes but not the primary one. Héritier and Knill (2001, p.288) advance this argument by stating that *‘the corresponding existence of European adaptation pressure does not constitute a necessary condition for domestic change’*. In spite of the fact that European policy-making affects domestic policies, administrative structures, and patterns of interest intermediation in the same way, the results vary. In other words, the expected convergence in the form of uniform patterns and structures of domestic policies does not occur. Consequently, European requirements are perceived from different perspectives in various national constellations. The domestic impact of Europe depends upon particular policy patterns and groups of actors. *‘The same European policy may trigger fundamental reforms in one country, while having no consequences in others. Depending on the nature of its requirements, European legislation may either strengthen or weaken the strategic position of different actors in different member states. Moreover, even when having a similar effect on actors who are in a similar position, given the domestic policy dynamics, the way in which these actors adjust to the new opportunities and constraints provided by Europe may yield highly varying results in terms of domestic patterns of regulatory adjustment’* (Héritier and Knill, 2001, p.286).

In advocating this more dynamic approach, Börzel and Risse (2000) argue that various mechanisms of Europeanisation defining national change may be gathered into two logics of domestic alteration. The authors hint at the occurrence of ‘misfit’ incompatibility between European and domestic arenas as a conducive, but not a sufficient factor leading to change, as it should be supplemented with domestic facilitating factors: *‘A static perspective that merely analyses the ‘goodness of fit’ of European policy requirements and existing domestic arrangements is hardly sufficient to explain the domestic impact of Europe’* (Héritier and Knill, 2001, p.286). This study concurs with these assumptions and considers this explanatory issue as an initial stage in scrutinising the domestic impact of European influence.

In relation to this study, it is essential to investigate the way in which the Land Brandenburg and Poland responded to the Agri-environmental Policy's demands and to define whether there was a 'misfit' or 'fit' regarding this issue. The administrative adaptation of prevailing domestic structures to European Agri-environmental Policy requirements referring to the 'goodness of fit' ought to be outlined. Subsequently, one has to identify the mediating factors that provoke changes, in order to assess to what extent these two states responded to adaptation pressure, and what factors influenced this process.

The second set of circumstances causing adaptational pressure and which push for changes are domestic facilitating factors (actors, institutions that react to the pressure, political cultures) and a deficiency in hindering factors (domestic institutional veto points). Thus, national institutions and their arrangements strongly influence domestic actors and the patterns of change by granting political and societal actors access to the policy-making process. National institutional traditions may prompt or hinder the alteration process. Due to the prevalence of entrenched procedures and routines the process of change may be facilitated, but it is more probable that the new policy is in contradiction with the existing patterns and resistance occurs (Haverland, 2000).

Additionally, it is clear that domestic actors are bound up in reforms and they make the most out of European policies (Bulmer and Radaelli, 2004). The level of adaptation will be in line with '*the policy preferences of key actors, and the capacity of institutions to implement reform, realize policy change, and administratively adjust to European requirements*' (Héritier, 2001a, p.44). Furthermore, policy preferences depend upon the redistribution of the consequences of the adapted policy. The formal veto players, the absence of whom affect the institutional capacity for transformation or consensual decision-making style, favour changes (Tsebelis, 1995). The constellation of these factors distribute the power among the actors,

choosing which one of them will be strengthened by EU legislation, as well as having an effect on the patterns in which empowered actors exploit their new opportunities, undertaking regulatory reforms compatible with their interests (Héritier and Knill, 2001). Hence, these arguments are in line with Knill and Lehmkuhl's (1999, p.4) statement that '*varying adaptation patterns are not explained by EU-induced changes in different domestic opportunity structures. Instead, the exchange of domestic change may be considered to vary with two factors: (1) the extent to which European policy beliefs and ideas have mobilized the support of domestic actors for European reforms; and (2) the extent to which European support was sufficient to enable domestic reformers to put through national reforms in the light of given institutional and opportunities and constraints*'.

Against this background, Knill and Lenschow (2000) point to the weakness of this approach in cases where the domestic institutional setting is limited due to transformation processes or performance crises. In this sense, prevailing national arrangements have a partial influence in shaping policy responses. European requirements constitute an authority to impose domestic reforms.

The discussion above guides the formulation of the first supplementary hypothesis:

*H1 The incompatibility between EU requirements and domestic arrangements is an insufficient explanatory value to offer a comprehensive understanding of change, as the mediating factors encompassed in the domestic political arenas are in a position to facilitate or constrain the process.*

Central to this thesis though is the examination of domestic factors that mediate the results of national responses. By doing this one will verify the validity of the next research question:

*To what extent have existing national policies diverged from European Agri-environmental Policy demands, and to what degree are the two countries able to build the institutional reform capacity to undertake the required changes to comply with the exigencies?*

### **2.2.3.3 Mediating factors**

As previously mentioned, pre-existing national institutional arrangements matter for adaptation. Domestic institutions play a vital role in absorbing, rejecting or domesticating Europe (Bulmer and Radaelli, 2004, p.9).

It is argued here that domestic change is equally affected by national pre-existing state arrangements and EU requirements. By analysing the process of domestic policy change the focus is placed on the role and the capacity of the state as the omitted feature, which then opens ‘the door for the inclusion of politics and institutions as categories of inquiry in policy analysis and design’ (Brinkerhoff and Crosby, 2002, p.4). For this reason, the scrutiny of the domestic political characteristics is needed. Whilst distinguishing the factors affecting the administrative response, this research turns to the accommodating capacity of existing institutional arrangements. Looking through these lenses, the features shaping the capacity are vital. The following factors, deriving from the stages of policy implementation and which build the accommodating capacity, are examined here: policy preferences of key actors including multiple veto points and facilitating institutions, differential empowerment of actors’ political and organisational cultures and ultimately policy learning.

Building on the stages of policy implementation the issue of policy legitimisation is crucial, as central decision-makers must perceive the proposed policy as legitimate:

*‘To acquire legitimacy, some individual, group, or organisation must assert that the proposed policy reform is necessary and vital, even though it will present serious costs. This step*

*involves the emergence or designation of a policy champion, some individual or group with credibility, political resources, and the willingness to risk that political capital in support of the policy' (Brinkerhoff and Crosby, 2002, p.25).*

This leads to the choice of multiple veto points and facilitating institutions as the mediating factors that affect the emergence of policy change. However, it should be noted that this study includes actors from the political layer as well as the administrative level. The power of the AES regulation is directed to a large extent to this stage, so it needs to be considered. This leads onto the differential empowerment of actors, as sufficient resource accumulation to the advantage of an adapted policy has to be allocated. The establishment of the new objectives and duties may require changes within existing organisational traditions. Thus, this factor will be considered, as it is likely that entrenched routines may become a bottleneck for the transformation process. Finally, it is easy to predict that policy learning will take place. As the policy outcomes, in terms of the efficiency of the applied policy, do not constitute the core of this study, the impact of monitoring is not taken into consideration as a mediating value.

According to Risse et al. (2001) the mediating features can be divided into these affecting structure and agency. The notion of structure encompasses '*the institutional and cultural conditions that facilitate or prohibit flexible responses to adaptational pressures*' (Risse et al., 2001, p.9). In this sense, three structural factors are taken into consideration: multiple veto points within the domestic structure, facilitating institutions and political cultures. Furthermore, factors referring to agency (activities of EU policy elites at various analytical levels) are: differential empowerment of actors and policy learning. The choice of the composition of these factors is not random. They influence the way in which European regulatory requirements are internalised by national actors, thus they affect the processes of

policy-making and domestic change. Moreover, their embeddedness in the new-institutionalist approaches indicate the way in which they affect the political and administrative structures.

### ***The Differential Empowerment of Actors***

On the one hand, it is assumed that '*Europeanisation leads to a redistribution of power among a variety of domestic actors, from legislatures, courts, regional governments, to interest groups and companies*' (Risse et al., 2001, p.11). On the other hand, it is up to domestic actors to exploit new opportunities brought by Europeanisation. The institutional organisational capacity has a decisive role in this process, as it provides them with resources such as access to the public sphere, policy-making, financial assets and legitimacy (Börzel and Risse, 2000, p.577).

While the structural changes are made, power is distributed among political, social or economic actors. It is now generally recognised that '*policymaking in virtually all fields takes place within the context of a particular set of ideas that recognise some social interests as more legitimate than others and privilege some lines of policy over others*' (Hall, 1993, p.292). Hence, the policy implementation process provides winners and losers. Whilst policy change takes place, new actor coalitions will benefit vis-à-vis those groups which were at an advantage previously. In addition, these are usually more influential: '*particularly for regulatory policies there are often cosy relationships among legislators, executing agencies, and interest groups that favour a particular policy equilibrium and that are difficult to displace*' (Brinkerhoff and Crosby, 2002, p.24).

The implementation of a new policy requires the redistribution of human, technical, material, and financial assets. As Brinkerhoff and Crosby (2002) pointed out, partial help from external resources is not sufficient and congregating adequate power usually indicates the removal of

those resources from old policies. In addition, it is vital to provide policy actors with sufficient incentives to adopt new modes and practises deriving from the policy reform, otherwise they do not recognise the benefits of modifying their behaviour and the alteration will not occur.

What becomes clear here is that one needs to identify the dynamics of the redistribution of European power in each case study. Thus, it will be possible to see to what extent the additional resources deriving from the AES legislation facilitate existing domestic arrangements. Have new coalitions of winners and losers occurred or has the balance between the policy actors remained unchanged?

#### ***Policy preferences of key actors (multiple veto points and existing facilitating institutions)***

Börzel and Risse (2000) concur that ‘misfit’ gives actors new opportunities and constraints that lead to the reallocation of resources and empowerment at the domestic level. However, actors must have the ability to use the opportunities and avoid constraints. They distinguish two factors that affect national reform capacities (Risse et al., 2001):

- multiple veto points existing within the domestic institutional structure may strengthen actors with diverse interests to avoid constraints and to prevent adaptation,
- formal institutions have the ability to supply material and ideational resources necessary to increase European opportunities and promote domestic adaptation.

The prevalence of multiple veto points and formal institutions decide whether the ‘misfit’ gives power to domestic actors who then change domestic processes, policies and institutions. Therefore, one of the bottlenecks holding back adaptation of EU requirements is ‘*the policy preferences of relevant policy actors and their relative power or influence in the decision-making process*’ (Lenschow, 2002, p.16). Anderson (2003, p.44) adds to this notion by stating that ‘*interests are causally important because they directly shape policy responses by establishing a distribution of societal preferences that national officials take into account*’.

Although multiple veto points and facilitating formal institutions influence political actors in opposite ways, both are well matched with a ‘logic of consequence’ believing in utility-maximizing actors and in set interests and preferences (Risse et al., 2001). The logic of consequence denotes that human actors decide upon their preferences by assessing the consequences for personal and collective objectives. Political order is perceived as a result of negotiation among rational actors following personal interests in an environment in which there may be gains by coordinating action. Hence, political integration corresponds to a set of ‘contracts’ negotiated among actors with contradictory preferences and varying resources. The bargaining positions of the actors are crucial as they determine the achievement of coordination and its terms (March and Olsen, 1998, p.949).

### ***Multiple veto points***

Multiple veto points within policy-making structures play a pivotal role as they may constrain the structural adaptation (Tsebelis, 1995). They are inclined to structure both the timing and quality of alteration despite varied levels of ‘misfit’ and national practises. *‘Domestic opposition is activated by adaptation pressure, but whether it is successful or not depends on the availability of veto points’* (Haverland, 2000, p.100). Tsebelis (2000) argues that new policy outcomes derive from the preceding ones, or from the status quo. Hence, to alter the status quo an agreement among individual and collective decision makers (veto players) has to be reached.

In this regard, it is essential to identify veto players in political systems in order to define their expectations of institutional arrangements. Furthermore, the more power and actors within the political and administrative systems, the more difficult it becomes to achieve the domestic consensus or ‘winning coalition’ required to undertake institutional transformation. The

prevailing multiple veto points in the policy-making structure are expected to impede or slow down adjustment to Europeanisation pressures (Risse et al., 2001; Thielemann, 2000).

With reference to this research one needs to recognise not only the number of opposing actors within domestic arenas but also the level of the pressure that they have exerted. These will then offer a better understanding of the dynamics of the AES policy-making process and the role that veto points played in it.

### ***Facilitating Institutions***

In order to stimulate structural change facilitating formal institutions, material and ideational resources are given to actors. While explaining the process of structural adaptation the issue of facilitating institutions empowering the actors is useful. This is because policy reform needs to be marketed and promoted by the winning constituents/formal institutions, who will benefit from a change. According to Brinkerhoff and Crosby (2002, p.26) '*they may be consumers of the service provided, providers of inputs, or officials within the implementing agency who find their position or status enhanced by the change. Constituents may also be groups with some sort of resource to bear in support of the change*'. Constituency building contributes towards the acceptance of change, but also at institutionalising it by setting up new beneficiaries interested in employing the reform.

As it has been shown above, European pressure may provide a political space for reform, which may be used by strategic actors. However, change or resistance to it, derives from conflict, bargaining, and compromise among individuals or their coalitions embodying varied interests. '*A European mandate affects the preferences of actor groups in member states: those who expect to be winners of the Europe-induced change will support corresponding political and administrative adaptations, while those who expect to lose, will oppose them.*

*However, the new preferences and the cleavages they generate do not automatically translate into policy responses and administrative changes. Instead, they are shaped by the policy preferences of the key political actors involved and the existing political and administrative institutions' (Héritier, 2001a, p.53).*

The policy objectives are realised by both public and private organisations at the European and domestic level, in the context of interaction with other actors as well as in the existing institutional environment, which then takes on a facilitating and restraining function. According to Héritier (1999, p.8) '*if institutions limit the pursuit of policy goals, actors will seek to change these institutions, such as decision-making rules, in order to realise their goals. Moreover, the incentive to seek to change institutional structures is stronger in a polity which is still taking shape than in one which is consolidated and stable*'.

Even though they represent opposite views, the meaning of facilitating institutions is similar to veto players in the policy-making process. Not surprisingly, this study will also look at the performance of these actors in the analysed cases.

Furthermore, one of the possible ways of overcoming multiple veto points is the prevailing consensus-oriented as well as cooperative decision-making culture (Risse et al., 2001; Börzel, 1999, 2001). According to Héritier (2001a), the capacity to transform and adjust domestic structures in observance of European policy mandates increases when formal veto points do not exist and a cooperative decision-making tradition prevails. Political leaders and their policy preferences have to be characterised by the willingness to undertake changes. The multiple veto points and facilitating institutions concentrate on the attitudinal level of the relevant actors, however the institutional arrangements mentioned below also affect policy change.

## **Political and Organisational Cultures**

Accordingly, the process of structural alteration is also driven by organisational and political cultures<sup>10</sup> together with entrenched shared understanding of proper behaviour within a prevailing formal rule structure. As Lenschow, Liefferink and Veenam (2006, p.38) point out, '*policy-specific political discourses- the ideas and narratives behind policies and policy change-are set within the broader culture of a country. Thus, culture offers an important key to understanding how policy-specific discourses are developed, interpreted and eventually integrated into the domestic policy-making context*'. Increasingly, actors refer to the 'logic of appropriateness' while pursuing their interests. The logic of appropriateness derives from rule-based actions shaping human behaviour. Therefore, human actors are said to follow rules that unite particular identities with particular situations, approaching individual opportunities for action by considering correspondence between current identities and choice dilemmas and more general concepts of self and situations. '*An action involves evoking an identity to a role and matching the obligations of that identity to a specific situation. The pursuit of purpose is associated with identities more than with interests, and with the selection of rules more than with individual rational expectations*' (March and Olsen, 1998, p.951). Hence, political actors relate actions with situations by means of a convention of appropriateness. '*What is appropriate for a particular person in a particular situation is defined by the political and social system and transmitted through socialization*' (March and Olsen, 1984, p.741). It considers the type of situation, possible ways of behaviour and rules that can be applied in this particular condition. Such understanding determines the patterns of actors' responses to adaptational pressure. In this sense, it may constrain or support the process of transformation (Börzel, 1999).

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<sup>10</sup> Culture is understood as the development of common frames of reference, norms governing behaviour and 'cognitive filters' (Rosamond, 2003, p.117).

Brinkerhoff and Crosby (2002) state that the organisational design of new policies or the modification of the current ones may cause a lot of difficulty, '*because of the existence of entrenched procedures and routines, and alliances with existing constituencies and interests, there is frequently resistance to making changes in either the mandate or the structure of the established organization. Staff may not be committed to the new policy or may be opposed to it*' (Brinkerhoff and Crosby, 2002, p.28). Problems also occur if the new objectives are dissimilar to existing ones, or the organisation is deficient in the capacity to put them into practise.

The mediating factors presented above, namely multiple veto points, formal institutions and political culture may increase or decrease the level of adaptational pressure, but they cannot alert institutions. They give opportunities to actors, which then may undertake structural transformation (Risse et al., 2001).

It is striking that political traditions may effectively constrain domestic change. Hence, the scrutiny of the Land Brandenburg's and Poland's policy-making cultures is called for.

### **Policy Learning**

The empowerment of actors and the redistribution of power resources do not necessarily lead to changes in interests and identities. It is argued in this study that Europeanisation may also provide changes through the process of learning. Policy learning may have a positive influence over institutional change by allowing greater adaptation and flexibility in an indirect manner. It does not necessarily improve the formal institutional capacities (resources, staff, fiscal and legal powers), but rather on the 'softer side'<sup>11</sup> it enhances the abilities to

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<sup>11</sup> 'Hard' and 'soft' institutional characteristics are hard to distinguish. The former includes legal powers, constitutional competences and fiscal resources, staffing and organisational details that key implementation actors possess. The latter considers their belief systems, preferences and institutional cultures and working practices' (Flynn and Kröger, 2003, p.152).

understand, adapt as well as disseminate and process information (Flynn and Kröger, 2003, p.151). The concept also assumes changes in belief systems, policy-making preferences and target groups. Finally, the issue of participation is highlighted as social organisations like NGOs, interest groups as well as private and public stakeholders possess informal knowledge that should be used by the administrative body. In this sense, the evidence of policy learning is expected in a greater networking environment as well as in the expansion of public participation. According to Checkel (2001) the learning process takes place ‘after critical policy failures or in perceived crises when actors reassess their set of preferences’.

In regards to this study, the Polish case should provide an interesting explanation of this factor. Thus, its recent accession to the EU structures should challenge actors to change their views and facilitate policy learning.

The above discussion indicates that an examination of the mediating factors is necessary when analysing the empirical cases. This study needs to analyse these aspects in the examined domestic agendas in order to present their function in the policy-making process. This will allow one to indicate the level of European influence. If the empirical analysis shows that domestic pre-conditions contrast with EU requirements but adjustments still occur, this will signify that Europeanisation has taken place. It will also be possible to specify differences between the case studies and to identify the degree to which they offer one a better understanding of domestic actions.

Indeed, the second supplementary hypothesis is as follows:

*H2 Differences in national political and institutional arrangements matter during the adaptation of EU Agri-environmental Schemes and help to explain the responses of member states' governments.*

Bearing in mind that the presented assumptions are still not adequate enough to clarify the way in which policy change occurs, a supplementary explanation is provided in the next section.

### **2.3 New-institutional Approaches as supporting theories for the understanding of the Europeanisation mechanism**

As it has been argued so far in this chapter, the concept of Europeanisation is extremely salient in explaining the adaptation patterns of the European Agri-environmental Policy. The mechanism which encompasses the establishment of regulations at the EU level, goodness of fit and mediating factors, provides an explanation for national responses. Thus, it is clear that Europeanisation fits neatly into this study.

Having highlighted the usefulness of Europeanisation as an analytical approach and defined what it encompasses, namely the policy-making process and its outputs as well as administrative structures (Chapter 1), it is the objective of this section to develop the theoretical opportunities regarding the conditions of their operation. One needs to consider the entrenchment of Europeanisation in the theoretical approaches that would allow one to understand in what manner change occurs.

Beyond this general explanatory approach, which specific theories help to improve our understanding of the AES implementation process as well as the way in which misfit and mediating factors affect political and institutional change?

Bulmer (2007) and Featherstone with Radaelli (2003) emphasised that '*Europeanization is not itself a theory. Rather, Europeanization is the phenomenon which a range of theoretical approaches have sought to explain*' (Bulmer, 2007, p.47). Vink and Graziano (2007, p.12) add that '*Theory thus comes in where we need to answer how European policies, rules and*

*norms are affecting domestic political systems*'. In order to unite the theoretical deliberations with the analytical framework one has to focus on the mediating factors and their embeddedness in the new-institutionalist approaches. By proceeding in this manner, it will be possible to present how mediating factors and new-institutionalism fit together.

When attempting to enhance the concept of Europeanisation one ought to be aware of the fact that a number of theoretical contributions have been developed. A broad range of studies, with various theoretical approaches explaining policy change already exist. Furthermore, this study is based on a belief that the new institutionalist perspectives need to be used, as they provide the most comprehensive analytical insights. It was argued by Bulmer (2007, p.51) that '*an awareness of the new institutionalism is indispensable for understanding how Europeanization is theorized*'. Since the analytical framework presented above does not provide one with a complete explanation for the process and types of political change, one needs to focus upon new institutionalist theories that present a further description of the course of alteration and the role they assign to mediating factors. Moreover, their embeddedness in the new-institutionalist approaches indicate the patterns in which they affect the political and administrative structures. New-institutionalist theories offer an explanation for the behaviour of actors along with the role of institutions and for this reason one knows what type of change and behaviour can be expected. Hence, NI completes the empirical 'puzzle' and provides one with clarifications of the results obtained from the case studies.

A detailed description of new-institutionalism along with the link between the mediating factors and the NI theories will be clarified in order to give an explanation for their relevance to the main focus of this research. In an attempt to further elucidate the different patterns of national adaptation a historical institutionalism (HI) approach, deriving from the assumption that institutionally developed structures and practises prevent straightforward adaptation to

exogenous pressure, will be employed as a starting point (March and Olsen, 1989; Knill and Lenschow, 2001). However, HI is not sufficient and, for this reason two other institutionalist approaches will be used to supplement it, which will allow for the complete explanation of political change. This is because the possibility of the occurrence of rapid as well as gradual domestic change needs to be considered. In developing this argument one should start by pointing out new-institutionalism's weakness, in particular the absence of any guidance referring to *which* institutions matter and *how* they exert their influence. However, the core issue of this study is well in line with Knill's (2001, p.21) premise that what matters is *how much* they explain. Increasingly, what role do institutions play in the process of domestic change?

### **2.3.1 How-do Europeanisation and the new-institutionalist perspectives complement each other?**

The broad scope of research relating to the ‘top-down’ perspective of Europeanisation resulted in a conceptual and empirical richness. A range of studies considering various theoretical approaches and sets of variables in analysing the impact of Europe on domestic arenas exists. The majority of research relates to the institutionalist framework, which can be grouped around an actor-based or an institution-based approach. The former includes the rational choice perspective (RI), whereas the latter encompasses historical and sociological (SI) patterns.<sup>12</sup>

The actor-based institutionalist research suggests that European pressure, deriving from the incompatibility between European policy requirements and domestic policies, is required as a precondition for change. Hence, the differences in national responses depend upon the way in which institutional veto points existing within domestic structures are conquered. ‘*Given a*

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<sup>12</sup> It should be noted that both the institution based and the agency based classifications, as well as the three separate approaches will be used.

*need to adjust, a large number of veto points- as in a politically decentralised political system with elements of associational self-regulation-will make policy adjustment more difficult to introduce, and inversely, a low number of veto points will facilitate policy change' (Héritier, 2001b, p.5).* Actor-based institutionalist approaches point out that administrative actors are reluctant to implement European policies. It is argued that they would protect their interests. Thus, Europeanisation '*would predict the persistence of different administrative structures across member states and-depending on the strategic success of one actor group over another-a gain or loss of competences'* (Héritier, 2001b, p.8).

The RI perspective relates to the differential empowerment of actors, according to which domestic change is perceived as a process of the redistribution of resources. In this sense, Europeanisation is observed as a political opportunity structure, which benefits some actors (additional resources) but constrains others. It may be expected that domestic actors employ Europeanisation as an opportunity to advance their objectives (Cowles et al., 2001). The rational choice perspective relates to the impact of EU policy on member states in the scope of strategic actions undertaken by rational corporate actors acting in the existing institutional environment as well as having particular preferences. This variant of institutionalism is based on the logic of consequence, as individual action is driven by material benefits and actors are regarded as more independent of context than in the two other approaches. They may facilitate or limit the process of change as they associate the national political environment with the incentives to adapt to European requirements (Héritier, 2001b).

In this regard, it becomes clear that mediating factors like *multiple veto points* together with *facilitating institutions* and the *redistribution of resources* are deeply rooted in the rational institutionalist approach.

In comparison, the institution-based approaches provided by Héritier et al. (2001), Knill and Lenschow (2001) and Cowles et al. (2001) account for the logic of appropriateness of existing institutional rules as an explanatory factor for domestic alterations. Consequently, change may be expected if European requirements are in line with the ideas and beliefs in the national system. If, however, the disparity between these issues occurs, the adaptation is difficult to achieve. The transformation may still take place, whilst '*a mutual learning and diffusion of ideas occur among policymakers and, eventually, policy preferences are transformed*' (Héritier, 2001b, p.5). As a result of the issues mentioned above, two outcomes are possible. Firstly, when similarities between European and domestic arrangements and practices exist, convergence occurs. Secondly, dissimilarity of practices result in differences that are likely to prevail, namely existing structures verify the level of adjustments undertaken. At the same time, though, '*the influence of new administrative ideas and belief systems conveyed with the concept of European policies*' (Héritier, 2001b, p.8). As member states' administrators exchange new ideas about the experience gained in the implementation of European policies, this should '*enhance the process of convergence of administrative structures and processes*' (Héritier, 2001b, p.8).

Furthermore, in the case of RI, institutions provide an environment, in which individual decisions are made, but more attention is given to the individual than the context. Thus it denotes more strategic goal-oriented behaviour (Aspinwall and Schneider, 2000). Therefore, less attention is placed on institutional factors, than in the other two approaches and change is conceived from an individual actor's perspective, which constitutes a key explanation for alteration. Institutions do not play a pivotal role in this approach, individuals' views do. Institutions are treated rather as an intervening force between the interactions of actors and outcomes but they do matter as they distribute opportunities for strategic options and interactions (Knill, 2001). Building on Hall (1993) and Koelble (1995, p.236) '*Institutions*

*shape preferences and goals of actors in the decision-making process and, by distributing power among players, help shape the outcomes of this process*'. Increasingly, institutional dynamics and continuity can be explained in view of existing various interests and strategic interactions (Knight, 1992). Hence, all types of change as well as the prevalence of existing domestic patterns may occur and it is hard to foresee beforehand, which of these options will be undertaken in particular cases.

By contrast, the institution-based perspective refers to the incremental and path-dependent adaptation to changing institutional conditions, whilst discussing the issue of Europeanisation. According to the historical and sociological approaches, individuals' interests are influenced by the political and cultural environments in which they exist. The perception of reality is seen through these lenses. Actors are guided by their collectively shared understanding of what constitutes proper behaviour in a given rule structure. They are expected to fulfill social expectations rather than maximize their own demands (Koelble, 1995; March and Olsen, 1998; Powell and Di Maggio, 1991). Therefore, change should be perceived from this perspective and one may predict the patterns of actors' behaviour (March and Olsen, 1989; Olsen, 1996).

HI and SI give institutions a pivotal independent role and recognise institutions as conditions in which political struggles take place as well as being able to structure the game by providing a set of rules (Rosamond, 2000). Institutions influence '*individual action and collective outcomes by reproducing particular world-views or routines to which the actors become accustomed*' (Knill and Lenschow, 2001, p.122). They affect behaviour by indicating not only what one should do, but also by specifying '*what one can imagine oneself doing in a given context*' (Hall and Taylor, 1996a, p. 948).

Hence, domestic institutional arrangements take precedence over external pressure when explaining adaptation (Knill, 2001). In addition, the sociological institutionalist approach and to some extent the historical institutionalist approach, recognise that actors shape preferences internally. As time passes priorities may change and the institutional context may alter, which means that the processes of institutional adaptation to external pressure is well in line with endogenous institutional ‘roots and routes’. Institutions endure over time, and *‘it is only exceptional cases of fundamental performance crises or external shocks that the discrepancy between exogenous pressure and adaptive capacity becomes too big and old continuities are given up in order to create new continuities’* (Knill, 2001, p.22). In this sense, one may expect a low or high level of change. Both perspectives acknowledge the important meaning of institutions in developing political inputs and outcomes. However, the divergence between sociological and historical institutionalist approaches occurs in regards to the culturally entrenched features of the former and the structural features of the latter.

Thus, both mediating factors, encompassing organisational and political cultures, are ‘thick’ mediating instruments that shape actors’ preferences by using ‘the logic of appropriateness’. These factors together with the issue of policy learning relate to the sociological perspective of institutionalism, which takes into consideration two broad issues: the ‘culture<sup>13</sup>’ of institutions and the importance of persuasion and communicative action within the institutional setting. From this perspective, institutions encompass beliefs, knowledge, understanding, values and rooted ways of action. In this regard, institutional cultures play a vital role in shaping actors’ behaviour (Rosamond, 2000). This approach is contradictory to rational choice institutionalism that perceives actors as self-interested utility maximisers whose preferences are exogenous and institutions are seen as ‘thin’ contributing or

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<sup>13</sup> Rosamond (2003, p.117) defines culture- as ‘the emergence of common frames of references, norms governing behaviour, and ‘cognitive filters’.

intervening factors between actors' preferences and policy outcomes (Börzel and Risse, 2000; Paraskevopoulos, 2002; Risse et al., 2001).

Furthermore, the historical approach underpins an assumption that strategies and goals of individual actors are influenced by institutional arrangements over time. In this sense, the issue of history is highlighted when clarifying the institutional change (Hall and Taylor, 1996a). Europeanisation is understood as the process of the incorporation of the *acquis communautaire*'s demands in line with states' own distinct national traditions. Historical institutionalism is in line with the other two institutionalist approaches, but it pays much more attention to history and the way in which it affects present day policy-making processes (Hall and Taylor, 1996a). Additionally, a rather eclectic perspective on the independent structuring influence of institutions is undertaken, as rational choice and sociological patterns are encompassed. In regards to the first, historical institutionalism points to '*lockins*', '*where deviations from the initial path become increasingly costly or difficult as a result of the institutionally structured distribution of power between different actors*' (Knill, 2001, p.23). The latter hints at the role of institutions in shaping actors' ideas, by facilitating some political outcomes and worldviews more than others. In terms of empirical ambiguities, it is hard to tell if the observed behaviour was 'consequential' or 'appropriate'. Attention has been given to the uneven distribution of power by the institutions among social actors (Hall and Taylor, 1996b, p.7). While being aware of the fact that according to the historical perspective, institutions are in a position to constrain and refract politics, they never exclusively provide outcomes (Knill, 2001).

Finally, the issue of the 'goodness of fit' seems to fit the assumptions of historical institutionalism in particular. Thus, it derives from the assumption that existing institutional structures and routines hold back straightforward adaptation to exogenous pressure merely

because of the ‘misfit’ between European and national procedures (March and Olsen, 1989; Knill, 2001). A closer investigation into the strategies and tactics of engagement in the domestic Agri-environmental Policy’s development in terms of the actors involved and institutions is needed. Hence, Jones and Clark (2001) noted that it is necessary to trace back the interactions between the strategies of agricultural interests and environmental issues within the member states whilst capturing the process of the environmentalisation of the CAP. This assertion is in accord with Hall’s (1993, p.278), who states that a pivotal role in the process of policy development is ‘the deliberate attempt to adjust the goals or techniques of policy in response to past experience and new information’.

A brief discussion of the mediating factors and new-institutionalist perspectives has shown their entrenchment. Hence, the suitability of the use of all the new-institutionalist approaches for the current research has been presented. Nevertheless, further clarification regarding the necessity of employing all three approaches, which derives from the fact that they complement each other, is needed.

### **2.3.2 Strengths and weaknesses of New-institutionalist theories**

Whilst considering the explanatory power of both institution-based and agency-based approaches one has to bear in mind their analytically strong as well as weak points.

As was shown in the above discussion, all three new-institutionalist approaches provide a significant contribution to an understanding of the political arena, in particular political outcomes and change. However, each of them has its own strong and weak points. For this reason, this section will deal with some differences among the approaches in relation to their effects on the type of change that they prescribe. This section will also enable an explanandum for the accuracy of employing all three new-institutionalisms. As this study argues, they only provide a complete picture on political and institutional change when they are combined.

At this stage of analysis one becomes aware of the main difference among new-institutional approaches, which can be observed in their account of human behaviour based on the logic of action. Action can be driven by both the logic of consequence and former preferences or by the logic of appropriateness.

As previously highlighted, HI seems to be the broadest approach of the new-institutionalist perspectives. Therefore, this research focuses on historical institutionalism and its explanatory values. This perspective in particular, provides a sufficient foundation in explaining the process of institutional and political changes. Hence, historical institutionalism is chosen as a starting point for the following reasons:

Firstly, it focuses on the history and traditions and the way in which they affect change. The historical impact means, in this sense, that political processes develop gradually over time, and previous paths transform subsequent ones and provide changes in actors' behaviour

leading to path dependence (March and Olsen, 1989). Hall and Taylor (1996b, p.10) add that ‘*institutions are seen as relatively persistent features of the historical landscape and one of the central factors pushing for historical development along a set of paths*’. Thus, it gives ‘*more abstract and parsimonious foundations that enable to elaborate ex-ante hypotheses on institutional change*’ (Knill, 2001, p.25). This approach sheds light on the policy choices made whilst an institution is created, thus they will also have an ongoing and determining meaning over the development of policy (Hall, 1986). In this regard, institutions are used as ‘carriers of history’. Therefore, primary policy decisions serve as factors on which actors respond to current politico-economic opportunities. Building on Hall (1993, p.291), policy paradigms are best pursued within institutional settings if they are managed by a body of experts and administrators who have long-term experience in office. In this way the policy objectives are likely to be incorporated within the rigid existing procedures and routines. Consequently, HI constitutes an explanatory value for the ‘goodness of fit’ as previously highlighted.

Secondly, it is suitable for the analysis of sectoral development. HI was established in order to give a clarifying framework for similar policy problems that are dealt with in different ways by various states. This approach is helpful in analysing the implementation process of sectoral policies, particularly in terms of institutional arrangements and local values. Most of the studies conducted within the scope of this approach undertake cross-national comparisons of public policy, pointing out the role of national political institutions in creating relations among legislators, organising interest groups and the electorate and the judiciary (Hall and Taylor, 1996b, p.6). The main belief is that states have different configurations of institutions and organizations and policy outcomes should be perceived from this perspective. It is worthwhile noting that existing arrangements may be contributable but also constraining to

policy patterns. In addition, established institutions ‘take on a life of their own’ (Hall and Taylor, 1996b, p.6).

Nonetheless, one of the weaknesses of HI is that the notion of institutions is continuous and change is restricted to modest or fundamental reforms within the administrative arrangements. In this sense, the historical institutionalist approach seems to be too narrow and should be broadened by looking at the possibility of more than incremental adaptation from the ‘inside’ (Knill 2001; Knill and Lenschow, 2001). Viehöver (2000) explains how to overcome this institutional determinism. He argues that some policy analysts working within the institutional context highlight the institutional embeddedness of all actor coalitions. Accordingly, institutions form policy outcomes. Both individual and collective actors pursue rules, principles and beliefs. This combined with formal and informal structures and patterns create a specific logic of appropriateness. Therefore, Viehöver (2000, p.280) asks if institutions shape actors’ cognitions and actions, how then is institutional change possible? In order to overcome this institutional determinism, one should consider actor-specific interests, norms, and beliefs. Hence, the framework mentioned above may provide an explanation for policy outcomes only to a certain extent, namely as long as policy change is within the scope of institutional principles and procedures. If actors *‘defect from given legal and normative rules and power structures, the interaction orientations (which may be indifferent, hostile, competitive or co-operative), or the actor motives, interests and norms may count for institutional change’* (Viehöver, 2000, p.281). Rational institutionalism steps in to complete the picture, as it focuses on action led by the independent role of interests and actors’ preferences. RI does not deal with conservatism and operates in support of both stability and change.

However, a weak point of the RI approach is its unpredictability as the level of specificity of preferences and aims of the actors exogenously to the analysis, is difficult to judge ex-ante. Nevertheless, Hall and Taylor (1996b, p.18) argue that instrumental behaviour is a key element of politics. For this reason, rational choice institutionalism adds significantly since it pays attention to and provides the tools for the analysis of political issues that have been missed out by other concepts. Thus, political action entails uncertainty, which is one of the central and neglected characteristics of politics. The authors also underline the crucial role of flows of information in political outcomes and power relations. The focus is placed on strategic communication between actors in determining political outcomes.

HI and SI operate with a more deterministic role of institutions, whereas the issues of actors' behaviour and strategic interactions are omitted (Knill, 2001, p.25). However, rational institutionalists take into consideration the fact that even a highly instrumental actor may decide upon using a strategy from existing approaches embedded in the culture. Hence, it shows that the possibility of affecting actors' behaviour by institutional conditions also exists. Historical institutionalism employs the concept of a world replete with institutions in order to underline the diversified distribution of power among the actors whilst establishing new institutions. In this sense, HI links with RI.

### **2.3.3 Why combine the three New-institutionalisms?**

Having discussed the similarities and differences as well as the weaknesses and strengths of the new institutionalist approaches one may focus on the use of all three approaches, as it is only when they are combined that they provide a complete picture of political and institutional changes and transformation.

As it was shown above, all three patterns provide various views, concepts and ideas concerning the way in which change occurs. It is not obvious that any one approach is superior to the others in capturing the complexities of change. '*There are several stories to be told and a necessary humility associated with the telling of any one of them*' (March and Olsen, 1998, p.21).

Differences in theoretical and ontological positions among sociological, historical and rational approaches exist. The dissimilarity among the three frameworks concerns core assumptions, such as: how does one explain human actions? To what extent do institutions affect decision-making? What is the role of the actor and institutional environment including culture and social norms in decision-making?

They have different premises and insight hypotheses, but they are all clear about the assertion that institutions matter to political outcomes (March and Olsen, 1984). The convergence among the three institutionalist perspectives exists also with reference to the premise that institutions affect individual action. It is argued by Aspinwall and Schneider (2000) that there are common issues for all three institutional perspectives, which is why one should treat them 'not as discrete conceptual categories but as points along a continuum, or as independent nodes with areas of commonality' (Aspinwall and Schneider, 2000, p.3). All approaches provide different analytical levels of abstraction on institutional change.

Although the majority of the research to date has been conducted within the scope of one of the three possible patterns of new-institutionalism, this study seeks to join all possibilities. Thus, this research is in line with Aspinwall and Schneider (2000), Hall and Taylor (1996b), Knill (2001) in arguing that each theoretical lens has its pros and cons. Therefore, it is more beneficial to take aspects of each approach. In this way, they will be used to supplement each other. '*Our main point is that, after some years in which these schools of thought have*

*incubated in relative isolation from each other, the time has come for a more open and extensive interchange among them. There is ample evidence that we can learn from all of these schools of thought and that each has something to learn from the others'* (Hall and Taylor, 1996b, p.24).

While various aspects of human behaviour and the way in which institutions can affect it exist in each approach, none of the assumptions is wrong or considerably untrue. That is to say, each pattern offers '*a partial account of the forces at work in a given situation or capturing different dimensions of the human action and institutional impact present there*' (Hall and Taylor, 1996b, p.22).

Furthermore, as it has been shown in the discussion above common analytical instances can be found amongst the new institutionalist patterns. As Hall and Taylor (1996b, p.23) state, the 'calculus' and 'cultural' approaches to the relationship between institutions and action observe that institutions influence behaviour by forming expectations about others' actions, 'even if they model the source of those expectations slightly differently'. They are formed by 'what should be instrumentally viable to the other actor' in the former and by 'what should be socially appropriate' in the latter. Accordingly, it would be possible for both approaches to admit that '*a good deal of behaviour is goal oriented or strategic but that the range of options canvassed by a strategic actor is likely to be circumscribed by a culturally-specific sense of appropriate action*' (Hall and Taylor, 1996b, p.23).

Summing up, this section has argued that the level of fit between EU requirements and domestic arrangements is not satisfactory, as the factors constituting political characteristics and their dynamics affect the domestic adaptation process significantly. The notion of new institutionalism has offered a great contribution towards the understanding of the possible scenarios of actors' interactions and their implications for change. This will guide this study

through the potential outcomes of the case studies and points out the way in which they should be interpreted. For example, the occurrence of a high level of ‘misfit’ is not a sufficient explanatory factor, as the persistence of a high number of veto points may prevent the adaptation, whereas the existence of corporatist organisational cultures may strengthen the process. Hence, the existence or the lack of particular facilitating or constraining mediating factors is a key explanatory belief, which can be used to predict the possibility of change. Having analysed the case studies, it will be possible to answer which and to what extent the above mentioned features employed the power deriving from the AES legislation and affected the decision-making process at the domestic level.

Furthermore, it can be predicted that in the German case path dependency should occur. Since the Land Brandenburg has been embedded in the EU structures for a much longer period of time than in the case of Poland, the longitudinal application of the AES ought to result in well developed executive structures. Thus, a moderate level of change is to be expected in relation to the former, whereas the recent unification experience should result in a greater level of alteration in the latter. Only by an empirical examination of the case studies, is this research able to explicate the extent to which both policy-making styles and policy learning have influenced the level of change.

## **2.4 Domestic change**

Having explained the underlying principles behind the mediating factors and their link with NI theories, one needs to relate these findings back to the notion of the domestic impact of Europeanisation perceived here as '*domestic adaptation with national colours*' (section 2.2.1). Indeed, this chapter has shown that a great diversity in possible outcomes is to be expected in the empirical findings. It becomes clear that the various constellations of domestic mediating factors decide upon the level of change. The previous analytical and theoretical reflections

have led one to expect various levels of adjustment. In this section the issues of misfit, mediating actors and their entrenchment in the new-institutionalisms will allow one to identify the level of changes that may occur as well as to answer the question: what are the results of Europeanisation?

Scholars like Börzel and Risse (2000, p.10), Héritier (2001a), Héritier, Knill and Mingers (1996) tackled the issue of change, that is, to what extent domestic transformation has been brought by Europeanisation. In this sense, four levels of domestic change that may occur as a result of the Europeanisation process have been distinguished, namely:

Absorption– European policies and ideas are integrated into the national polity. The process of change is seen as adaptation and institutions are readjusted. Even though existing policies and institutions are not fundamentally altered, member states are able to incorporate new opportunities deriving from the EU without changing existing administrative structures and procedures. New policies do not oppose subsisting arrangements, especially '*if they are formulated in an ambiguous way, only loosely linking problems to solutions, the implementing organizations have more room to specify the instrumental aspects of the tasks to be achieved and can do so in a mode that does not comprise existing procedures and structures*' (Héritier, 2001a, p.54). A low degree of domestic change occurs.

Accommodation- Europeanisation pressure triggers the adaptation of existing processes, policies and institutions by requiring new instruments and principles. However, the essential features and underlying collective understanding is not changed. This may occur as a result of 'patching up' new policies and institutions by adding new elements into existing ones without changing the latter resulting in a modest/incremental degree of domestic change.

Transformation/innovation-this encompasses the replacement of present policies, processes and institutions by new, completely different ones. Therefore, the existing ones are changed in

a way whereby their essential features and the underlying collective understandings are substantially modified. Thus, a high degree of domestic change takes place.

Inertia– no change occurs. This happens, in particular, when member states find that EU political architectures, choices and models are too dissimilar to those found at the domestic level. In the long-term this should create a crisis which will evoke change.

In comparison, Knill (2001, 2006) and Risse et al. (2001) employ the following terms of domestic change in the sectoral administrative styles and structures across member states:

- convergence, which identifies the extent to which similar characteristics of national styles and structures occur in response to European policies;
- divergence, meaning that administrative differences among member states are greater;
- persistence, which highlights that domestic arrangements are unaffected (Knill, 2001, p.49).

The results of this study will show which type of change, defined above, have occurred in Germany and Poland with reference to the Agri-environmental Policy's implementation. It will also be possible to ascertain whether a convergence or divergence exists between the two countries under examination. The scrutiny of the level of domestic change will emphasise whether any common trends for Germany and Poland exist. Hence, the answer to the remaining supplementary hypothesis should be provided:

*H3 General adaptation patterns cannot be established as the implementation depends on the uniqueness of national political dynamics and results in various levels of changes.*

## 2.5 Conclusions

It has been shown in this chapter that the development and the implementation of the Agri-environmental Policy is tightly linked with European integration and Europeanisation processes. Attempts to establish a research agenda to link the EU Agri-environmental Policy with national politics has been made. The three phased approach explaining the mechanism of Europeanisation has been provided to improve upon our understanding of the dynamics of adaptation and change led by the EU within domestic arenas. Furthermore, a definition of Europeanisation has been provided as well as the identification of the domestic factors affecting the patterns of domestic change. The issues of misfit, mediating actors along with their significance, readings and interpretations of their role provided by new-institutionalism allowed for the identification of the possible stages of alteration. The new-institutionalist theories offered an explanation for the behaviour of actors along with the role of institutions and for this reason it is possible to ascertain what type of change and behaviour can be expected. Hence, NI completed the empirical ‘puzzle’ and provided the author with clarifications of the results obtained from the case studies.

Consequently, actor-based institutionalist approaches account for both stability and change. For this reason, one may expect fundamental or gradual change along with the prevalence of existing domestic patterns to occur. In contrast, institution-based frameworks stress that institutions endure over time and are hard to alter. Therefore only incremental change is expected to take place. Only occasionally does fundamental change occur which is due to basic performance crises or external shocks.

In this regard, it is possible to make some presumptions for the empirical case studies.

As Knill and Lenschow (2000a) argue external shocks might provide fundamental changes in governing institutions. The political and economic transformation that took place recently in Eastern Europe can be used as an example. Although some scholars have paid attention to the ‘Europeanisation’ of post-Communist countries and all three institutionalist approaches have

been adapted (Schimmelfening and Sedelmeier, 2005; Goetz, 2001; Caddy, 2000), it is acknowledged that further work is needed in order to map out the various responses to EU requirements. In this respect it is expected that in Germany only modest change has occurred with reference to the Agri-environmental Policy's implementation, whilst in Poland fundamental changes have occurred.

Furthermore, an examination of domestic political and institutional characteristics will show if the individuals' interests are influenced by existing opposing political and cultural environments as well as a high number of veto points and a lack of supporting institutions and resources redistribution that results in a reluctance to change. In this sense, only incremental or no alteration can be expected, namely inertia or accommodation. Conversely, the identification of a large number of facilitating factors like social learning, corporatist decision-making style and supporting institutions makes undertaking a high level of change possible. In this instance transformation or absorption can be expected.

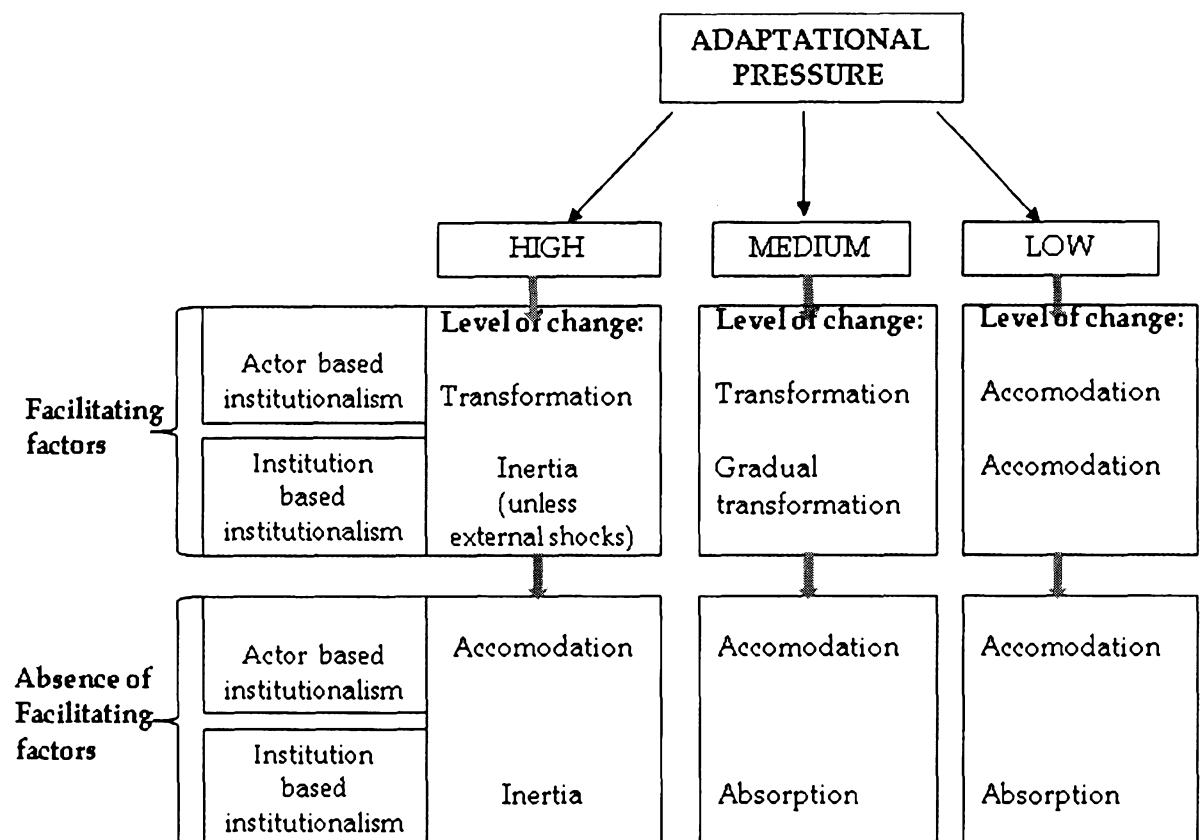
Finally, relations between the level of pressure and the level of change are presented in figure 3. According to actor-based institutionalism, higher adaptation pressure facilitates change by altering the balance of domestic power, which may contribute to domestic actors undertaking change by overriding veto points. The moderate level of adaptation pressure may also result in transformation if the facilitating institutions prevail. However, if the veto points exist then only accommodation or absorption can be expected. Non-compliance occurs in the scope of low adaptation pressure accompanied by the lack of facilitating factors.

Institution-based approaches point to inertia in the case of high adaptation pressure as the existing institutional environment would prevent change. Only in the case of external shocks may profound changes be expected. In this regard, moderate pressure can result in transformation preceded by a long-term learning process (Börzel and Risse, 2000).

In the light of these considerations, the empirical analyses of the case studies will allow me to answer the core research question:

**How do national policy-making approaches and factors influence adoption strategies for establishing and implementing the Agri-environmental Scheme's policy in the Land Brandenburg and Poland and which approaches are the most significant?**

Figure 3 The various levels of change.



Source: adapted from Börzel, T.A. and Risse, T. (2000) When Europe Hits Home: Europeanization and Domestic Change. *European Integration online Papers (EioP)* [online], 4 (15). Available from. <http://eiope.or.at/eiope/texte/2000-015a.htm> [Accessed 03 May 2005].

## 2.6 Hypothesis and research questions

The research hypotheses are as follows:

The core hypothesis:

*The Europeanisation of the Agri-environmental Policy alters national political structures and styles, but interactive domestic factors affect adaptation patterns. Consequently, one needs to focus upon the existence of formal and informal strategies and policy-making patterns triggered by the dynamics of diversity in order to assess the causes and the level of changes undertaken in the Land Brandenburg and Poland.*

The supplementary hypotheses:

*H1 The incompatibility between EU requirements and domestic arrangements is an insufficient explanatory value to offer a comprehensive understanding of change, as the mediating factors encompassed in the domestic political arenas are in a position to facilitate or constrain the process.*

*H2 Differences in national political and institutional arrangements matter during the adaptation of EU Agri-environmental Schemes and help to explain the responses of member states' governments.*

*H3 General adaptation patterns cannot be established as the implementation depends on the uniqueness of national political dynamics and results in various*

The following research questions arise:

**The core research question:**

*How do national approaches and factors influence adoption strategies for establishing and implementing the Agri-environmental Scheme's policy in the Land Brandenburg and Poland and which approaches are the most significant?*

**The supplementary research questions are as follows:**

- (i) *How do EU Regulations 1257/1999 (Art. 22-24), and 1698/2005 (Art. 39), in which the Agri-environmental Schemes are stipulated, affect domestic institutional and political decision-making in the Land Brandenburg and Poland?*
- (ii) *To what extent have existing national policies diverged from European Agri-environmental Policy demands, and to what degree are the two cases able to congregate the institutional reform capacity to undertake the required changes to comply with the exigencies?*
- (iii) *What are the most significant factors and interactions between them which affect the process?*
- (iv) *Can general AES' adaptation patterns be established or has implementation depended on the uniqueness of national opportunity structures?*
- (v) *Do similarities between Land Brandenburg and Polish adaptation approaches exist?*

### **3 The development of the Agri-environmental Policy at the European Union level**

#### **3.1 Introductory remarks**

The preceding chapters presented the rationale behind this thesis by outlining the gaps in the current research and explaining the empirical need for an examination of the Agri-environmental Schemes development in Germany (the Land Brandenburg) and Poland. Each member state has set up a variety of agri-environmental policy instruments that correspond with their particular needs. In this regard, the integration of agri-environmental aims should be considered at both the European (Community policy) and the individual (member state) level. Prior to an in-depth analysis of the case studies this section broadens one's knowledge about the CAP, focusing on the justification for the Common Agricultural Policy's reforms and their implications for environmental objectives. Finally, a detailed description of the Agri-Environmental Scheme's requirements is provided. Consequently, this part will emphasise the challenges and opportunities that these countries had to face whilst designing this policy instrument. Thus, it has been noted by Bugdahn (2005, p.184) that '*the design and scope of an EU policy determines the degree to which the EU can limit member states in their policy choices*'.

The protection and maintenance of natural resources has become a priority in the present European policy including the CAP. It was highlighted in the Maastricht Treaty that the further development of civilisation necessitates compliance with environmental aims. Hence, the degradation of natural resources inflicts social and economic losses. As a result, the environment and the quality of it is also a subject of interest within the agricultural scientific community. Not only is the quality of the rural environment an important matter but also the effects of human activity on its resources. The negative influence of agricultural activity

deriving from the fast pace of modernisation and overproduction has become an issue of interest to all politicians, academic scholars and societies (Brouwer and Lowe, 2000).

Accordingly, numerous discussions resulted in an increase in ecological awareness, which then raised the importance of the incorporation of environmental incentives into the Common Agricultural Policy. Billaud, Bruckmeier and Florence (1997) stressed that the Agri-environmental Policy is needed and currently environmental objectives are recognised as a part of the political structure of the CAP. It is shown in this chapter that the incorporation of the environmental component was forced by the completion of the production objectives of agriculture that resulted in a budgetary crisis, food surpluses and damage to the environment. Therefore, the gradual redirection from a production to a sustainable approach to agriculture, taking into account economic, social and environmental issues, is discussed. Consequently, the Common Agricultural Policy was transformed from a sectored policy, supporting only agricultural production and intensification, into the agricultural and rural policy for Europe. In this regard, the origins and the development of the Agri-environmental Policy at the EU level are presented next.

This chapter breaks down the issue of the CAP reforms into four groups. The first section (3.2) illustrates the origins of the environmental policy within the Common Agricultural Policy from its initiation until the late 1980s. The second part (3.3) analyses the MacSharry reform, which is perceived as the first feasible sign of the unification of environmental incentives within the CAP. This is followed in section 3.4 with an overview of the Agenda 2000 reform. Its further development is then highlighted in section 3.5. Finally, a detailed description of the AES (section 3.6) is provided.

### **3.2 The origins of environmental policy within the CAP**

This section provides an overview of the mechanism for the integration of environmental incentives within the CAP. Hence, a number of interrelated causes for the reforms will be presented.

It should be borne in mind that environmental incentives within the CAP have only recently become an important issue. As Brouwer and Godeschalk (2004) stress, the maintenance of natural resources was not originally addressed in the CAP. In the Treaty of Rome in 1957 the goals of the Common Agricultural Policy were specified in Article 39 but the protection of the environment was missing. The CAP aimed: to increase agricultural productivity by promoting technical progress and by ensuring the rational development of agricultural production and the optimal utilisation of the factors of production, including labour; to ensure a fair standard of living for the agricultural community, in particular by increasing the individual earnings of persons engaged in agriculture; to stabilise markets; to ensure stability of supplies and to ensure that supplies reach consumers at reasonable prices (Brouwer and Godeschalk, 2004, p.27).

Unsurprisingly, environmental policy was not an issue in the postwar period. In its initial stages, agricultural practise was called a ‘green revolution’ but it had nothing to do with environmental preservation. On the contrary, willingness to assure sufficient food supplies and a rapid increase in production soon resulted in polluting the environment and damaging natural resources. Intensive agriculture and its high use of fertilisers and pesticides were encouraged by a high level of price support. Due to this, the consumption of fertilisers rose more than four times in the period from the 1950s to the 1980s<sup>14</sup> (EC, 1999d). Therefore, the productivity level grew significantly owing to a high level of financial input from the

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<sup>14</sup> from 5 million to 20 million tons.

Common Agricultural Policy. The market intervention and protectionism instruments were conducive to the intensification process, which resulted in overproduction as well as in affecting the ecological balance. The pressure of agriculture on the environment also increased with the advance of modernisation. In this regard, one should mention Carson's (1962, p. 168) early contribution towards increasing public consciousness about the ravaged environment: '*Only yesterday mankind lived in fear of the scourges of smallpox, cholera, and plague that once swept nations before them...Today we are concerned with a different kind of hazard that lurks in our environment-a hazard we ourselves have introduced into our world as our modern way of life has evolved*'. Even so, until the mid-1980s the aims of the agricultural policy and the priorities of the environmental policy were in opposition to each other. In other words, agricultural gains were mostly environmental losses. Agricultural activity is based on the use of natural resources but the overuse of their ecological potential causes pressure on the environment (EC, 1999d). Grant (1997) further supports these arguments by stressing that one of the potential causes of the reforms was the growing link between agricultural and environmental policies that resulted from the negative effects of agriculture on the environment. The notion of '*the environment implies an ecological system in which, if a natural equilibrium is no longer possible, political intervention may be necessary to offset the undesirable consequences of modern agricultural practices*' (Grant, 1997, p.200).

However, European society was reluctant to acknowledge that agricultural activity can be polluting. Urban and industrial activities were mostly blamed for the environmental damage. This could be clarified because diffuse sources of pollution are difficult to address. Industrial pollution is easier to identify in comparison with non-point sources of pollution (like nitrate leaching from farming practises). Control measures to alleviate the pollution of biotic resources were imposed upon other industries but agricultural holdings were omitted. It took a

long time to increase social awareness of the damaging effects of intensified agriculture.

*'According to the policy mind set which gave rise to this state of affairs, agricultural output and productivity are ultimate benchmarks of success, the primary purpose of rural policy being to raise the living standards of farmers through modernization. Re-balancing policy and reforming institutions in order to give greater priority to environmental protection and less agri-centric forms of rural development, has been a slow process'* (Potter, 2002, p.67).

Due to this state of affairs it was only a matter of time before environmentalists became interested in agricultural policy. The negative effects of agricultural activity on the rural environment have caught the attention of both politicians and society (Brouwer and Lowe, 2000).

Additionally, the member states and the European Union in general have become more interested in the loss of natural resources. Therefore, the issue was placed on the supranational agenda. Non-governmental Organisations in the field of nature protection, especially the World Wildlife Fund and Greenpeace, gained the public's support. Indeed, the proposals for the CAP reforms were elaborated and discussed within groups such as the WWF (Potter, 1983) and the Council of National Parks (Potter, 1998). Indeed, Baldock and Beaufoy (1993), acknowledged the issue of public pressure to strive for reforms. In this regard, the environmental groups in conjunction with government support emphasised the issue of the 'industrial model of agriculture' and the environmental results of agricultural activity. Increasingly, Baldock with Lowe (1996), and Beaufoy, Baldock and Clark (1994) underline that the origins of environmental concerns within agricultural policy derived from the pressure exerted by environmental lobbyists, mainly in northern Europe, who strongly criticised intensive agriculture for its destructive impact on natural resources. The CAP has also been strongly criticized for its inefficiency that emerged from food surpluses, high production and storage costs.

Nevertheless, in 1983 the damaging influence of agriculture on the environment was highlighted officially. The EC's Third Action Programme for the Environment aimed to: '*promote the creation of an overall strategy, making environmental policy a part of economic and social development, [resulting] in a greater awareness of the environmental dimension, notably in the field of agriculture [and] enhance the positive and reduce the negative effects on the environment of agriculture...*' (Official Journal of the European Communities, C.46.17 February 1983) (Brouwer, 1999, p.59).

The issue of pollution and its prevention has been tackled by the Community which included the launch of command-control type of measures. In order to achieve a common level of environmental quality a number of directives and regulations were established. The Drinking Water Directive (ECC/80/778)<sup>15</sup> is acknowledged as the first Community law 'in this vein' (Potter, 2002, p.72). In this regard, the Nitrate (EEC/91/676), the Habitats (92/43/EEC)<sup>16</sup> and the Wild Birds (79/409/EEC)<sup>17</sup> directives should be underlined.<sup>18</sup> It is also worth highlighting that the Integrated Pollution Prevention Directive (EC 96/61) taking into account livestock production was initiated (Latacz-Lohmann and Hodge, 2003). These Directives, particularly those on Drinking Water and Nitrates, were vital and were influential in the move towards the unification of environmental incentives within the CAP. However, the Commission's report to the Council and the European Parliament concerning the implementation of the directives disclosed the lack of adjustment as well as the various ways in which the directives were being implemented (EC, 1998b). It should be kept in mind though that the command-control

<sup>15</sup> OJ L229, 30.8.1980, the Water Framework Directive (2000/60/EC) (OJ L 327, 22.12.2000, Directive as amended by Decision No 2455/2001/EC OJ L 331, 15.12.2001) based on the Drinking Water and Nitrates Directives, has been established recently.

<sup>16</sup> On the conservation of natural habitats and wild fauna and flora OJ L206, 22.7.1992 Directive as last amended by Directive 97/62/EC OJ L305, 8.11.1997.

<sup>17</sup> OJ L 103, 25.4.1979, Directive as last amended by Regulation (EC) 807/2003 OJ L122, 16.5.2003.

<sup>18</sup> Although it is mandatory to register pesticide products within the EU, pesticide prevention was not specified and was dealt with under different control activities.

approach was considered to be insufficient. Thus, a politically conscious and socially perceived the Agri-environmental Policy had yet to be achieved (Potter, 1998).

Moreover, the issues of overproduction, insufficient market support and the environmental damage mentioned above were accompanied by the downturn of market prices in the world that had an effect on the agricultural budget. Baldock and Lowe (1996, p.9) pinpoint the recession of the late 1970s and early 1980s as a factor that strengthened the conflict between agriculture and the environment. Consequently, the development of the Common Agricultural Policy has been influenced by two alternative ideas. On the one hand, there was the issue of ‘market liberalisation’ which aimed to decrease commodity prices, to remove export support and to open up the European agricultural market to world trade. On the other hand, the issue of ‘protectionism’ which involved the retention of market intervention tools was maintained (Potter, 2002).

Having presented the potential reasons for the reforms, the objective here is to demonstrate how scholars have pursued this matter. One of the most commonly held opinions among scholars regarding the CAP reforms is the budgetary issue. According to Scheele (1996) and Whitby (1996) the core goal of the Common Agricultural Policy reform was ‘the shift’ from price support to direct payments, to ensure a market control of excessive production. The environmental matter, as an issue of interest for both the environmental and agricultural policies, was acknowledged as an indirect cause of reforms. Due to the bureaucratic character of the agricultural sector and the farming interest embedded in it, the policy machine is restrained. Thus, a budgetary crisis is the most effective stimulation for undertaking agricultural policy reforms (Moyer and Josling, 1990). Hence, Baldock and Lowe (1996) as well as Lowe, Buller and Ward (2002) stress that the continual pressure on the budget, caused by overproduction, has driven the reforms within the agricultural policy which has

encompassed the development of the Agri-environmental Policy. It is, however, the enhancement of environmentally friendly farming practises that has alleviated the problems of surpluses and the costs of storage and redistribution. Not only does Smith (1990) highlight the budgetary issue as a core force for reforms but he also points to the budgetary crisis as a problem, which cannot be omitted by policy-makers as they have to respond to it. Even so, Potter (1998) admits that it would have been much harder for agri-environmentalists to enforce the reforms on the agricultural policy community if the budgetary crises had not occurred in the 1980s. Commentators such as Josling and Tangermann (1995) and Roederer-Rynning (2002) do not even mention environmental problems in their work concerning the reforms of the CAP which emphasises the market- orientated character of the undertaken changes. Furthermore, not only did the reforms have to be made within the structure of farm support but they also had to be publically justified. Additionally, Lowe and Brouwer (2000) argue that without the CAP greater environmental losses could have occurred.

Studies by Swinbank (1999), Walford (2002) and Winter (1996) also emphasise the budgetary crises and international trade conflicts as causes for the implementation of environmental incentives within the CAP. The main reason was to fulfil the World Trade Organisation's<sup>19</sup> (WTO) requirements and to prevent trade distortion on the world market. In this regard, the CAP reforms should be perceived from a broader perspective. The issue of the liberalisation of agricultural trade was highlighted as a subsequent cause which occurred as a result of increasing international pressure (Kay, 1998; Buller, Wilson and Höll, 2000).

As authors underline different causes for the initiation of the reforms, Weale (1992) stresses that changes in the policy began when the problem was acknowledged and an intellectual consensus about the causes of it was reached. Lobbyists, academics and government officials

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<sup>19</sup>The General Agreement on Tariffs and Trade (GATT) is incorporated within the World Trade Organisation since the Uruguay Round.

met this condition in the late 1970s: '*the problem is not one of ill will and ignorance but of a system which systematically establishes financial inducements to erode the countryside, offers no rewards to offset market failures and increases the penalties on farmers who may want to farm in a way which enhances and enriches the rural environment*' (Cheshire, 1985, p.15).

Not until 1985 did the European Commission outline in its Green Paper the need for the integration of agricultural and environmental goals. Therefore, environmental policies were to develop an approach that would encompass agricultural production. Scheele (1996) emphasises, it was a '*line between giving financial incentives for the provision of environmental goods and services by agriculture and the necessity to diversify agricultural income sources and to combine extensification of agricultural production with the need to control agricultural production*' (Scheele, 1996, p.4).

As a result, the effort to prevent food surpluses and a budgetary crisis was made subsequent to the acknowledgement of the negative effects of agricultural activity, since the artificial curb on production by introducing quota regimes<sup>20</sup> was not sufficient. The initial feasible changes of the CAP to encompass environmental issues, were imposed in 1985. The first regulation providing payments to farmers to contribute towards the protection of the environment known as a 'paid stewardship' (ECC 797/85) was introduced. '*As the preamble to the regulation points out, farmers in certain environmentally sensitive areas are in a position to perform a valuable service to society as a whole (and so) the introduction of specific measures may encourage them to introduce or retain agricultural production practices that are compatible with the increased need to protect or preserve the countryside*' (Potter, 2002, p.72). Furthermore, to facilitate farming in Less-Favoured Areas<sup>21</sup> it is crucial to compensate

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<sup>20</sup> A milk quota was introduced in 1984.

<sup>21</sup> Less-Favoured Areas may include small areas affected by specific handicaps and in which farming must be continued, if necessary subject to certain conditions, in order to ensure the conservation of the environment, to

farmers for permanent natural handicaps. In one sense, however, fixing the amount of payments was left within the member states' competence (CEC, 1985, p.2). Buller, Wilson and Höll (2000, p.207) state that '*Article 19 of Regulation 797/85 represented, in many respects, an important departure in EU agricultural policy*'. Owing to this legislation a new approach to agriculture has emerged, in which conservation and productivity functions were combined. In 1986 the first annual payments for carrying out extensive activities and observing environmental requirements, within the designated Environmentally Sensitive Areas (ESA), were implemented. However, environmental incentives were funded solely from each member state's budget. Thus, some progress was made, as environmental payments were paid not only from the member states' financial assets, but also from the Guidance Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) which contributed up to 25% of the costs. Each country has set up ESA using geographical, wildlife or historical categories (Latacz-Lohmann and Hodge, 2003). In Britain ESA were established by taking into account conservation objectives, whereas a geographical approach, taking into consideration the reduction of the use of pesticides and fertilisers, was undertaken in Germany (Nix et al., 1999).

Additionally, during the first revision of the Treaty of Rome in the Single European Act (in 1986), the issue of integrating environmental objectives within all policy arenas, including the CAP, was outlined. The environmental effects of agriculture have finally been put on the agenda of both the environmental and agricultural policies. Hence, the Fourth Environmental Action Programme emphasised the need to protect water from being contaminated with manure and overdosed fertilisers (Potter, 2002).

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maintain the countryside and to preserve the tourist potential of the area or in order to protect the coastline (CEC, 1985).

In 1987 the Council accepted '*a series of voluntary measures, including voluntary set-aside<sup>22</sup>, extensification and diversification schemes, designed to facilitate the adjustment of supply to demand whilst compensating farmers for the loss of income, and raising the profile of environmental protection'* (Fearne, 1997, p.50).

According to Buller (1992) set-aside and extensification measures are primarily linked with the reduction of production but they also 'serve environmental ends'. '*Where environmental measures have been adopted, this has been for three main reasons: first, to reduce surpluses; second, to diversify farm incomes; and third, to remove unfair competitive advantages to nations with less stringent environmental controls (of particular importance following the reunification of Germany)*' (Buller, 1992, p.80).

Summing up, this part explored the background of the CAP reforms. The system of price support gave grounds to the rapid modernisation and intensification of agricultural activities that soon resulted in a budgetary crisis, overproduction and trade disagreements as well as placing pressure on the environment. Subsequently, negative outcomes of the Common Agricultural Policy have occurred in the form of food surpluses, high storage costs and the damage of natural resources. For this reason, the first attempts to prevent such harmful effects in the frame of quota regimes, set-aside, extensification, diversification and environmental directives were undertaken. Nonetheless fundamental changes, shifting the direction of the CAP from price support to direct payments decoupled from production, were yet to be introduced.

The point of the above discussion was to make one aware of the recognised causes of the reforms rather than to assess the superiority of one cause over another. The claim here is that the combination of the factors presented above led to the transformation of the Common

<sup>22</sup> Set-aside for cereals aim at taking land out of farming practices that serves conservation, farmers are paid for leaving at least 20% of their arable land fallow for five years (Buller, 1992, p.81).

Agricultural Policy. As a result, primary changes towards the incorporation of the environmental component into the CAP were made. Having outlined the reasons for change, this study will now concentrate on the academic debates surrounding each phase of the reforms and its outcomes. It will conclude with an explanation of the AES' principles.

### **3.3 The development of a practical agri-environmental approach within the CAP**

#### **3.3.1 The MacSharry Reform**

Having presented the grounds for the alteration of the CAP, attention will shift towards the specific reforms and measures. The implementation of the environmental framework within agricultural and rural policies will be placed under consideration.

Only at the beginning of the 1990s was the matter of seeking harmony between agriculture and the environment explicitly noted (Billaud, Bruckmeier and Florence, 1997). The MacSharry<sup>23</sup> reforms were carried out in response to the above mentioned circumstances. Hence, noteworthy actions to direct the Common Agricultural Policy onto the environmental path were undertaken. Except for the core causes mentioned broadly earlier on, the need for establishing mindful changes to the CAP arose from the increasing pressure of world trade. Primarily, the United States pushed for the reduction of subsidies for agricultural production and export costs in the EU (Potter, 1998). It should be highlighted that international agricultural policy reforms, with the protection of the WTO, were envisaged to provide for a more coherent and common approach to the Agri-environmental Policy's design. Therefore, common principles were enacted for the first time within the Uruguay Round's Agriculture Agreement<sup>24</sup> of 1994. The scope of the Agri-environmental Policy was broadened and placed into the debate on agriculture and trade liberalisation. 'Green box' policies were launched that embraced non-trade distorting policy instruments (Ritson and Harvey, 1997). Additionally, Grant (1997) as well as Curry and Winter (2000) notice that the General Agreement on Tariffs and Trade negotiations enforced the environmental direction of the CAP reforms as the

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<sup>23</sup> Irish Commissioner for Agriculture (1989-1992) Ray Mac Sharry '*is associated with the most significant changes in the CAP to date*'. He also helped to arrange the main assumptions of the GATT Agreement on Agriculture between the EU and the USA (Swinbank, 1997, p.96,97).

<sup>24</sup> The Uruguay Round formally began in September 1986, but the Final Act was signed on 15 April 1994 with the participation of 111 countries.

Commission had to respond to the threat of the breakdown of economic relations with the United States (US). The accord resulted in strengthening the ‘decoupling’ of farm support that had taken place in the US since the beginning of the 1990s as well as setting up a model which the EU would have to follow. Redclift, Lekakis and Zanias (1999, p.3) confirm: *‘the CAP reforms have been instruments for accommodating international political pressures for a more liberal agricultural trade regime. This would entice the US, the EU’s major international competitor, into a more ‘fair’ trading position. At the same time, budgetary, distributional and environmental costs are among the other most significant factors which led to these reforms’*.

Moreover, in 1992 during the Rio Summit on the environment, the first declarations and conventions with reference to a sustainable approach to agriculture and forestry were introduced. The idea of sustainable development was established due to other conventions, such as climate change, biological diversity. The term ‘sustainable agriculture’ is perceived as the state in which environmental and agricultural objectives are integrated and balanced. In this way natural resources are managed in order to assure their availability in the future. Therefore, the use of land and natural resources ought to be beneficial to agricultural production and the demand of societies concerning environmental protection and cultural heritage (Buttel, 1994). In order to bring the European model of agriculture up to the standards outlined above, the issue of multi-functionality was elaborated upon. It was highlighted that agriculture should not only provide food but also other services, namely environmental incentives and social support. Therefore, an increase in economic liberalisation should coincide with the development of rural and agricultural policies (Lowe, Buller and Ward, 2002). For this reason, changes in the Common Agricultural Policy were set out in the MacSharry reform to achieve the social and environmental integrity of the rural space (Potter, 2004).

The Community had reacted to the sustainability issue<sup>25</sup> by ensuring that environmental issues were incorporated into all policy arenas in the Maastricht Treaty. Regarding the CAP the package of alterations was introduced in May 1992. The MacSharry reform was the first feasible indication of the changes undertaken. It is common knowledge that the reform has been described as '*a turning point*' towards '*an economically sounder and environmentally friendlier policy*' (CEC, 1997, p.8). Although the main objective of the reform was the liberalisation of agricultural trade, environmental issues were highlighted for the first time. The aim, apart from reductions within the market regimes, was to unify both environmental and social policies in a beneficial way. The need to protect natural resources was noted. The sustainable development approach resulted in the alignment of rural and environmental policies. Thus, the range of agri-environmental incentives was visibly extended at that time. In regards to agricultural surpluses, environmental incentives within the CAP were perceived as a valuable instrument conducive to their reduction. This point was proved in the reduction of price support as well as in establishing an alternative source of farmers' incomes, by providing accompanying measures to assure their economic effectiveness (Buttel, 1994).

The primary objectives of the 1992 CAP reform were (Winter and Gaskell, 1998, p.218):

- a substantial reduction in commodity support prices, to bring them nearer to world market prices and to make agricultural products more competitive on the Community and world markets,
- the establishment of direct payments to compensate for the effect of lower prices on farmers' incomes,
- the introduction of measures to place limits on the production levels and entitlements to payments (arable set-aside, quotas in the sheep and beef sectors, eligibility rules and limitations), and
- a number of accompanying measures, including those concerned with the environment.

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<sup>25</sup> The scope of sustainability is diversified, though according to Gibbs (2000, p.462) it comprises a: quality of life combining social, economic, and environmental aspects; a care for the environment, a thought for the future and the precautionary principle, fairness and equity, participation and partnership.

According to the market regimes, the aim of this reform was the conversion of price support into direct payments in order to increase the control of agricultural markets, which would contribute to a decline in the intensification of production. Constraints on the agricultural markets were imposed in order to prevent the occurrence of food surpluses and to improve environmental quality. As a result of increasing criticism of the imbalances in the distribution of support to European farmers, a need to hold up less economically viable agricultural sectors was emphasised (Buller, Wilson and Höll, 2000). Hence, it was necessary to launch accompanying measures.

The structural policy facilitating agricultural and rural development was established and called the Second Pillar. Three new measures (accompanying measures) were established, namely:

- The Agri-environmental Scheme relating to extensive methods of production was introduced in Council Regulation (EEC) 2078/1992 on the Introduction and Maintenance of Agricultural Production Methods Compatible with the Requirements of the Protection of the Environment and the Management of the Countryside.<sup>26</sup> The Regulation was introduced with the aim of strengthening environmental issues within the agricultural policy along with changes to market organisation rules and the provision of a suitable income for farmers (EC, 1992a). Farmers are perceived as the stewards of the natural environment. Therefore the Agri-environmental Scheme was established to improve the treatment of the land tailored to member states' specificity (Kay, 1998). As a consequence, benefits to agricultural and environmental policies as well as to farmers' incomes should occur (a detailed description of the AES is presented in section 3.4).
- Structural pensions for farmers under Council Regulation (EEC) 2079/1992 instituting a Community aid scheme for early retirements from farming.<sup>27</sup>
- The afforestation of farmland to maintain the biodiversity of rural areas under Council Regulation (EEC) 2080/1992 instituting a Community aid scheme for forestry

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<sup>26</sup> OJ L 215 30.7.1992, p. 85. Regulation as last amended by Commission Regulation (EC) No. 2272/95 (OJ L 288 1.12.1995, p.35). Regulation rectified by Commission Regulation (EC) No. 1962/96 (OJ L 259,12.10.1996, p.7).

<sup>27</sup> OJ L 215 30.7.1992, p. 91. Regulation as last amended by Commission Regulation (EC) No. 2773/95 (OJ L 288 1.12.1995).

measures in agriculture.<sup>28</sup> Forests are one of the main objectives in the preservation of the natural environment, so the need for the promotion of sustainable management was emphasised (Miklaszewski, 1998).

These measures were imposed in order to achieve both the sustainable development approach as well as to enable the reduction of the level of production along with pressure on the environment. They were co-financed from the Guarantee Section of the EAGGF (Markiewicz, 2001; IE, 1998). It needs to be highlighted that a range of these instruments are incorporated within Pillar II of the CAP, namely the rural development policy. Since that reform, the Common Agricultural Policy is not solely related to market measures but also to instruments facilitating rural areas.

It must be clearly stated that a great number of studies (Grant, 1997; Winter 1996, 2000; Buckwell et al., 1997) consider the MacSharry reform as the first stage of incorporating environmental incentives into the CAP. Wilson, Buller and Höll (2000, p.260), argued that '*where they have taken place, the first steps along this path have been perhaps the greatest achievements of the Agri-environmental Policy to date*'. Even though the policy was not reformed substantially, scholars highlight that the discourse on the CAP has evolved to some extent to incorporate environmental issues. Baldock and Lowe (1996, p.25) comment constructively that '*the concentration of power within a tightly knit negotiating community at the EU level remains pronounced but it is being eroded at the edges and, given their past record, environmental interests will not be slow to exploit new opportunities*'.

In contrast, Potter (1998) outlines that the Agri-environmental Policy of the early 1990s was a tool for both farm income support and environmental protection. Moreover, the first attempts to limit the price guarantee under the CAP were undertaken at that time. As a result, funds from conventional subsidies were allocated into the Agri-environmental Schemes to subsidise

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<sup>28</sup> OJ L 215 30.7.1992, p.96 Regulation as last amended by Commission Regulation (EC) No.231/96 (OJ L 30 8.2.1996, p.33).

environmental farm management. Potter (1998, p.154) states that '*it would be too much to claim that the agri-environmental reforms of the past decade have brought the environment into the heart of farm policy*'. Indeed, the amount of money spent on the AESs was relatively small, standing at less than 4% of the CAP budget in 1996 in comparison to market support and compensation for its reductions (Potter and Goodwin, 1998, p.292). The opinion that policy makers continued to be reluctant towards the 'greening' of production and that agri-environmental policies should be only an 'accompanying measure' prevailed. Although agri-environmental measures have great potential in terms of the preservation of wildlife and landscape, they would always represent a missed opportunity due to the minimal level of funding introduced within the MacSharry reforms (Country Landowners' Association, 1994).

In comparison, authors such as Wilson, Buller and Höll (2000) state that the budgetary issue does not necessarily have to be the key challenge for the Agri-environmental Policy in the near future. The suggestion that the AEP must extend its range beyond the agricultural domain to include the broader rural agenda if it is to develop further, was made. Potter and Goodwin (1998, p.292) state that: '*paying farmers to produce environmental goods is likely to be a more publicly defensible position than supporting them simply because they are farmers, it might be expected that expenditure would be switched into agri-environmental programmes as time progressed*'.

Despite the occurrence of the Agri-environmental Policy, it is questionable if the '*newly mobilized agri-environmentalists succeeded in breaching the defences of the agricultural establishment, at least during this first wave of policy change*' (Potter, 1998, p.155). In addition, Baldock and Mitchel (1995) dispute that the farmers unwillingly undertook the new policy incentives provided within the MacSharry reforms. They are convinced that farmers'

reluctance to take part in the AES and the incremental character of policy making provides difficulties for the introduction of the new policy objectives.

Ultimately, the Organisation for Economic Co-operation and Development (OECD) states that a better understanding of the environmental consequences of agricultural support, further policy changes and the alleviation of trade distortion factors are still required (OECD, 1998).

The scientific debate on the MacSharry reform highlighted above indicates that the first feasible changes have taken place in incorporating environmental incentives into the CAP. However, most studies stressed that these had only been partially successful. Additionally, predictions towards the further advancement of environmental incentives within the CAP were made. In reality these assumptions were proved to be true as further reforms advancing the uniformity of environmental and agricultural objectives were carried out.

It has been demonstrated that the MacSharry reform constituted a good, but yet unsatisfactory basis for the steady integration of environmental concerns within the CAP. Consequently, the overall policy direction was continued by the Commission as the need for further reforms was outlined. The main causes for change derived from further trade liberalisation as well as the forthcoming enlargement, which would include additional budgetary excesses of not less than 12 billion ECU for the acceding 10 CEEs. Nevertheless '*even independently of enlargement, rising yields and the likely restrictions on subsidised exports would make further reforms necessary*' (Grant, 1997, p.195).

In December 1995, during the Madrid European Council, the outlook for the markets and policy objectives was presented in the Commission's Agricultural Strategy Paper. The assumption was to promote a sustainable rural policy based on a flexible and programmed approach that would allow the EU to respond to the various rural needs and environmental

circumstances across the EU (CEC, 1995). The pattern of major alterations to spending by abandoning market support and providing decoupled and degressive compensatory payments was eliminated. In spite of the fact that the scope of the Agricultural Strategy Paper was rather broad, a further incentive for additional reforms occurred (Grant, 1997, p.195).

In November 1996, the Cork conference on the view of rural development took place. A strategy for a sustainable and coherent rural policy was sought. The need for establishing rural development programmes was emphasised at the time. As a result, the rural development policy was to take into consideration individual needs and the potential of the regions. Hence, significant meaning was assigned to agricultural environmentally friendly incentives in order to facilitate a sustainable development approach. The environmental matter was consistent with rural development plans as the Agri-environmental Schemes were foreseen to be a part of them (REFP, 1996). '*From being an accompanying measure to the 1992 CAP reform at its inception, Agri-environmental Policy has, in recent years been placed at the forefront of a far wider debate concerning the future of rural, and not agricultural, Europe*' (Buller, 2000, p.200).

The results of the policy review, which considered the implementation of the MacSharry reforms according to the new objectives and directions within the CAP, were presented in Agenda 2000 in July 1997. This document contained financial and operational aspects in order to set future goals. In March 1998, the Commission elaborated on the final proposal for further changes, based on the member states' comments and the European Parliament's conclusion. This proposition was accepted during the Berlin Summit in March 1999. The objectives for the changes within the agricultural market and the strategy for rural development were combined in the Agenda 2000 reform (a detailed description is presented in the next section) (EC, 2000).

Nevertheless, parallel to the actions above, a number of activities were carried out. In the Amsterdam Treaty, the integration of environmental incentives within all Community policies and the methods of its evaluation were noted (Nilsson, 2004). The Agriculture, Transport, Energy and Development, Internal Market and Industry, General Affairs, Economic and Finance and Fisheries Councils were asked to elaborate on the approach with reference to the integration of environmental and sustainable development incentives within their policy arenas (CEC, 2000). In Vienna in December 1998 the European Council emphasised that environmental issues were important and could not be avoided in the next policy reforms. The Agriculture Council was invited to develop the strategy containing both measures and timetables. The strategy was submitted to the Helsinki Summit in December 1999 and the 'Sustainable Development Strategy' was subsequently published in 2001 (EC, 1999d; Baldock et al., 2002).

The integration of environmental issues within non-environmental areas of policy-making was stressed in the EU's Fifth and Sixth Action Programmes on the Environment (EC, 1992b; EC, 2001b). The European Union's Fifth Environmental Action Programme stated that '*it is not only environmentally desirable, but it also makes sound agricultural and economic sense to seek to strike a more sustainable balance between agricultural activity and the natural resources of the environment*' (EC, 1993, p.70). Regarding the Agri-environmental Schemes, the idea of covering 15% of farmland by the year 2000 was imposed. It was a qualitative rather than a quantitative approach and as such the goal has been achieved as around 20% of farmland in the EU was recognised under this tool.

The next section further illustrates the unification of the protection and preservation objectives within the agricultural policy provided in Agenda 2000 and their enhancement in the June 2003 reforms.

### **3.3.2 The Agenda 2000 Reform**

The 1992 reforms indicated a partial opening up of European agriculture to world markets and an advance in liberalisation was therefore predicted. It has already been noted that growing domestic and international pressure placed on the member states' governments resulted in further changes to the CAP under Agenda 2000 in Berlin in 1999. In general, the Agenda 2000 reform package integrated four issues: the CAP reform, structural policy reform, pre-accession aspects and a new financial framework for the next seven years. Accordingly, the financial arrangements for the Community in the period 2000-2006 and the priorities for the Common Agricultural Policy<sup>29</sup> were established, not only to amend the agricultural intervention system but also to enhance rural development. Additionally, changes towards the adjustment of agricultural prices to the world market and an increase in direct aids to producers were undertaken. The issue of bringing environmental and agricultural objectives together was highlighted and the significance of environmental indicators increased (EC, 1997; 1999a; 1999b; 1999c, 1999d).

Hence, a new scope for national discretion within both pillars of the CAP under Agenda 2000 was provided:

#### **The First Pillar**

- opportunities to comply with environmental standards where direct commodity payments are made,
- national discretion in the application of a proportion of direct payments (the national envelope) to the beef sector (and eventually the dairy sector),
- national discretion to modulate the total CAP direct payments for individual farmers due to an increase in expenditure in Pillar II

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<sup>29</sup> The Common Agricultural Policy alterations embraced the following objectives: to increase the competitiveness of the agricultural sector, to ensure food safety and quality, to maintain a fair standard of living for the agricultural community and to stabilise farm incomes, to integrate environmental goals within the CAP more successfully and to develop alternative jobs and income opportunities for farmers and their families (EC, 1999d).

## The Second Pillar

- a new framework for the Rural Development Regulation, in addition to opportunities to promote the integrated and decentralised planning of agri – environmental, agricultural and rural development measures (Lowe, Buller and Ward, 2002, p.4).

### *The Agenda 2000 reform within rural development*

The Agenda 2000 reforms were set to change the CAP from an agricultural commodity approach policy into an integrated rural development policy comprising of environmental incentives. Consequently, Rural Development Regulation (EC) 1257/1999<sup>30</sup>, encompassing the basis for the Community's support for sustainable rural development, was launched. The Regulation aimed:

- to maintain and reinforce social potential in rural areas,
- to develop economic activities and the creation of employment,
- to improve working and living conditions,
- to maintain and promote low–input farming systems,
- to preserve and promote a high nature value and sustainable agriculture respecting environmental requirements,
- to promote equal opportunities for men and women,
- to implement structural improvement in agricultural holdings and the processing and marketing of agricultural products,
- to improve product quality,
- to support non–food production,
- to provide alternative activities (EC, 1999a: Title I, Article2).

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<sup>30</sup> Council Regulation (EC) No 1257/1999 on support for rural development from the European Guidance and Guarantee Fund (EAGGF) and amending and repealing regulation OJ L 160, 26.6.1999. Regulation as amended by Commission Regulation (EC) No 1783/2003 (OJ L 270, 21.10.2003).

The Rural Development Regulation comprised of measures, such as: investments in agricultural holdings, training, Less Favourable Areas, food processing and marketing improvement and the setting up of young farmers. These measures along with the previously introduced Agri-environmental Scheme, early retirement and the afforestation of farmland, were combined within the structure of the Rural Development Plans ([www.europa.eu.int](http://www.europa.eu.int), 2004).

Furthermore, CAP reform on the subject of the environment had a vital meaning. Countries were forced to provide environmental tools within market policies and rural development programming. Due to Regulation (EC) 1257/1999, member states were obliged to assure minimum environmental standards and to promote conservation issues. The Agri-environmental Scheme was set up as the only obligatory measure under this Regulation and was combined with the RDPs (Hadyńska and Hadyński, 2005b). The Regulation was an extension of Regulation (EEC) 2078/1992 and enabled more ecologically, economically, and socially sustainable management practises to be undertaken.

With regard to this thesis, the introduction of the principle of subsidiarity in Regulation (EC) 1257/1999 constitutes an important matter, '*it should therefore be as decentralised as possible and emphasis must be on participation and a 'bottom up' approach*' (EC, 1999a, p.14). This introduces the need to set up a more open and broader policy elaboration process.

#### *Additional changes within the commodity support contributing to environmental objectives.*

Whilst discussing the Agenda 2000 reform one needs to draw attention to the Common Rules Regulation (EC) 1259/1999,<sup>31</sup> which was called horizontal and applied to commodity regimes. The regulation set up common rules for direct payments given to farmers, provided

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<sup>31</sup> Council Regulation (EC) 1259/1999 of 17 May 1999 establishing common rules for direct support schemes under the common agricultural policy. OJ L160, 26.6.1999.

from the EAGGF Guarantee section, excluding those under the Rural Development Regulation. New pressure on the states was placed with reference to the First Pillar's direct payments in order to provide an opportunity to convert the funds at the national level between the First and Second Pillar's aids by a modulation tool. Member states were obligated to define environmental conditions to combine with commodity payments, parallel with penalties for farmers that do not meet the standards (EC, 1999d). The Community was forced to specify the link between productivity and payments and as a result *modulation* and *cross-compliance* were introduced. On the one hand modulation enabled member states to limit the total amount of commodity financial support that individual farmers can receive. Savings can be redirected to fund schemes under the Rural Development Regulation. On the other hand cross-compliance links environmental requirements with agricultural support payments. In order to achieve direct payments farmers must observe minimum environmental standards. The redirection of funds was differentiated among member states. In the UK and France the emphasis was put on modulation to transfer resources from market support to the Rural Development Plan. Nevertheless, other countries have not achieved the expected 20% of the compulsory rate (Baldock and Mitchell, 1995; Baldoc et al., 2002).

Therefore, changes undertaken within the agricultural markets were conducive to the environmentalism of the CAP and to the preservation of the natural environment. In this regard, direct payments in the cereals and oilseeds market organisation entailed obligatory set-aside to provide for the extensification of crop rotations. In accordance with the beef regime, maximum stocking rates were introduced as an eligibility criterion (EC, 1999d).

The Agenda 2000 reform was a step forward in terms of the integration of environmental issues within the agricultural policy but financial support was still insufficient. In 2000, the annual budget was around 40 bn euro, of which 10.8 bn euro was spent on market support,

25.5 bn euro on direct payments and 4.2 bn euro on rural areas within environmental support. However, in reference to the agri-environmental indicators, social acceptance has increased along with their existence ([www.europa.eu.int/comm/agriculture/capreform](http://www.europa.eu.int/comm/agriculture/capreform), 2003).

The outputs of the Agenda 2000 reform in regards to the AEP have been perceived as modest (Buller, Wilson and Höll, 2000). Thus, some scholars argue that '*Agenda 2000 was driven by financial, rather than agricultural, environmental or rural imperatives, cannot be regarded as a radical departure from the established CAP philosophy that has, from the outset, constrained the effectiveness of Regulations 797/1985 and 2078/1992. It too, therefore embodies incrementalism rather than reform - in part an inevitable result of having to reach policy compromises between an ever-increasing numbers of EU member states'*' (Wilson, Buller and Höll, 2000, p.259).

However, some commentators have different views about these steps of the CAP's reforms. According to Baldock (1998) Agenda 2000 is one step forward in 'decoupling' price support from production towards the adoption of environmental incentives (cross-compliance). This gives member states more power than the 1992 reforms to provide payments depending on farmers meeting specific environmental requirements. In spite of the diversified policy contexts, implementation models and scheme styles, the challenge of bringing together farming activity, environmental quality and rural development still exists among European states. Thus, '*agri-environmental policy is becoming the vehicle for that reconciliation'* (Buller, Wilson and Höll, 2000, p.255).

In comparison, authors such as Tangermann (1999) together with Lowe and Brouwer (2000) and Lowe at al. (2002) judged the results of Agenda 2000 as deeply compromised and recognised it as a missed opportunity to transform the CAP. Furthermore, the fact that the Agri-environmental Policy was implemented as a part of the agricultural policy and not as

part of the environmental policy is the reason for its inappropriate application (Buller, Wilson and Höll, 2000). Lowe, Buller and Ward (2002, p.16) add: '*as the policy seeks to reintegrate sectors of agriculture into the rural economy and environment it is important that it be sensitively articulated with the different rural circumstances and conditions found at the national level and below*'.

Summing up, the instruments established in Agenda 2000 enhanced environmental incentives within the CAP and contributed to the integration of agricultural and environmental policies. Accordingly, the Agri-environmental Schemes together with new measures including cross-compliance and modulation facilitate the preservation of natural resources as well as the upkeep of environmental standards. A set of revised policy objectives were introduced in June 2003 under the mid-term review of Agenda 2000.

### **3.3.3      Further improvements in the mid-term review of Agenda 2000 in June 2003**

The previous sections have shown that the Common Agricultural Policy has evolved from a sectoral policy of agricultural market support into an integrated policy for rural development and the environment. While discussing the issue of the June 2003 CAP reform it is important to mention the former Agricultural Commissioner Franz Fischler who emphasised that in the area of rural development and environmental support, progress had been made. In the context of the situation in the internal market, the next CAP reform was set. Significant changes have occurred with the aim of satisfying the WTO and consumer demands. The EU '*had largely said goodbye to an old system of support which distorted trade*' and can be easily called more '*trade friendly*' (CTA, 2003, p.6). European agriculture seeks to become sustainable within equal social, economic and environmental objectives. At the end of the first decade of the 21st century the priority for rural policy in the European Union is given to environmental protection, landscape conservation and the development of rural areas. Consequently, the

environmental direction of the reform was pinpointed. Rural development measures were strengthened at that time by the introduction of new measures contributable to the environment as well as by an increase in money transfer to Pillar II. The disparate elements of the agricultural ‘Guidance’ policy were combined within Rural Development ‘Pillar II’ which was given 10% of the CAP budget. However, ‘Guarantee’ money could be used for ‘Guidance’ policies as states were able to top-slice some of the direct income payment and convert them into Rural Development Plan (modulation). The changes mentioned above were accompanied by a noteworthy cut in direct payments (launching single farm payments) as well as the reform of particular food sectors (milk, rye, beef etc.) (CTA, 2003).

In June 2003 the Council of Agriculture Ministers set a new direction for the changes in the CAP. In general, the environmental outcomes of the reform were predicted to be positive. Hence, measures such as modulation, cross-compliance and the Rural Development Regulation<sup>32</sup> gained further importance and were given a superior meaning (GFA-RACE, 2003).

#### *Changes facilitating the environment within rural development support*

It needs to be highlighted that financial support under the Agri-environmental Scheme has increased and a new measure concerning animal welfare has been added. This instrument is combined with the AES and constructed on the same basis by covering income forgone due to farmers’ commitments above legal standards: ‘*the scope of the existing agri-environment Chapter of Regulation (EC) 1257/1999 should be extended to provide for support to farmers who undertake to adopt standards of animal husbandry which go beyond statutory minima*’ (EC, 2003a, p.6).

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<sup>32</sup> Council Regulation (EC) 1783/2003 of September 2003 amending Regulation (EC) 1257/1999 on the support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF), L270 21.10.2003.

Further improvements relate to ‘meeting standards’<sup>33</sup> and ‘food quality’<sup>34</sup> instruments. It is up to the member states to decide whether to implement these new measures within their RDPS or not. Finally, the new scope for set-aside should be mentioned. This measure has been strengthened as greater flexibility in terms of the areas entitled to set-aside was provided (EC, 2003a).

#### *Changes facilitating the environment within market support*

A substantial cut in the level of price support by decoupling, namely the ‘*single farm payments*’ entered into force in 2005. This instrument permits the decoupling of subsidy payments from production and to contribute to a sustainable approach to agriculture and rural development, as ‘in future the vast majority of subsidies will be paid independently of production’ (CTA, 2003, p.4). It was assumed that decoupling would lead to the extensification of production with an increase in fallow land, reduced inputs and a decline in grazing pressure. Hence, to prevent the abandonment of production, it is up to the member states to upkeep a limited connection between subsidies and production within set limits and conditions. These payments are tied to environmental, food safety, animal welfare, health and occupational safety standards (cross-compliance).

Therefore, the endorsement of environmental objectives in market support was advanced in the framework of cross-compliance and modulation. Cross-compliance is compulsory for farmers in order to receive direct payments. A farmer receiving direct payments shall respect

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<sup>33</sup> This comprises of two elements: temporary and digressive support for farmers to adapt to cross-compliance standards not yet included in national legislation and support for farmers to help with the costs of using the Farm Advisory System.

<sup>34</sup> This combines: quality measures - the payments for farmers participating in the schemes that seek to improve the quality of agricultural products, production processes, marketing and promotion; promotion, the support for producer groups informing consumers and promoting quality assured products.

the statutory management requirements set by each country.<sup>35</sup> Member states shall ensure that all agricultural land, especially that which is no longer used for production purposes, is maintained in Good Agricultural and Environmental Conditions (EC, 2003b, Chapter1).<sup>36</sup>

The level of direct aid to farmers decreased in reference to modulation by: 3% in 2005, 4% in 2006 and 5% from 2007 onwards. However, direct payments of up to 5000 euro per farm will be maintained (free of reduction). The money from the modulation will be converted to rural development from 2006 and 20% of the money raised will be given directly to member states.<sup>37</sup> States are allowed to continue voluntary modulation to fund rural development programmes established before 2006; modulation contributes to the environment by raising money for Pillar II measures, the Agri-environmental Schemes in particular (EC, 2003b, Chapter 2).

*National envelopes:* Member states can convert 10% of their national ceilings from each sector (i.e. arable, dairy, beef and sheep) to sector-specific payments with the aim of promoting activities enhancing the environment and the improvement of the quality and marketing of agricultural products. National envelopes can have a positive impact by addressing some specific environmental problems which arose from decoupling (EC, 2003b, Chapter 3).

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<sup>35</sup> States can retain 25% instead of the previous 20% of penalties gathered from non-compliance. It is worth noting that cross-compliance is an enforcement mechanism, thus member states can now penalise farmers who do not comply with this legislation.

<sup>36</sup> The Good Agricultural and Environmental Condition framework has been set up in order to prevent both land abandonment and the inappropriate management of the land. Member states were given the scope to establish the GAEC conditions adequate to national needs under Annex IV of the Regulation (EC) 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers OJ L 270, 21.10.2003, p.1. Regulation as last amended by Commission Regulation (EC) 118/2005 (OJ L 24, 27.01.2005). This is without prejudice to the standards governing good agricultural practices as applied in the context of Council Regulation (EC) No 1257/1999 and to agri-environment measures applied above the reference level of good agricultural practices.

<sup>37</sup> The rest of the money is allocated among the member states due to the criteria mentioned below namely: agricultural area, agricultural employments, and GDP per capita purchasing power. However, it should be borne in mind that 80% of the modulation fund will remain within each member state.

According to Topp and Mitchell (2003), the European Union pays attention to the enhancement of environmental policy within the recent CAP reforms, including the unification of agricultural support payments with environmental cross-compliance, to respond to the growing public consciousness. However, the recognition of interaction between agricultural and environmental policies is not satisfactory. Thus, it should be developed further.

In this regard, one should mention that after the initial rural conference in Cork, two follow up European conferences on rural development and agri-environmental issues have been organised during a period of about a decade. The issues addressed in 2004 in Salzburg and in 2008 in Cyprus included the present and the future challenges facing rural areas in Europe ([www.europa.eu/agriculture/events](http://www.europa.eu/agriculture/events), 2008). What is more, a recent ‘Health Check’ of the Common Agricultural Policy advances rural policy by increasing the transfer of money from Pillar I to Pillar II. Raised modulation allows for the strengthened move towards the Rural Development Fund. The verification of the CAP’s performance aimed at modernising, simplifying and streamlining the policy. EU agricultural ministers arrived at a common position on 20th November 2008. The main assumptions include: the abolishment of arable set-aside, increase in milk quotas up to their abolition in 2015 and the conversion of market intervention into a safety net ([www.europa.eu/agriculture/healthcheck](http://www.europa.eu/agriculture/healthcheck), 2008). These arguments point to the fact that rural development policy has become, except for market support, the main component of the CAP. As the AES is its unified feature, it has also gained in importance.

Summing up, the discussion presented above on the CAP reforms has proved that the environmentalisation of this policy area has taken place and its environmental component is not only well integrated but has also been gradually broadened. For this reason, the focus of

this study on the agri-environmental perspective is justified. In order to complete the assessment of the themes within the Agri-environmental Policy in the supranational arena, one needs to illustrate its institutional characteristics.

### **3.4 Institutional and decision-making structures at the European level**

Despite the fact that the development of the Agri-environmental Policy should combine environmental with agricultural objectives, decision-making is largely separate in the EU. The agricultural and environmental policies have been developed separately and both have their own momentum within a network of established policy actors. As Piorr (2003) stresses, the Common Agricultural Policy is one of the most important and largest policy fields in the Community. According to Marsh (1991) it is the most mature and well-established policy sector, which is entrenched constitutionally and administratively within the Community's institutions. The agricultural decision-making structures consist of Agricultural Ministries, major farming unions and the Agricultural Directorate (DGVI) of the European Commission. Neville-Rolfe (1983) emphasises that it is rather difficult for non-agricultural interests to go through this system.

In contrast, the European environmental policy was initiated at the beginning of 1970s, but was not explicitly documented until 1987 (Liefferink, Lowe and Mol, 1993). It is not only younger but also less solid and it is a more open policy sector (Mazey and Richardson, 1992, 1993a). Environmental policy-making comprises of the Environmental Ministries and the Environment Directorate-General (DGXI) (Brouwer and Straaten, 2002).

According to Lowe and Baldock (2000) environmental pressure on agricultural policy makers has been indirect. In a sense, the advancement in environmental policy development initiated

concerns within agriculture about the relationship between agricultural and environmental policy objectives.

On the other hand, '*it does matter who is the member of the Commission responsible for agriculture. An effective Commissioner can play a more central role in the decision-making process*' (Grant, 1997, p.149). Franz Fischler, who as Agriculture Commissioner made an effort to pay more attention to the environmental issues of the CAP as a component of a multifunctional agricultural policy, acknowledged it. In his opinion agricultural policy '*cannot lead a life apart from environmental policy or concerns such as animal welfare*' (Fischler, 1996, p.7).

Lowe and Baldock (2000) highlight that policy makers started to perceive agricultural policy, not only as an environmental pressure source, but also as an opportunity for undertaking policy reform and redirecting resources towards the appropriate management of the rural environment in the 1990s. A key objective was to unify agricultural and environmental policy objectives. The authors further argue that the reluctance among agriculture ministers or heads of states to reinforce the environmental dimension of the CAP still exists. Even if the Agriculture Commissioner tried to strengthen the multifunctional approach of European agriculture, the conflict between sustainable development and the traditional agricultural policy was still visible in the Agenda 2000 debate.

It is apparent to Potter (1998) that policy-makers combined various goals while establishing and implementing the first 'green payment scheme'. As Vail, Hasund and Drake (1994) stress, taking into consideration the Agri-environmental Policy matter, green reforms were perceived within all parties as a 'magic bullet', serving two purposes: providing an income for farmers and protecting the environment. The reforms, though, were designed to attain both implicit agricultural and explicit environmental policy objectives.

Furthermore, Jones and Clark (2001) undertook a comprehensive study in which they trace the development of the Agri-environmental Policy, in particular Regulation 2078/1992, at the European level. The authors underline issues such as bargaining, negotiation and compromise, together with mediation power among national actors over agri-environmental policy-making at the EU level. They point out that the positions and opinions of states' representatives were irrelevant to the prevailing needs of the rural environments in the member states. They also demonstrated that issues such as administrative expediency, financial aspects and the least disruptive ways of implementation to national institutions and elite structures were the most important motives for national delegations. Moreover, the acceptance of national attitudes and cultural values together with environmental concepts, historical patterns of agricultural production and domestic regulatory systems were emphasised. States' representatives backed themselves up with national administrations while discussing the aims to be achieved. Regulation (EEC) 2078/1992 was set, but its meaning was ambiguous and unclear in providing the accurate mechanisms for attaining its goals. Hence, this may cause conflicts among political actors whilst adopting the policy in the member states.

### **3.5 The AES as a component of the CAP**

Having discussed the origins of the Agri-environmental Policy at the European level, this study will now focus upon a detailed description of the Agri-environmental Scheme. Initially, Regulation (EEC) 2078/1992 and its underlying principles are explained, since this is a predecessor of the AESs, incorporated in Regulations (EC)1257/1999 and 1698/2005. Although the framework of the Agri-environmental Scheme instrument has not changed much from an environmental perspective, from a financial assets' point of view progress has been made.

Except for primary Regulation (EEC) 2078/1992, in which the AESs' assumptions were placed on the agenda for the first time, the legal bases for their implementation were incorporated in two Regulations: Council Regulation (EC) No 1257/1999<sup>38</sup> on the support for rural development from the European Guidance and Guarantee Fund (EAGGF) (Articles 22-24) and Commission Regulation (EC) No 1750/1999 on the methods of implementation of Regulation 1257/1999. Hence, Regulation (EC) 1783/2003 amending Regulation (EC) 1257/1999 on the support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) (Chapter VI) was set.<sup>39</sup> Currently, the AES instrument is applied under the successor Regulation (EC) 1698/2005<sup>40</sup> on the support for rural development by the European Agricultural Fund for Rural Development (Article 39).

Even if the initial Agri-environmental Schemes first emerged in the 1980s, attention was focused on them in 1992 when they were combined with two other measures (afforestation and early retirements) and called accompanying measures in the MacSharry reform. It should be stressed though, that the AES is the only compulsory accompanying instrument for the member states. They are forced to implement the schemes, whereas the decision of the application of the rest of the accompanying measures is optional. Nevertheless, it is within the states' competence to designate the type of scheme which may be applied horizontally, regionally or locally to specific features. However, it is the Commission that sets the underlying principles and the scope of the co-financed Agri-environment instruments. The programmes should respond to each country's particular conditions in terms of environmental needs as well as agricultural and farming structures. The AES promotes environmental protection along with the development of low-intensive ways of farming. The rationale behind this tool is based on compensatory payments offered to farmers willing to obey environmental

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<sup>38</sup> OJ L 160, 26.6.1999 Regulation as last amended by Regulation (EC) 2223/2004 (OJ L 379, 24.12.2004).

<sup>39</sup> OJ L 270, 21.10.2003.

<sup>40</sup> OJ L 277, 21.10.2005.

standards and to contribute to nature preservation whilst carrying out their traditional farming practises. Each country develops the reference level for environmental principles under the Good Farming Practice (GFP) and only the environmental commitments highlighted above may qualify for agri-environment payments.

It has been noted already that the Agri-environmental Scheme provides financial support for farmers that maintain the natural heritage of agricultural land. The payments are provided to compensate for the income forgone while transforming agricultural production to make it more environmentally friendly. It is also possible to give financial incentives to increase the attractiveness of this political instrument. Farmers can participate on a voluntary basis and the contracts are signed for five years. Thus, they receive payments for providing environmental incentives and services exceeding the reference level of the Good Farming Practice. In subsequent years annual payments are given to the participants following an agri-environment plan.

The activities undertaken by agricultural producers in accordance with the Agri-environmental Scheme are based upon four principles encompassing: a voluntary basis, the definition of the reference level, a holistic approach, as well as the transfer of knowledge and advisory services. However, more serious breaches of the scheme may lead to the participants being suspended or excluded from it.

The voluntary basis principle underlines that agri-environmental activities are not forced, but result from farmers' deliberate decisions to protect and to maintain the environment. The definition of the reference level refers to the group of standards encompassed in the Good Farming Practice and each farmer's actions should be compatible with them. The holistic approach entails the application of the GFP throughout the farm. This involves drawing up an agri-environmental plan which requires specialist agricultural and environmental knowledge.

In this regard, the help of advisors is provided. Therefore, this relates to the advisory principle.

Hence, the AES Regulation '*is also a mechanism for delivering income support for farmers who undertake low-income farm practices considered as being environmentally friendly'* (Buller, Wilson and Höll, 2000, p.5). As Potter notes (1991, p.32): '*the offering of income aids to disadvantaged or otherwise beleaguered groups of farmers who, in return, agree to make their farming practices more environmentally sensitive, is probably the most direct and powerful way in which a farm survival policy can be arranged to benefit conservation*'.

In regards to administrative arrangements, each member state needs to set up the necessary institutional capacity and structure to manage the measure. No additional money was given for the activities mentioned above in addition to advisory and monitoring systems. These constitute a burden as the AES measure requires a complex administrative system, which to start with includes the necessity of allocating agri-environmental advisors, management and controlling bodies.

The primary objectives of the AES were set out under Regulation (EEC) 2078/1992, which aimed to:

- accompany the changes to be introduced under the market organisation rules,
- contribute to the achievement of the Community's policy objectives regarding agriculture and the environment,
- contribute to providing an appropriate income for farmers (EC, 1992a: Article 2).

The underlying principles were embraced:

- (a) the use of farming practises which reduce the polluting effects of agriculture, a fact which also contributes, by reducing production, to an improved market balance;

- (b) an environmentally favourable extensification of crop farming, and sheep and cattle farming, including the conversion of arable land into extensive grassland;
- (c) ways of using agricultural land which are compatible with the protection and improvement of the environment, the countryside, the landscape, natural resources, the soil and genetic diversity;
- (d) the upkeep of abandoned farmland and woodlands where this is necessary for environmental reasons or because of natural hazards and fine risks, and thereby avert the dangers associated with the depopulation of agricultural areas;
- (e) long-term set-aside of agricultural land for reasons connected with the environment;
- (f) land management for public access and leisure activities;
- (g) education and training for farmers in types of farming compatible with the requirements of environmental protection and the upkeep of the countryside (EC, 1992a: Article 1).

Member states were able to obtain financial support in the framework of the AES for farmers who were able to comply with the following:

- (a) a substantial reduction in the use of fertilisers and/or plant protection products, or to keep to the reduction as already made, or to introduce or to continue with organic farming methods;
- (b) change, by means other than those referred to in (a) to more extensive forms of crop, including forage, production, or to maintain extensive production methods introduced in the past, or to convert arable land into extensive grassland;
- (c) the reduction in the proportion of sheep and cattle per forage area;
- (d) the use of other farming practises compatible with the requirements of the protection of the environment and natural resources, as well as the maintenance of the countryside and the landscape, or to rear animals of local breeds in danger of extinction;
- (e) ensuring the upkeep of abandoned farmland and woodlands;
- (f) set aside farmland for at least 20 years with a view to its use for purposes connected with the environment, in particular for the establishment of biotope reserves or natural parks or for the protection of hydrological systems;
- (g) the management of land for public access and leisure activities (EC, 1992a: Article 2).

Furthermore, based on the above mentioned principles member states elaborate and submit the AESs to the Commission for approval.

As Buller (2000, p.199) highlights Regulation (EEC) 2078/1992 '*covers a far wider range of agricultural activities and strategies of agricultural development than previous attempts to reconcile agriculture and the environment*'.

However, in the Agenda 2000 reform the notion of this instrument was discussed further. The meaning of the AES was kept and included, as a compulsory measure, within Rural Development Regulation (EC)1257/1999 (Articles 22-24): '*the existing agri-environmental support under Regulation (EEC) No 2078/1992 should be continued for targeted environmental measures, taking into account experience gained in the implementation of this scheme*' (EC, 1999a, p.30). '*The agri-environmental aid should continue to encourage farmers to serve society as a whole by introducing or continuing the use of farming practices compatible with the increasing need to protect and improve the environment, natural resources, soil and genetic diversity and to maintain the landscape and the countryside*' (EC, 1999a, p.31). *Therefore, 'in the coming years, a prominent role should be given to agri-environmental instruments to support the sustainable development of rural areas and to respond to society's increasing demand for environmental services'* (EC, 1999a, p.29).

In Article 22 of Regulation (EC) 1257/1999 the main objectives of the agri-environmental tool were as follows:

- to promote the methods of agricultural land use consistent with the protection and enhancement of the environment, the landscape, natural resources, the soil and genetic diversity,
- to provide environmentally-favourable extensification of farming and management of low-intensity pasture systems,
- to safeguard high nature-value rural environments against threat,
- to maintain countryside and historical features on rural areas,
- to enhance the use of environmental planning in agricultural practise.

In regards to Regulation (EEC) 2078/1992 the assumption that the EU should provide an appropriate income for farmers was abandoned in Regulation (EC) (1257/1999) to make sure this instrument facilitates the environment rather than being used as income support.

Under Regulation (EC) 1257/1999 the exact rates of financial contribution were not given but the highest rates and principles for calculation enabled the payments to be set. Member states define the rates of the aid for both packages and particular actions. The European Commission verifies them during the negotiation on the programmes.

This measure was co-financed by the EAGGF. It met 75% of the costs in Objective 1 areas and 50% elsewhere. Furthermore, it should be highlighted that in the mid-term review of the Agenda 2000 reform the support from the European Agricultural Fund for Rural Development under the Agri-environmental Scheme has increased from 75% to 85 % in Objective 1 areas and from 50% to 60 % elsewhere. Consequently, a new measure concerning animal welfare is available to member states. This instrument is combined with the AES and constructed on the same basis by covering income forgone due to farmers' commitments above legal standards.

Summing up, this section has offered a detailed description of the Agri-environmental Scheme deriving from the subsequent European Regulations: (EEC) 2078/1992, (EC) 1257/1999 and 1698/2005. It is clear that the meaning of this instrument increased over time. Having discussed the main assumptions of this measure, the high demands of the member states were pointed out. The complex administrative conditions that are needed encompass management and monitoring systems, setting up a bottom-up policy-making process and finally the additional labour force not only at the administrative level, but also at the local level (the introduction of agri-environmental advisors). For this reason, it is of interest to the

author to investigate the difficulties that Poland and the Land Brandenburg encountered whilst implementing the AESs.

### **3.6 Conclusions**

This chapter has traced the development of the CAP reforms and outlined their causes. The necessity for the introduction of environmental policy incentives within the Common Agricultural Policy derived from the accomplishment of its original aims. Attention was focused on the transformation of the CAP from a sectoral policy supporting agricultural productivity into the rural policy.

The primary objective was to present the gradual adoption of environmental incentives within the CAP. Hence, their importance increased which is noticed in financial and political outcomes. It was proved that the Agri-environmental Schemes form a considerable component of the current European Agri-environmental Policy. As the role of the environment within the CAP has increased significantly at the European level, it is necessary to provide a domestic focus. Agri-environmental incentives were combined within the CAP and countries were forced to put this issue on the domestic agenda. For this reason, the basic requirements deriving from the European policy needed to be fulfilled. The empirical case studies presented in the next two chapters prove that the development of the Agri-environmental Policy in the member states has occurred by means of the changes presented above. A detailed description of the national responses (Chapter 4 and 5) is expected to highlight the extent to which the domestic actors responded to European pressure.

## **EMPIRICAL FINDINGS**

## **4 Germany and the Land Brandenburg**

### **4.1 Introductory remarks**

In the previous chapter the rationale behind the Agri-environmental Scheme's instrument in addition to the key assumptions and challenges member states need to face have been widely discussed. Not surprisingly, this study focuses on the member states' reactions in the following sections. '*Although the Council and the Commission have crafted the CAP legislation, and have a major role in its implementation, it is in fact the member states that deal with farmers and traders, provide intervention stores, and ensure that charges are collected and that payments are legally made*' (Swinbank, 1997, p.74). '*Regional administrations follow their own legitimate agendas and do not simply apply given measures, but modify and try to integrate them into wider regional strategies*' (Laschewski, Schleyer and Matzdorf, 2003, p.1). In the light of this, both case studies will attempt to assess to what extent the patterns of the AESs' implementation differ and how this theme has developed in each country. Detailed analyses of these factors will make allowances for further clarification.

The illustrative case studies are presented in this Chapter 4 and in Chapter 5 to demonstrate the accuracy of the theoretical deliberations discussed earlier on in this study (Chapter 2). The Land Brandenburg and the Polish cases will validate the assumption deriving from the theoretical findings that addressing only the issue of incompatibility between the European and domestic legislative and policy arrangements, within the framework of the Agri-environmental Scheme, is not a sufficient explanatory variable to provide a justification for the level of changes undertaken. Furthermore, various domestic responses to the AES Regulations can be only fully understood from all three institutionalist perspectives. Issues such as the historical development of the AESs in each country as well as social learning are still not adequate for grasping the patterns of policy change. Only by adding actors'

preferences and interest intermediations may one comprehensively explain the policy alteration. In this context, the AES discourse should be considered in regards to regional conditions. It is argued here that domestic circumstances such as nature conservation and administrative structures along with the decision-making culture need to be scrutinised. Detailed analyses of these factors will make allowances for further clarification. Only by understanding the historical, environmental, and administrative backgrounds associated with the process may one provide a ‘true picture’.

This research commences with the German case study. Hence, one has to take into consideration the federal nature of the political and administrative structures when setting up and managing policies in Germany. The constitution distributes power among the Federal State and the 16 *Länder*. Market policy and social policy within the agricultural sector lie within the competence of the Federal Government (*Bund*), whereas agricultural structures together with nature conservation policies are the objectives assigned to the *Länder*. Therefore, shared responsibilities apply to both the agricultural policy as well as the Agri-environmental Policy (Wilson, 1994, 1995). The German *Länder* have jurisdiction over the Rural Development Plans, which encompasses the Agri-environmental Schemes. Each region identifies the agri-environmental measures and sets the way in which they will be used in practical terms. As the *Länder* have the competence to structure the Agri-environmental Schemes, they vary considerably within the country (Osterburg, 2000).

Irrespective of this, supplementary extensification measures are designed and implemented by the *Bund* within the scope of the Common Task of Improving Agricultural Structures and Coastal Protection (*Gemeinschaftsauflage zur Verbesserung der Agrarstruktur und des Küstenschutzes* (GAK)).<sup>41</sup> However, there is no separate programme for the AESs at the

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<sup>41</sup> GAK was initiated in 1969 in Germany by the General Federal State. Its tasks were to promote the continued existence of efficient and sustainable agricultural and forestall production to improve Germany's

national level. Moreover, agri-environmental measures co-financed by the national government under the framework of the GAK are applied horizontally and are obtainable throughout Germany. The Federal Ministry of Food, Agriculture and Consumer Protection (*Bundesministerium für Ernährung, Landwirtschaft und Verbraucherschutz* (BMELV) in collaboration with the *Länder* provide an EU-legal-compliant framework within the GAK for certain areas for support, *inter alia* agri-environmental measures. This approach is checked yearly and adapted if necessary to the Community Law or to national or regional needs.

*'Federal support has no juridical effect. In fact, it creates only the basis for the regional specific programmes. The Länder decide in the end whether to use the framework, to what extent and in which circumstances. The costs of the support are carried out by the Federal Government, the Länder and the EU. It must be highlighted here that the possibility to apply AEMs independently from the federal level, using regional EU-legal-compliant support-programs, also exist. In such circumstances the costs of the support are carried solely by the Länder and the EU. Presently, however, the support within the framework of the GAK predominates'.<sup>42</sup>*

It is clear from the discussion above that a high degree of *Länder* autonomy exists in this policy area. Consequently, shared authority justifies to some extent the complexity of the German Agri-environmental Policy. It is vital though to analyse a particular region's administrative argumentation and actions in order to understand the procedure of the AES's development (from section 4.5 to 4.8). By outlining the decision-making process it will be possible to present the ways in which this programme is designed in Brandenburg. As a basis for a detailed examination, the scope of relations between agriculture and the environment will be analysed first. This case study will show that the Agri-Environmental Scheme's instrument is well developed due to more than a decade's experience.

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competitiveness in the European common market along with the enhancement of coastal protection. In the 1980s, the GAK supported the improvement of structure of holdings, agricultural infrastructures and market structures, which resulted in the development of farm modernisation frameworks, land consolidation, village renewal as well as the German Less Favourable Areas Scheme (BMVEL, 2003).

<sup>42</sup> Interview with the Specialist Legal Advisor, the Federal Ministry of Food, Agriculture and Consumer Protection (*Bundesministerium für Ernährung, Landwirtschaft und Verbraucherschutz*), Unit 526 Ecological Agriculture, Extensive Land Management Procedures, which is in charge of the Agri-Environmental Measures under the GAK within the Federal Government, 05 May 2006.

## 4.2 The state of affairs of agriculture and rural areas in regards to the environment

While discussing the issues of environmental protection and nature preservation, the German case is quite distinctive in comparison with the rest of the EU member states. In this strongly industrialised, densely populated and economically wealthy country, the divergence between economic and environmental interests has provided a long-term conflict. For this reason, the origins of the agri-environmental approach need to relate to the historical context of agriculture and its structural change. The transformation of the agricultural sector began in the late 1940s. By the mid-1950s the accessibility of CAP support brought the first outputs in the form of a decrease in the agricultural workforce<sup>43</sup> as well as an increase in the use of fertilisers and pesticides. The number of rotational crops declined and a great amount of permanent grassland was converted to arable land that soon resulted in an increase in the intensification of production and agricultural incomes. The number of farms decreased from 1,6 million in 1949 to 0,5 million in 1998 in the former Federal Republic, but the average size increased significantly from 8 ha in 1949 to 23 ha in 1998 (Grafen and Schramek, 2000, p.119). This tendency has been maintained. Nowadays the average farm size is 46 ha in general, with a great disparity between the Western (32 ha) and the Eastern parts of Germany (189 ha) (table 1).

Table 1 The characteristics of the German agricultural sector

Characteristics	Germany	Western Germany	Eastern Germany
The number of farms (thousand)			
2005	389,1	359,6	29,5
2007	374,5	344,4	30,1
The structure of farms			
Farm area covered (thousand ha of utility area, 2007)	16 954,3	11 389,5	5 564,8
The average farm size (ha)			
2005	43,5	31,5	189,4
2007	45,3	33,1	185,0
The percentage of agriculture in GDP (%)		1,1	

Source: Agrarbericht der Bundesregierung. (2007) Nebentitel: Agrar- und ernährungspolitischer Bericht der Bundesregierung; MRiRW, (2008) Bieżąca informacja o rolnictwie na świecie. 2008/04/15; Statistisches

<sup>43</sup> At the beginning of the 1950s the number of people working in the agricultural sector was 5 million, whilst in 2007 1.26 million remained (Grafen and Schramek, 2000; Agra Europe, 2008).

Bundesamt. (2006) Im Blickpunkt: Landwirtschaft in Deutschland und der EU Wiesbaden; Statistisches Bundesamt. (2007) Land- und Forstwirtschaft, Fischerei, Ausgewählte Zahlen der Agrarstrukturerhebung, Wiesbaden: Fachserie 3 (1): 37,38.

Furthermore, one has to be aware that the level of fertiliser application in Germany was among the highest in the member states. In 1986 the annual nitrogen surplus<sup>44</sup> was equal to 167 kg N/ha (2 million tones) within West Germany. In this regard, nitrate contamination in ground water increased by 1-1.5 mg/l a year until the mid-1990s. Nitrate eruption increased by more than 10 mg/l in regards to the exhaustion of the denitrification capacity of the soils (Hellekes and Perdelwitz, 1986, p.15). Furthermore, the contamination of pesticide residues in West Germany increased, as approximately 10% of ground water units exceeded the European limit of 0.0005 mg/l. With reference to endangered species, the 'Red Data Book' highlighted that 30-50% of all animal and plant groups were at risk. Agricultural activity is said to have contributed to this situation by destroying the natural environment and providing changes in water and soil ecology through drainage, fertilisers and pesticide application (Höll and von Meyer, 1996, p.71). The presented data emphasises the negative environmental effects caused by the large scale use of fertilisers and pesticides. The changes mentioned above together with the abandonment of traditional farming systems resulting from the CAP's support, provided a high intensification of production. It was apparent that the outcomes of these changes were damaging natural resources. Thus, environmental concerns within the agricultural policy were largely neglected during this period.

It was not until the early 1980s that agri-environmental matters began to appear on the political agenda. Prior to this, issues such as nuclear power and industrial pollution drove the policy on environmental protection. Furthermore, the interference of agriculture in nature had been disputed mostly from the water pollution<sup>45</sup> and the loss of biodiversity<sup>46</sup> perspectives

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<sup>44</sup> This takes into account all the nitrogen added to the soil minus withdrawals in crops and livestock products.

<sup>45</sup> Ground water pollution by leaching of pesticides and nitrates causing contamination of drinking water supplies; eutrophication of surface waters contributing to the algae formation in the North and Baltic Seas.

<sup>46</sup> The decrease in a number of species and the extension of some plants and animals as a result of expanding fields and drainage coincided with the intensification of animal husbandry, fertiliser and pesticide use.

(Höll and von Meyer, 1996, p.70). In 1985 a comprehensive scientific report regarding contemporary agri-environmental issues was drawn up and submitted to the Federal Government. The Council of Environmental Advisors highlighted for the first time that the results of the research underlined the threatening effects of modern agriculture. Der Rat von Sachverständigen Report presented the main environmental protection needs: biotopes and species, ground water, land and soils, surface waters and food quality (Grafen and Schramek, 2000, p.120).<sup>47</sup> The report indicated that modern agriculture was the major cause of the destruction of natural ecosystems and of species extinction. It also stated that recent methods of soil cultivation resulted in soil erosion, and particularly in water pollution. The latter was the first issue that was tackled by German policy-makers. On the one hand EU legislation concerning the quality of drinking water was established. On the other hand German water suppliers lobbied for alternatives in national and European policies. Due to a high level of degradation and pollution of natural resources, the German authorities have been forced to tackle this issue further. Consequently, instead of the application of costly legislation to meet environmental objectives, a voluntary approach was used in the 1990s. It should be borne in mind that this approach was also relevant to the Agri-environmental Policy as the elaboration and implementation of the schemes were voluntary in nature (Grafen and Schramek, 2000). In this instance, environmental protection soon became the core objective in public and private areas. The occurrence of environmental awareness was led by: the pollution and degradation of natural resources, the scarcity of the ‘free’ commodity environment and the improvement in living conditions, which coincided with an increasing public awareness (Höll and von Meyer, 1996, p.70). Despite the high environmental consciousness of German society, events such as the economic recession, rising unemployment and the growing pressure of business lobby groups had a negative effect on this matter.

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<sup>47</sup> These environmental concerns occurred as a result of the intensification and specialisation of production at the farm level. They coincided with an increase in territorial division into marginal and intensive zones that caused the pollution and degradation of natural resources.

Summing up, the assessment of the relations between the environment and agriculture emphasises the contradictory nature of this matter. The rapid development of the agricultural sector has resulted in the degradation of natural resources. Nevertheless, since the early 1980s the issue has been tackled and currently a great deal of attention is being given to nature protection incentives within agriculture and rural areas. In the following section, a detailed analysis of the origins of the agri-environmental measures will be presented.

### **4.3 The origins of the AEP at the national level**

The initiation of the Agri-environmental Policy can be traced to the beginning of the 1980s, when the first agri-environmental framework concerning the establishment of wildlife refugees in *Bremen* (1981) and the conservation of intensive grassland in *Baden-Württemberg* (1982) were introduced (Grafen and Schramek, 2000).

As Article 19 of Regulation (EEC) 797/1985<sup>48</sup> was made available, new opportunities for co-financing environmental issues were provided. As a consequence of the European Community's financial incentives, the *Länder* extended the scope of their current nature conservation agenda by establishing new extensification instruments. Germany was one of only a small number of member states that implemented this Regulation on a large scale. Hence, eight schemes were provided in six *Länder* (*Hamburg, Schleswig-Holstein, Niedersachsen, Rheinland-Pfalz, Bayern* and *Nordrhein-Westfalen*) and they were co-financed by the regions and by the EC (Grafen and Schramek, 2000, p.126). The task of designing the schemes and setting up their aims was solely assigned to the *Länder* which were

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<sup>48</sup> The first regulation, which provided payments for the contribution to the environment 'paid stewardship' (ECC 797/85). Thanks to this legislation a new approach to agriculture has emerged, as conservation and productivity functions were combined. In 1986 the first annual payments for carrying out extensive activities and observing environmental requirements were implemented. However, environmental incentives were founded from the member states' budget.

held responsible for their success or failure. The measures implemented by the *Länder* following Article 19 of the ‘efficiency-regulation’ (EEC) 797/1985 were not co-financed by the Federal Government at that time. There was no federal structure in regards to the application of and financial issues under this Regulation. It was, however, subject to change in 1987 as a result of the establishment of EU co-financing. The Federal Agricultural Ministry took over the competences (from the Ministry of the Environment) of the actions regarding the enhancement of the market in addition to the social and structural aims of the AEP. It also enabled the Federal Agricultural Ministry to gain direct control over its development process (Wilson and Wilson, 2001).

The next measure, namely the set-aside of a part of an agricultural area, was provided in 1988 under Regulation (EEC) 4115/1988. This instrument sought to alleviate the surpluses of production. With reference to ‘extensification’, Regulation (EEC) 4115/1988, aimed to reduce overproduction by providing national standardised extensification contracts from 1989 to 1992. The old *Länder* implemented this instrument in 1989 and the new *Länder* in 1991. Both the extensification and set-aside measures required additional administrative actions within the Common Task of Improving Agricultural Structures and Coastal Protection. However, the Federal Authority gave precedence to this scheme, which resulted in a high budget. For this reason, the amount of co-financing was set on a higher level than usual. The Federal Government’s share was 70% (instead of 60%) and the *Länder*’s 30% (instead of 40%). Furthermore, two instruments were combined with the GAK, namely a 20% decrease in farm arable production along with the conversion to less intensive production practises. In spite of a low uptake of this scheme in the Community, Germany’s application rate was very high. In the former West Germany it was 4% of the total arable area and the uptake rate was even higher in the Eastern *Länder* (Grafen and Schramek, 2000, p.126). The cause of such a situation is related to the expansion of less harmful, horizontal extensification measures co-

financed by the national authorities. Additionally, the standardised processing of the applications by the agricultural administration contributed significantly.

In addition, the further advancement of the EU's financial involvement was made in Regulation (EEC) 2078/1992. The Regulation was of interest to the German Federal Government. The Federal Ministry of Agriculture argued that the measure was under its jurisdiction rather than the *Länder* as the instrument relates more to income and market objectives than to environmental ones (Grafen and Schramek, 2000). In addition, the *Länder*, which had already developed agri-environmental frameworks like those in *Baden-Württemberg* or *Bayern* pleaded against this institutional change of setting up competences, mainly because they were concerned with the restrictive instructions of the GAK's scheme (Höll and von Meyer, 1996). Nonetheless, a basic set of measures under Regulation 2078/1992 has been implemented through the Common Task of Improving Agricultural Structures and Coastal Protection as a common task for both the *Länder* and the Federal Government:

*'The support principle for the agri-environmental measures was inserted into the framework of the GAK in 1994. This action ensured the implementation of Regulation (EEC) 2078/1992. The following measures were enclosed: support for extensive agricultural production or permanent crops, support for extensive greenland use and support for ecological cultivation procedures.'*<sup>49</sup>

Thus, it is the *Länder* that are responsible for nature conservation. As a result the Environment and Agriculture departments in each state bear most of the costs (DVL, 2005). Furthermore, the framework under the GAK is set at the national level, where both the payments and requirements of participation offered by the *Länder* are established (Plank, 1999). Hence, national contributions for the instruments combined within the framework, was set at 60% from the GAK and 40% from each region (Lehmann et al., 2005). Due to the

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<sup>49</sup> Interview with the Specialist Legal Advisor, the Federal Ministry of Food, Agriculture and Consumer Protection (*Bundesministerium für Ernährung, Landwirtschaft und Verbraucherschutz*), Unit 526 Ecological Agriculture, Extensive Land Management Procedures, which is in charge of the Agri-Environmental Measures under the GAK within the Federal Government, 05 May 2006.

restrictive nature of the payments of the GAK some of the Agri-environmental Schemes implemented by the *Länder* were not relevant to them. Regions like *Bayern*, *Baden-Württemberg*, *Rheinland-Pfalz*, *Hessen* and *Sachsen* provided the schemes outside of the GAK. The reason for this decision may be related to the programmes developed prior to Regulation (EEC) 2078/1992 as well as the wealthy state of the regions (Mehl and Plank, 1996).

Nonetheless, a large number of the *Länder* used increased financial support under (EEC) Regulation 2078/1992 and set up new Agri-environmental Schemes. Because of favourable co-financing opportunities from both the EU and national levels, the existing agri-environmental programmes were transposed to the new support framework. In 1999 *Baden-Württemberg*, *Bayern* and *Sachsen* spent more than 70% of the entire expenditure for Regulation (EEC) 2078/1992 in Germany. Whereas the Northern *Länder* gave priority to intensive agricultural practises, only problem-oriented schemes were put into practise (Nitsch et al., 2005, p.15). Hence, it is clear that differences between the northern and the southern parts of Germany in regards to the AES' implementation exist (Hövelmann and Freiherr, 2002). The research carried out on the impact of the Agri-environmental Schemes show that regional absorption is characteristic to areas of a lower land use intensity and Less Favourable Areas. Hence, these programmes contribute to biodiversity rates and to the maintenance of extensive land use (Osterburg, 2000).

Following Agenda 2000, the *Länder* have advanced their AEM using their knowledge obtained from the former programmes. As Nitsch et al. (2005, p.16) noted, the conversion from Regulation (EEC) 2078/1992 to Regulation (EC) 1257/1999 resulted in major changes of the Agri-environmental Scheme in some of the member states such as Germany (including the Land Brandenburg), Ireland and the Netherlands or in a completely new approach in

France. However, there were also countries that did not undertake incremental changes and therefore continued with the former programmes such as Finland and Italy.

Currently, the requirements of Regulation (EC) 1698/2005 are more advanced than those deriving from previous legislation. Hence, there are more criteria to consider and the ways in which the goals of the AEM should be achieved are described in detail. Therefore, it has become more difficult to design the Agri-environmental Schemes and to give the reasons for their application to the Commission.<sup>50</sup>

In addition, the *Länder*' funds comprise the national share for co-financing measures in the framework of the GAK, but the national government does not affect the way in which the budget money is spent. In case of budget restrictions, some of the GAK's measures are closed for new participants, giving priority to specific instruments like organic farming. The principle of 'first come-first served' is commonly applied. Since the support for agri-environmental instruments under the GAK has increased from 60 to 80%, as a result of the introduction of national modulation, it has encouraged some *Länder* to adapt new measures combined within its scheme (Lammen-Ewers and Jäger, 2002). Nonetheless, the extent to which the *Länder* exploit the funds available under the GAK varies considerably.

Some of them still do not use them at all:

*'Due to specific local or financial conditions some affluent Länder refuse to make use of AEM under the GAK. Instead, they create their own AESs beyond the GAK.'*<sup>51</sup>

Summing up this section, it is clear from the above discussion that Europeanisation in regards to agri-environmental incentives has taken place in Germany. Since its early days the

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<sup>50</sup> Interview with the Specialist Legal Advisor, the Federal Ministry of Food, Agriculture and Consumer Protection (*Bundesministerium für Ernährung, Landwirtschaft und Verbraucherschutz*), Unit 526 Ecological Agriculture, Extensive Land Management Procedures, which is in charge of the Agri-Environmental Measures under the GAK within the Federal Government, 05 May 2006.

<sup>51</sup> Interview with the Specialist Legal Advisor, the Federal Ministry of Food, Agriculture and Consumer Protection (*Bundesministerium für Ernährung, Landwirtschaft und Verbraucherschutz*), Unit 526 Ecological Agriculture, Extensive Land Management Procedures, which is in charge of the Agri-Environmental Measures under the GAK within the Federal Government, 05 May 2006.

European legislative rules have been transposed to the German *Länder*. In order to expand on some of the measures of the AES national support to relieve the *Länder*' budgets was provided. Even though the national administrative and co-funding circumstances are optional and are linked with additional requirements, it is financially profitable for the German *Länder* to use these opportunities. Despite the fact that the domestic financial contribution is optional for the *Länder*, the influence of the federal level is vital. This underlines that the German Federal Government is a political and economic power in regards to this issue.

Furthermore, such European and domestic influence exerts some pressure on the German regions. Hence, the examination of the Land Brandenburg's case allows one to advance this argument. Prior to this, in order to provide a better understanding of the administrative arrangements, it is necessary to present the complex AES management structure at the national level.

#### **4.4 The institutional, political and social context for the development of the AESs in Germany**

As highlighted in Chapter 2, institutional characteristics are essential in order to provide an explanation for domestic change. Therefore, it was noted by Hövelmann and Freiherr (2002, p.5) that '*a review of administrative processes, and the organizational structures in particular, required to administer the agri-environmental programmes would appear to be highly advisable*'. Before scrutinising whether European requirements provide challenges to the Land Brandenburg's administrative arrangements it is important to reflect upon the national features that have additional influence.

#### **4.4.1 The Administrative structure of the AESs**

It has already been mentioned that Germany is a decentralised state, which gives legislative power to its federal states. The 16 *Länder* are accountable for the development of their Rural Development Plans in which the AES are combined. Currently, the National Strategy Plan for Rural Development 2007 to 2013 and 14 regional Rural Development Plans are applied ([www.rlg.nl/cap/germany.html](http://www.rlg.nl/cap/germany.html), downloaded on 13.03.2008).

Moreover, prior to Regulation (EEC) 2078/1992 the majority of the old *Länder* had already developed some of the Agri-environmental Schemes. With regards to the AESs offered under the former Regulations (EEC) 2078/1992 and the Rural Development Regulation (EC) 1257/1999 the literature review (Osterburg, 2001; Osterburg and Nieberg, 2001; Osterburg et al. 2003) discloses quite a diverse uptake of these measures among the German *Länder*. As they have the competence to develop their own framework, there are wide discrepancies within the country.

##### **4.4.1.1 Administrative and Institutional Arrangements of the AESs**

The setting up of the AESs should be based upon each *Länder*'s history and its main concerns regarding policy processes and administrative procedures. Since farming structures, financial power and political motivations vary between the *Länder*, the elaborated strategies and measures used differ. Consequently, co-operation between the *Länder* does not exist or is rather weak (Nitsch et al., 2005, p.15). Therefore, completely dissimilar schemes are offered in neighbouring *Länder* with similar landscapes. The structures of the Agri-environmental Schemes differ considerably. The *Länder* such as *Brandenburg*, *Sachsen*, *Saarland* and *Rheinland-Pfalz* have implemented one AES comprising of a mixture of measures. In comparison, *Niedersachsen* has developed 10 schemes and each of them consists of various

instruments. Although the administration of the programmes is given to the agricultural sector in most *Länder*, the involvement of the environmental sector within the elaboration process has increased significantly since Regulation (EEC) 2078/1992 was first established (Nitsch et al., 2005; Osterburg, 2001).

#### **4.4.1.2 The structure of interactions and communication**

Significant differences exist in relation to the ministries and their organisation in particular. They operate on both the national and federal states levels (*Länder*). The majority of *Länder* separate environmental and agricultural issues by having the Ministry of the Environment and the Ministry of Agriculture, which results in shared responsibilities. Nevertheless, some of the 16 *Länder* organise this matter differently by having one single ministry for agriculture and environmental issues. This is also the case for Brandenburg.<sup>52</sup>

Due to the complex institutional settings in each *Länder*, different institutional bodies manage various AESs (table 2). In general, it is the Ministry of Agriculture that gains control over the AES, but cooperation with the Ministry of the Environment is needed as generally nature conservation issues are dealt with by the latter. Moreover, the proper implementation of agri-environmental issues depends on the relations between both departments (Nitsch et al., 2005).

In this instance, one needs to point out the additional measures that are available to the German *Länder* under the national framework, namely the GAK. Currently, the Joint Task for the Improvement of Agricultural Structures and Coastal Protection constitutes the key national instrument to coordinate the structural policy for agriculture and to implement and nationally co-finance the EU rural development policy (BMELV, 2007, p.6).

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<sup>52</sup> Interview with a Representative of the Federal Agricultural Research Centre (*Bundesforschungsanstalt für Landwirtschaft*), scientist working on the CAP, the AESs in particular, 02 May 2006.

Table 2 Institutional settings under Reg. (EC) 1257/1999 and SAPARD and the main administrative levels

Member State	Scheme promotion, information and technical support	Contract administration (including payments to farmers)	Approval of applications
Germany	<i>Länder</i> different agricultural and environmental administrations, depending on AEM, often at NUTS 3 level	Different agricultural and environmental administrations, depending on AEM, often on NUTS 3 level; payments normally by payment agency at <i>Laender</i> (NUTS 1) level	<i>Länder</i> (NUTS 1); different agricultural and environmental administrations, depending on AEM, often at NUTS 3 level

Source: Nitsch, H., Osterbrug, B., Beckmann, V., Lütteken, A. (2005) Inventory of institutional arrangements of agri-environmental schemes in Europe. Sixth Framework Programme Priority 8. Policy-Oriented Research. Dokument number: ITACES WP4D8P51P5.

The Planning Committee for Agricultural Structures and Coastal Protection (*Planungsausschuss für Agrarstruktur und Küstenschutz* (PLANAK)) establishes fundamental objectives, support frameworks and eligibility criteria at the Federal State level, whilst the design of measures and implementation along with monitoring matters are assigned to the German *Länder* (Lehmann et al., 2005, p.9). At the end of 2004 PLANAK defined objectives and duties for 2005-2008. In regards to the CAP reform it includes: erosion prevention, the extensive use of grassland, the maintenance of plants' genetic resources on the grassland, the maintenance of cattle on the grassland during the summer and the upkeep of extensive sheeps and goats. Additional farm investment support was defined only for the new *Länder* (Deutscher Bundestag, 2005).

*'Within the GAK the Federal Ministry of Food, Agriculture and Consumer Protection is responsible for the elaboration of agri-environmental measures and discusses them within planned boards. The decision-making board comprises of the representatives of both the BMELV and the Länder and they have one vote each. This panel makes its decisions with the federal vote and the votes of the majority of the Länder. The decisions are prepared by special expert-groups of the Länder and the BMELV. However, it is the Federal Government that presents the results of the national discussion at the negotiations in Brussels. Germany represents only one member state. For this reason, it is hard to say if the Germans influence the design of agri-environmental measures at the EU level. The recent need to include socio-economic partners and any other appropriate body representing civil society, increases the number of participants notably and makes implementation processes more difficult'*<sup>53</sup>

<sup>53</sup> Interview with the Specialist Legal Advisor, the Federal Ministry of Food, Agriculture and Consumer Protection (*Bundesministerium für Ernährung, Landwirtschaft und Verbraucherschutz*), Unit 526 Ecological

In regards to the management of the AES framework within the GAK, actors from the BMELV and the *Länder* exchange information in written form or during meetings that are generally held twice a year and more if needed. The scheme is checked yearly and adapted to the changed regulation rules if necessary.<sup>54</sup>

In line with the above mentioned issues, the ‘National Strategy Plan for Rural Development 2007 to 2013’ was set by the Federal Government by means of the *Länder* and socio-economic associations. This general strategic approach encompasses the priorities of Pillar II of the Common Agricultural Policy, namely setting up the main objectives, monitoring and evaluation indicators ([www.bmelv.de](http://www.bmelv.de), downloaded on 14.08.2008).

#### *Constraints encountered by the administrative body whilst designing and implementing the AESs*

According to Eggers, Laschewski and Schleyer (2005, p.1) the procedure for the AES’ design ought to be perceived as a complex process at the *Länder* level, in which institutional settings affect the process significantly by forming the outcomes and scheme design. This may result in outcomes which were not planned by the EU.

Furthermore, at the *Länder* level, it is a widespread opinion that regional agricultural authorities perceive demands deriving from the national ministry along with those from the European Union as the most constraining factors (‘*doppelte Politikverflechtung*’) (Mehl and Plank, 2001, 2002). Indeed, double responsibilities deriving from both European and federal administrative requirements may result in uncertainties. In spite of the fact that two possible levels of support may exert pressure, it also provides new opportunities to regional

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Agriculture, Extensive Land Management Procedures, which is in charge of the Agri-Environmental Measures under the GAK within the Federal Government, 05 May 2006.

<sup>54</sup> Interview with the Specialist Legal Advisor, the Federal Ministry of Food, Agriculture and Consumer Protection (*Bundesministerium für Ernährung, Landwirtschaft und Verbraucherschutz*), Unit 526 Ecological Agriculture, Extensive Land Management Procedures, which is in charge of the Agri-Environmental Measures under the GAK within the Federal Government, 05 May 2006.

administrations that can choose between them or even join the options and gain from both levels. Hence, the regional administration seeks to alleviate the constraints and enhance financial support within the rural development policy because maximising external funding may be seen as a vital objective. The co-financing issue is crucial for the regional authorities as they seek to comply with the aims of policies supported by a superior administration. Moreover, the prevailing institutional setting gives precedence to the regional administration whilst assigning the approval of the complementary budget, which is the result of previous negotiations between different administrative actors. Therefore, it diminishes parliament's role (Laschewski et al., 2002).

Ahrens, Lippert and Rittershofer (2000) suggest that political competition is moderately important. Using the example of the German Land of *Sachsen-Anhalt* they highlight the pressure caused by external obtainable funds. More explicitly they point out the issue of successful spending, as its failure would expose the government to public criticism. Whilst designing the AES one also has to take into account the future uptake of the schemes. It is vital to apply strategies that assure the acceptance of the selected measures, so the administration authorities would communicate widely with the future recipients and employ low formal requirements and attractive financial conditions in order to evade complicated formal procedures (Eggers, Laschewski, and Schlayer, 2005, p.6). The management of the scheme should also be borne in mind during the setting up process. The costs of monitoring and enforcing the regulations has become a crucial matter for regional administrations (Eggers, 2005). Path dependence, which relates to the regional history of the Agri-environmental Policy and enables an understanding towards the way in which new schemes are put into practise, is relevant during the designing process (Wilson, Petersen and Höll, 1999). The institutions which exist in the *Länder* may be complementary to the ones that are needed. Additionally, rule changes may be affected by cooperation between different

decision-making levels. With reference to the AES, regional decisions need to be approved by the higher administrative authorities, so it may require significant financial inputs to increment existing programmes. Moreover, path dependence is reflected in previous investments in knowledge and the occurrence of interest groups affiliated to certain institutional arrangements (North, 1990). Hence, the learning costs are not only associated with environmental incentives but also with the process of obtaining knowledge from farmers' responses and the requirements of bureaucratic procedures in relation to the European policy system.

Summing up, the discussion from the previous sections has been taken further here. The compound structure of the administrative arrangements of the AES' application has been shown. The organisational structures in particular require the administration of the Agri-environmental Schemes on two levels, namely the national and *Länder* levels. Nevertheless, these show the complexity of the AES' management in Germany. It has previously been mentioned that the administrative, political and organisational conditionality differ in each Land. For this reason, each region sets its own scope for the Agri-environmental Scheme. Each defines and assigns responsibilities for different AESs to various authorities. Thus, the need to choose a particular Land to study comprehensively occurs. It is clear that only by scrutinising one of the *Länder*, is one capable of confirming or rejecting the hypotheses of this research.

#### **4.4.1.3 Administrative actors and socio-economic partners**

The analysis regarding the historical development of the agri-environmental approach has shown that a gradual integration of environmental incentives within the agricultural sector occurred, even if the agri-environmental framework at the national level aimed at the upkeep of extensive ways of production rather than at nature conservation.

Consequently, it became a common issue for both the farmers and environmentalists. In each German Land social organisations supporting opposing interests exist. They may be separated into those deriving from the farming community and those deriving from environmental protection. The latter has gained power and influence since the 1970s.

It should be noted that during the development of the MacSharry reform, Germany was one of the countries that strongly argued for the persistence of income-oriented measures and supported the maintenance of direct income support at the EU level. However, as Jones (1994) stated, the set-aside and extensification frameworks occurred as a consequence of the German policy-makers' contribution, which aimed at curbing production and alleviating surpluses. Although originally these measures were taken into consideration as market-oriented ones, adding environmental incentives, as justification for the development of these costly new instruments was beneficial. Moreover, during the period of setting up the CAP reform, the *Länder* placed pressure on the Federal Government to combine environmental and production restrictions due to the fact that most of them had already implemented the payments for farmers for implementing environmental practises.

It was argued by Höll and von Meyer (1996) that the development of the Agri-environmental Policy in Germany had been stalled by political as well as legal restraints. Within the political field the German Farmers' Association (*Deutscher Bauernverband*) is the most powerful actor. This German farmers' organisation stands for agricultural interests in both the domestic and international arenas (Bulmer and Paterson, 1987). The Cooperative for Rural Farming (*Arbeitsgemeinschaft Bäuerliche Landwirtschaft* (Abl)) and The German Association of Part time Farmers (*Deutscher Bundesverband der Landwirte im Nebenberuf* (DBN)) are less effective. The Abl represents mainly young farmers, who act against the agri-business approach of the DBV supporting small and medium size family farming. The DBN promotes

part-time farming that is widespread in around 50% of German farms. Moreover, the Cooperative of Organic Farming (*ArbeitsGemeinschaft Ökologische Landbau*) consists of eight different organic farming associations and addresses the interests of organic farming. These organisations represent a strong lobby and they cooperate closely with the Federal Ministry of Food, Agriculture and Consumer Protection, the DBV in particular.<sup>55</sup>

Wilson and Wilson (2001) discuss in detail the power exerted by the DBV over the years. They point out several causes for the prevalence of its major role in the development of the German agricultural policy. During the 1950s and 1960s the mutual support between the government and the DBV has been noted as an explanation for its great influence: '*the DBV power has largely depended on how much it has been able to influence agriculture ministers'* (Wilson and Wilson, 2001, p.56). In the 1970s and 1980s the DBV responded to the changed socio-political circumstances and '*confronted with resistance to its costly protectionist agricultural policy, the DBV felt urged to modify both its strategy and discourse*' (Wilson and Wilson, 2001, p.56). Farmers continued to play a major role in the policy-making arena, before elections in particular, despite the enormous decrease in the number of agricultural holdings and the consequent reduction in the DBV's power due to structural changes.

In the late 1970s when disputes about water pollution, soil degradation and loss of biodiversity started, environmental and nature conservation organisations focused on these issues and took an active role. Nonetheless, the DBV together with German Agricultural Ministers supported an income oriented CAP at that time. It should also be noted that the DBV was additionally supported by both the agri-food and agri-chemical industries. These organisations joined together to constitute a powerful lobby that led the policy discourse. In this regard, it is not surprising that the DBV had refuted the negative effects that agriculture

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<sup>55</sup> Interview with a Scientific Advisor working on CAP issues, Humboldt University of Berlin, Division of Resource Economics (*Fachgebiet Ressourcenökonomie*), 23 April 2008.

had on the environment and its resources. As a farmers' union, this organisation supported only market-oriented objectives, such as income and competitiveness. In the preceding period of the MacSharry reform, this organisation had fervently opposed the idea of limiting price support and compensating farmers for income losses by hectare payments. It was disputed that in the long time perspective payments related to social and environmental circumstances would respond to changing public expectations, which would make it unsafe (Grafen and Schramek, 2000, p.121). It is clear, though, that environmental matters were not put forward until they gained acceptance from the DBV.

However, in the late 1980s political circumstances have changed due to the Agriculture Minister Kiechle, who '*saw the emerging agri-environmental agenda (both at the EC 12 and national levels) as an ideal opportunity to tackle three of FRG agriculture, namely farm incomes, environmental pollution from agriculture and food surpluses*' (Wilson and Wilson, 2001, p. 195). Agri-environmental payments were to be applied: to increase farm incomes as they were decreasing under market support at that time, to answer to the public debate on the environmental damage of the rural areas as well as to relieve food surpluses. Inspite of the DBV's preliminary opportunistic approach, it '*quickly realised the financial benefits that could be gained from such policies and began to actively encourage farmers to participate in agri-environmental schemes*' (Wilson and Wilson, 2001, p. 195). The DBV and other groups acknowledged environmental incentives within the agricultural policy when conditions such as farmers' voluntary participation in the environmental schemes and the provision of compensation to them for the income forgone were included (Höll, 1996). Not only did the DBV accept the environmental protection issue, but it also started to promote the idea that farmers play a significant role in the preservation and protection of the natural environment.<sup>56</sup>

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<sup>56</sup> Interview with Representatives of the German Farmers' Association (*Deutscher Bauernverband*), the Department of the Environment and Energy Policies, 06 April 2006.

It was noted by Wilson and Wilson (2001) that due to a high level of acceptance of agri-environmental incentives such as Regulations (EEC) 797/1985, 4115/1988, '*Germany increasingly saw AEP as a possible solution to appease both its outspoken farmers' lobby and the demands by the other EC 12 member states for Germany to further reduce market support subsidies*' (Wilson and Wilson, 2001, p.196). In the light of these arguments, the Germans' passionate support for Regulation EEC 2078/1992 was expected. Thus, authors like Buller et al. (2000) and Wilson and Wilson (2001, p.197) comment that '*the structure of the regulation was best suited to the German situation*'.

Nowadays, full recognition of environmental incentives within Pillar II is apparent. Thus, the German Farmers' Association has accepted and supported the AES within both RDRs (EC) 1257/1999 and 1698/2005. In regards to the current RDP period 2007-2013 the DBV opted for a 20% increase in agri-environmental payments and the strengthening of the transparency of this measure including standards and controls. These objectives indicate that the association is positively engaged in the AES' improvement (DBV, 2004). However, the DBV's recent position paper on the future reforms of the CAP (Health Check) signify that further advancement of environmental incentives within Pillar II by means of increased money from cross-compliance and modulation is not really welcomed. The need to use these funds for agricultural rather than environmental objectives was called for (DBV, 2007). For this reason, one could argue that support for the AES derives not so much from the intention to protect nature but from the need to assure farmers' support.

A further enhancement of the environmental objectives within the CAP provoked a positive response among NGOs. This has been noted in the revision papers prepared by a group<sup>57</sup> of environmental and agricultural NGOs which are titled 'The implementation of the CAP

<sup>57</sup> 18 organisations have worked on this position paper including *Arbeitsgemeinschaft bäuerliche Landwirtschaft (Abl)*, *AgrarBündis*, *Brot für die Welt*, *BUND*, *Deutscher Tierschutzbund*, *NABU*, *WWF Deutschland*, *Euronatur*, etc. (Isermeyer, 2003).

reform in Germany' (*Umsetzung des Luxemburger Beschlusses zur EU-Agrarreform in Deutschland*) and 'New perspectives of the CAP' (*Neuorientierung der EU-Agrarpolitik*) (Deutscher Organisationen, 2006). These organisations joined together to present their opinions and views on the current and future directions of the CAP and to highlight the opportunities for Germany. However, the views on the power exerted by agricultural and environmental NGOs vary:

*'It becomes clear that the agricultural lobbying groups, the DBV in particular, are very powerful and exert strong pressure on the Federal Government in regards to the changes of agricultural and rural policies,<sup>58</sup> whereas the role of environmentally focused NGOs is not as apparent. This is due to the fact that the issue of nature conservation within the GAK is not legitimate as according to the constitution it is a framework for agricultural structures. Therefore, it is difficult for environmental NGOs to influence the way in which the GAK is developed. There is no formal partnership and it is not easy to approach the people from the PLANAK. Thus, GAK's assumptions are developed in a tight environment as only people within the BUND are included. Furthermore, conservation is not a topic of the GAK at the moment. The role of the environment has decreased, as the Bund does not hold any responsibility for nature conservation. The Länder decide and develop the scope on their own'.<sup>59</sup>*

However, in the former Secretary of State's opinion, the Federal Government (the BMELV and the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU)) and the *Länder* influence the decision-making process equally, which equates to 40% each. The remaining 20% is divided between the DBV (10%) and environmental NGOs (10%) (*Naturschutzverbände*). Hence, views from a range of societal groups have been incorporated.<sup>60</sup> Adding to the view previously mentioned by the representative of the Federal Ministry of Food, Agriculture and Consumer Protection that the AEM within the GAK are designed in a close environment (federal and regional administrative bodies), it becomes clear that the extent to which NGOs affect the decision-making process is speculative. Nonetheless,

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<sup>58</sup> Interview with Representatives of the German Farmers' Association (*Deutscher Bauernverband*), the Department of Environmental Policy, Genetic Resources, Fertilisers and Plant Protection Funds, 06 April 2006.

<sup>59</sup> Interview with the Director of the German Association for Landscape Protection (*Deutscher Verband für Landschaftspflege*), 24 April 2006.

<sup>60</sup> Interview with the Former Secretary of State, Coordinator; Chairman of the GAK's Planning Subcommittee (*Unterausschuss des Planungsausschusses*), 27 April 2006.

the perception that close cooperation between the federal and the *Länder* levels exist is apparent to all respondents. Thus, a consensus oriented designing style prevails.

Nevertheless, the process of the integration of environmental incentives within the agricultural policy was always supported by the nature conservation NGOs (*Naturschutzbund Deutschland* (NABU), *Bund für Umwelt- und Naturschutz* (BUND), World Wildlife Fund-Germany and originally by the Federal Ministry of the Environment (currently the BMU), (*Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit*). Since the early 1980s, the main focus was placed on the unification of environmental protection. However, horizontal rather than targeted measures were supported. In the opinion of the NGOs, the environmental aspect constituted a core issue for societal groups and it was also a social duty to all land users. In spite of internal disputes and the broad public support that had been gained, environmental organisations did not succeed in attaining adequate policy support in the 1990s. Whilst the legal bases still contributed to the farmers' union, the Agri-environmental Schemes based on voluntary and compensation objectives were the sign of change. Nonetheless, nature conservation NGOs have borne in mind that the majority of agricultural policy instruments still contribute to the harmful activity of the agricultural sector (Grafen and Schramek, 2000).

In this instance, Nitsch et al. (2005) mention the existence of the environmental NGOs in Germany, though the level to which these organisations have affected the development of the Agri-environmental Policy was not given (table 3). In order to advance such an assumption, this research argues that the current role of the German Society for Nature Protection (*Naturschutzbund Deutschland* (NABU)), the German Association for Landscape Protection (*Deutscher Verband für Landschaftspflege* (DVL)) and the World Wildlife Found Germany should be highlighted.

Table 3 Agricultural and Environmental NGOs in Germany

Agricultural Focus	Environmental Focus
- Farmers' Union ( <i>Deutscher Bauernverband</i> -DBV, 360000 members)	- <i>Naturschutzbund Deutschland</i> (NABU) (380000 members)
- Agricultural Association ( <i>Deutsche Landwirtschafts-Gesellschaft</i> -DLG)	- <i>Bund für Umwelt- und Naturschutz</i> (BUND) (375000 members)
- Organic Farming Associations ( <i>Demeter, Bioland, Biopark, Gää</i> )	- <i>WWF-Germany</i> (285000 members) - <i>Greenpeace Deutschland</i> - <i>Deutscher Naturschutzring, Dachverband</i> (94 member organisations) - <i>Schutzmehrheit Deutscher Wald</i> (SDW) (25000 members) - <i>Ökologischer Jagdverband</i> (ÖJV) - <i>Rat für Vogelschutz</i> (DRV) (15 member organisations)

Source: Nitsch, H., Osterbrug, B., Beckmann, V., Lütteken, A. (2005) Inventory of institutional arrangements of agri-environmental schemes in Europe. Sixth Framework Programme Priority 8. Policy-Oriented Research. Dokument number: ITACES WP4D8P51P5, p.25.

Thus, the NABU and the DVL are active organisations that operate at the European, the Federal and the *Länder* levels. Currently, the objectives of the rural development policy constitute an important matter. The German Society for Nature Protection along with the German Association for Landscape Protection have been very active in the recent revision of the rural development policy with regards to Regulation (EC) 1698/2005. The NABU's and DVL's influence has been exerted at the European level and then transferred to the national arena:

*'Lobbying activities in Brussels concerned the Regulation itself, namely the redistribution of funds among the different axes and the integration of NATURA 2000 as a key instrument of the RDP. Furthermore, the provision of forestry payments which have been included into the legislation, was one of NABU's suggestions. The issues of evaluation and monitoring, including the incorporation of the farming bird index in the implementation regulation were also considered'.<sup>61</sup>*

*'The DVL has increased its influence at the EU level with reference to both the DG Agriculture and the DG Environment. Hence, Deutscher Verband für Landschaftspflege's success can be noted in regards to the Regulation of Rural Development. The increase in the rates of agri-environmental payments was one of the objectives lobbied for'.<sup>62</sup>*

In its position paper for the European Commission, NABU (2004) opted for an enhancement in transparency by providing support for a simplification of RDPs bureaucratic procedures as

<sup>61</sup> Interview with a Representative of the German Society for Nature Protection (*Naturschutzbund Deutschland*), 11 April 2006.

<sup>62</sup> Interview with the Director of the German Association for Landscape Protection (*Deutscher Verband für Landschaftspflege*), 24 April 2006.

well as for the transfer of 25% of the money for AXIS 2, which incorporates improving the environment and the countryside.

These associations are also powerful at the federal level with reference to the strategy for rural development and in particular the GAK. A number of publications<sup>63</sup> and conferences on how to integrate environmental issues into agricultural and rural policies and how to change their focus towards efficient sustainable rural development, have been made.

Ultimately, the NABU and the DVL attempt to empower and encourage the regional units to exert pressure on the policy-making process in each Land. Hence, such actions allow them to have an influence on the way in which rural policy is carried out in the European, national and regional arenas.<sup>64</sup>

Additionally, the role of the WWF is noteworthy. It needs to be pointed out that the German division had undertaken a substantial lobbying campaign in 1999 to have the AEM included within the GAK. This was only partially successful as only some of the objectives were noted within the Common Task of Improving Agricultural Structures and Coastal Protection in 2002.<sup>65</sup> However, currently attention has shifted towards strengthening environmental objectives within the RDP's agenda. Even so the opinion that '*the financial and environmentally oriented measures within the GAK should be upheld*'<sup>66</sup> prevails.

Moreover, not only are the various organisations often engaged in the government consultation processes on environmental, agricultural and rural development issues, but so are the stakeholders. Germany was one of the countries which allowed the considerable

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<sup>63</sup> See for example the recent publication by the DVL and NABU (2005). *Agrarreform für Naturschützer. Chancen und Risiken der Reform der Gemeinsamen Agrarpolitik für den Naturschutz.*

<sup>64</sup> Interview with a Representative of the German Society for Nature Protection (*Naturschutzbund Deutschland*), 11 April 2006.

<sup>65</sup> Interview with the Director of the German Office, World Wildlife Found, WWF Section Berlin, 18 April 2006.

<sup>66</sup> Interview with a Specialist, World Wildlife Found, WWF Section Berlin, 18 April 2006.

participation of stakeholders during the decision-making process on agri-environmental instruments. In the case of Brandenburg the creation of the AESs was accompanied by consultation with civil society organisations such as environmental NGOs, the Federation for Landscape Conservation and the Association of Farmers in Brandenburg.

Considering the sections above, there is still a desire to undertake detailed analyses of the particular Land that one is interested in. The administrative arrangements as well as political and organisational conditions differ in each Land. Therefore, the findings mentioned above further validate the statement from section (1.2.1) in which the appropriateness of the Land Brandenburg is highlighted as the case to study. A detailed analysis of the Land Brandenburg provides us with a full understanding of the AES' design and implementation in this particular region. Hence, a detailed description of the development, political motives and institutional arrangements accompanying the Agri-environmental Policy in the Land Brandenburg will now be highlighted.

#### **4.5 The state of affairs of agriculture and rural areas in regards to the Land Brandenburg**

The Land Brandenburg is situated in the North-East of Germany and shares a border with Poland. This new Land surrounds the capital city of Berlin and takes up 9% (29 500 km<sup>2</sup>) of the total area of the country (MLUV, 2007, p.13). Following German unification in 1990, the hierarchical structure of the GDR had to be transformed to fit the legal and administrative structures of the Federal Republic of Germany with its focus on self-government. In relation to the Agri-environmental Policy, no considerable implication of the new rules and structures took place before 1992 (Schlayer, 2002, p.150).

The area of the Land amounts to 3 million ha, of which 1,461 million ha is taken up by agricultural land and 1,036 million ha is taken up by forest. The agricultural land is composed

of about 68% arable land and about 29% pasture land. Hence, rural areas<sup>67</sup> cover 95% of the region (EC, 2007, p.1).

Brandenburg is characterised by a large number of diversified landscapes and biotopes of great natural value such as 3 000 lakes larger than 1 ha. This region is also distinguished by the highest ratio of forest area (per inhabitant is 0,34 ha) in Germany. Hence, 34 out of 200 habitats identified under European nature protection rules exist there. Additionally, 45% of the animal and plant species in Brandenburg are endangered. In order to protect the biodiversity, 27 bird Special Protection Areas (SPA) and 620 flora, fauna and habitat (FFH) areas have been designated. Furthermore, Large Scale Protection Areas (LSPA) have been set up which account for 32% of the Land's territory, whereas Natura 2000 sites make up about 26% and are part of the LSPA. Local species are also protected under individual programmes (e.g. the eagle, otter, or black grouse). Accordingly, such conservation activities enable the improvement of conditions for some species (EC, 2007, p.4). Nevertheless, the following threats to agricultural land prevail: wind erosion resulting from light sandy soils, the nitrate pollution of surface and drinking water along with the decrease in the regeneration of drinking water and flooding.<sup>68</sup> Even though about 621 water protection areas have been created, the reduction of nitrate emissions via improved fertilisation of agricultural land still constitutes an important issue. As research on water quality discloses, 40% of lakes remain polluted by nutrients. However, in relation to air pollution progress has been made due to the decrease in emissions from industry.<sup>69</sup> In comparison with the German average the use of fertilisers in the Land Brandenburg is not high (figure 4).

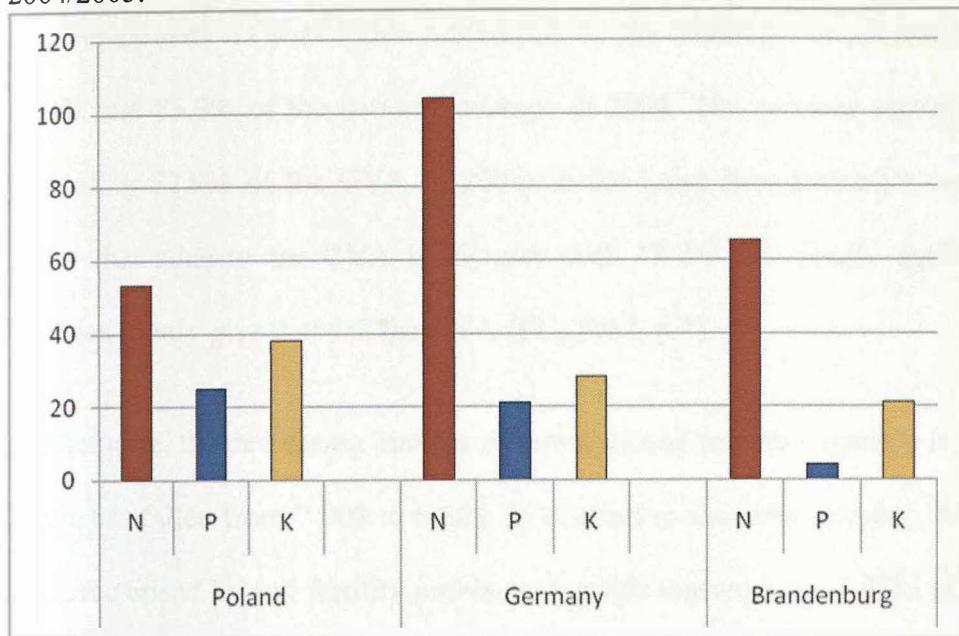
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<sup>67</sup> Definition of rural areas (EC, 2007, p.1): Rural areas are those which are outside of the urban agglomerations. In addition, villages on the outskirts of towns which have lost administrative independence but which in terms of infrastructure and population density are similar to rural villages are also considered to be a part of rural areas.

<sup>68</sup> The floods of 1997 and 2002 revealed a serious problem that also threatens farmland areas.

<sup>69</sup> Currently, Brandenburg with its 25t per capita of CO2-emissions per year represents the lowest intensity of all Länder. Two thirds of these emissions are due to energy production based on fossil sources (EC, 2007, p.4).

Figure 4 The use of fertilisers NPK kg/ha in Poland, Germany and Brandenburg in 2004/2005.



Source: Agrarbericht (2007) Bericht zur Lage der Land- und Ernährungswirtschaft des Landes Brandenburg. MLUV, LVLF, p.83; Jahrbuch. (2007) H.Ernährung, Landwirtschaft und Forsten in den Mitgliedstaaten der EU, p.442,443.

#### *The place of agriculture in the Land Brandenburg's economy*

Rural areas are characterised by a varied and sparse population. The number of inhabitants accounts for about 2,6 million, of which 70% live in small rural municipalities that experience a lack of facilities and infrastructure. In regards to the reunification process in the 1990s, restructuring on a grand scale occurred. In spite of that, unemployment and rural depopulation rates in the Land are still high (Benthin, 1999, p.2). Not surprisingly, Berlin has a high level of employment (1 016 000 people). Nevertheless the unemployment rate in the rest of the Land area is rather high, with the average standing at 18.2%, although this level is lower in the regions surrounding Berlin. The percentage of women in the total number of unemployed fell from 54 to 46% from 1999 to 2005. The number of people employed in agriculture has decreased by about 3 000 from 2000, which gives 41000 people constituting 4% of all employees in 2004. Family workers constitute 22% of the number mentioned and part-time employees take up a significant share (EC, 2007, p.2).

The economic system lags behind that of the Western *Länder*. Brandenburg is falling behind the average with a Gross Value Added (GVA) per inhabitant or per employee accounting for 87.4% and 83.9% of the national average in 2004. The services sector plays a pivotal role (providing 72.9% of the GVA in 2004) in the Land Brandenburg's economy. The second sector that adds to the GVA is industry with 18.7% and finally agriculture, forestry and fisheries jointly give 2.4% to the GVA (EC, 2007, p.2).

Furthermore, the decreasing number of farms should be noted, namely from 1999 to 2005 the figure has fallen from 7 008 to 6 668. In contrast to the other *Länder*, the Land Brandenburg is characterised by soil fertility problems. For this reason, around 75% of all agricultural land is classified as a Less Favoured Area. This also translates into the types of products which are grown; cereals and oilseeds are the dominant crops. Hence, the production of renewable energies as well as the reduction in set-aside land are also characteristic to Brandenburg.<sup>70</sup> In regards to animal production a relatively low livestock concentration should be mentioned, but the number of poultry and horses has increased.<sup>71</sup> Additionally, the food processing sector which comprises 13.4% of all enterprises and 12.3% of all employees forms an important area within the processing industry. In 2003 about 1.9% of total sales of German food stuffs were provided (EC, 2007, p.3). Moreover, the number and structure of the farms needs to be highlighted as the average farm size is far beyond the German standard (45ha). Thus, more than 30% of the farms exceed 200 ha (MLUV, 2007, p.50). Indeed, table 4 shows that the majority of farms comprise of large holdings but the number itself is small in comparison with the German total number. Table 5 indicates that the largest farms in Brandenburg take up 96% of the total farm structure.

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<sup>70</sup> In 2005 cereals were cultivated on 538 000 ha and oilseeds on 142,000 ha. Land used for renewable energies made up 62 000 ha (about 6%) of arable land. The share of set-aside land dropped from from 14.7% in 2003 to 11.6% of all arable land in 2005.

<sup>71</sup> With 45.3 livestock units/per 100 ha of agricultural land.

Table 4 The number of farms in Germany and Brandenburg (2007)

Farm size (ha)	total	<2	2-5	5-10	10-20	20-50	>50
Germany	374 514	25 476	60 405	52 685	67 848	82 822	85 278
Brandenburg	6 704	375	1 131	785	825	951	2 637

Source: Statistisches Bundesamt. (2008) Land- und Forstwirtschaft, Fischerei, Ausgewählte Zahlen der Agrarstrukturerhebung, Wiesbaden Fachserie 3 (1):37,38.

Table 5 The German and Brandenburg farm structure in % (2007)

Farm size (ha)	<2	2-5	5-10	10-20	20-50	>50
Germany	0.1	1.2	2.3	6.0	16.2	74.2
Brandenburg	0.0	0.3	0.4	0.9	2.3	96.0

Source: Statistisches Bundesamt. (2008) Land- und Forstwirtschaft, Fischerei, Ausgewählte Zahlen der Agrarstrukturerhebung, Wiesbaden Fachserie 3 (1):37,38.

### *Strengths and weaknesses of the Land Brandenburg's agriculture and rural areas*

Agricultural practises still provide the foundation for the rural economy but the significance of multifunctional development in the form of agri-tourism and craftsmanship services is increasing (MLUV, 2006). Furthermore, the stable level of plant and animal production together with the high level of training and dissemination of information and the proximity of the Berlin conurbation constitute positive attributes, whereas the high unemployment rate, the lack of infrastructure and low productivity represent negative ones (table 6) (EC, 2004).

Summing up this section, due to the experience of the past communist system the Land Brandenburg is still lagging behind the Western *Länder*. In this regard, the high unemployment and rural depopulation rates do not contribute to this matter. The region is characterised by the highest rate of afforestation. Hence, a rich biodiversity level, a lack of infrastructure, light sandy soils along with the identification of the majority of land as a Less Favourable Area can also be related to the Polish case (see the follow-up chapter).

Table 6 SWOT analyses of agriculture and rural areas

<b>Strengths</b>	<b>Weaknesses</b>
<ul style="list-style-type: none"> <li>• The proximity of the Berlin conurbation</li> <li>• Considerable amount of agricultural areas together with significant labour resources</li> <li>• A large number of people living in rural areas</li> <li>• Favourable conditions for the development of the service sector including agri-tourism and craftsmanship</li> <li>• The high level of training and dissemination of information</li> <li>• Favourable conditions for the development of organic farming</li> <li>• A large number of diversified landscapes and biotopes of great natural value</li> <li>• The stable level of plant and animal production</li> <li>• Considerable development of food processing</li> <li>• A high forest rate</li> <li>• The production of renewable energies</li> </ul>	<ul style="list-style-type: none"> <li>• The high unemployment and rural depopulation rate</li> <li>• A low productivity level</li> <li>• A high level of the Less Favoured Areas</li> <li>• A low level of development of social structures (schools, cultural institutions) as well as technical infrastructure (sewages, sewerage gas)</li> <li>• Light sandy soils</li> <li>• Soil fertility problems</li> </ul>

Source: own elaboration based on EC, European Commission, (2004) Rural development programmes 2000-2006. Germany; Brandenburg, Directorate-General for Agriculture and Rural Development; EC, European Commission, (2007) Rural development programmes II EII.3 Austria, Germany, Slovenia, Brandenburg-Berlin/Germany. Opinion of the Committee on Rural Development of 24/25 July 2007 on a draft Commission Decision on the programming documents for the rural development of Brandenburg-Berlin /Germany pursuant to Council Regulation (EC) N° 1698/2005; 13/07/2007, Directorate-General for Agriculture and Rural Development. Directorate EII. Brussels.

However, such similarities do not exist in regards to the administrative attitudes and arrangements which results in various domestic responses. Therefore, in order to confirm these observations this study will highlight the development of the AES approach with the corresponding administrative, political and social constellations.

#### 4.6 The origins and the development of the AEP

An assessment as to when and why the Land Brandenburg adapted the AES is provided here. The Ministry of Food, Agriculture and Forests of Brandenburg (*Ministerium für Ernährung, Landwirtschaft und Forsten des Landes Brandenburg*, MELF) had implemented an Integrated Rural Development Policy called the ‘ILE’ (*Integrierte ländliche Entwicklung*) in 1991. The Agri-environmental Scheme was introduced for the first time in 1992. Furthermore, in 1994 its measures were transferred into the KULAP (*Kulturlandschaftsprogramm*) to comply with (EEC) Regulation 2078/1992, which constitutes the Agri-environmental Scheme for

Brandenburg (the scope of the initial AES is presented in table 9). Wilson and Wilson (2001, p.205,206) highlight the role of the old *Länder* in elaborating the Agri-environmental Schemes in the new *Länder*. Each post communist Land was chaperoned by one of the old *Länder*. The authors argue that due to the fact that it was the *Nordrhein-Westfalen* which supported Brandenburg, the development of the AES was slowed down. Therefore, the lack of well developed structures in the former resulted in a poor learning capacity in the latter.

Since the beginning, the extensification of grassland was given priority. Hence, the KULAP's current framework still encompasses many measures implemented at the time. The KULAP 2000 (for the period 2000-2006) derived from the preceding one (Matzdorf, Piorr and Sattler, 2003a). Hitherto there are no great changes to KULAP for the period 2007-2013.

From 1992 until 1994, the designing process did not take into consideration environmental issues, as the Ministry of Food, Agriculture and Forests of Brandenburg and farmers' interest associations were the main actors that set the scope for KULAP. The departments of the environment and agriculture were separate administrative bodies. Thus, it partially contributed to the lack of cooperation. However, the incorporation of environmental issues has improved significantly since 1999, as actors interested in environmental issues have been involved for the first time and their proposals were accepted but not necessarily reflected in the scope of the AES for the 2000-2006 period.<sup>72</sup> This points to the occurrence of the willingness of the administrative body to broaden the scope of consultation and cooperation whilst designing the AES, although it was still rather modest.

What is more, the Rural Development Plan (RDP) for Brandenburg for the period 2000-2006 encompassing a new scope for KULAP was approved in September 2000. Articles 22-24 of

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<sup>72</sup> Interview with the Director of the Agricultural Economics Department, the Land Authority for Consumer Protection, Agriculture and Land Consolidation (*Landesamt für Verbraucherschutz, Landwirtschaft und Flurneuordnung*), Referat 41, 08 March 2006.

(EC) Regulation 1257/1999 on agri-environment and animal welfare (OOPEC, 2004) within KULAP were designed mainly by the Ministry of Agriculture, Environmental Protection and Regional Planning of Brandenburg (MLUV) in co-ordination with the Land Authority for Consumer Protection and Agriculture<sup>73</sup> (*Landesamt für Verbraucherschutz und Landwirtschaft* (LVL)) and the Land Environmental Authority (*Landesumweltamt* ( LUA)). Additionally, scientific bodies and the regional authorities for the agriculture and forestry board were also engaged in the process. Thus, working groups dealt with different issues of (EC) Regulation 1257/1999. Cooperation and a consensual decision-making style had developed among administrative bodies. Additionally, the results of the first evaluation of the RDP were also taken into consideration.<sup>74</sup>

In this instance, European requirements concerning the Agri-environmental Scheme did not substantially challenge the existing national policies and administrative structures, as the previous requirements contained in Regulation (EEC) 2078/1992 had already been applied. However, it is necessary to mention that in terms of the follow-up AES a lot of changes occurred in comparison with its initial regulation. The transformation of the existing AES occurred as a result of several factors, including:

- the need to comply with new EU requirements,
- the satisfactory financial state of the Land Brandenburg,
- the experience gained during the implementation of the previous AES,
- the outcomes of the first evaluation of the applied measures.

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<sup>73</sup> It was renamed the Land Authority for Consumer Protection, Agriculture and Land Consolidation (*Landesamt für Verbraucherschutz, Landwirtschaft und Flurneuordnung* (LVLF)) in 2004.

<sup>74</sup> Interview with a Representative of Leibniz-Centre of Agricultural Landscape Research (ZALF), scientific advisor working on agriculture and rural development issues, 20 February 2006.

Consequently, the scope of the instruments proposed under the KULAP increased. The main objective of this horizontal Agri-environmental Scheme was to ensure sustainable development through extensive farming and forestry production.<sup>75</sup>

It should also be stated that the highest uptake of the land under the Agri-environmental Scheme agreements was noted in 1999 and amounted to around 370 thousand ha. Since then the AES area decreased and in 2002 it was equivalent to 225 thousand ha (Matzdorf, Piorr and Sattler, 2003b, p.79).

Finally, the designing process of the Rural Development Plan for Brandenburg for the period 2007-2013 resembled the preceding one. The scope of the AES has not changed much and the consensual style of decision-making prevails. The only advantage of this phase was the increase in the involvement of environmental groups in the procedure.

The overarching point presented in this section is that the AES corresponded with the EU guidelines which were first established in 1994. Hence, some of the measures have prevailed. This finding leads to the conclusion that the administrative adoption of the AES under Regulations (EC) 1257/1999 and 1698/2005 would not require significant changes to the established patterns of implementation because of path dependency. The validity of this assumption will now be examined.

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<sup>75</sup> Interview with the Director of Agricultural Economics Department, the Land Authority for Consumer Protection, Agriculture and Land Consolidation (*Landesamt für Verbraucherschutz, Landwirtschaft und Flurneuordnung*), Referat 41, 08 March 2006.

## **4.7 The institutional, political and social context for the development of the AES in the Land Brandenburg**

### **4.7.1 Legal capacity**

*Legislative and institutional conditions in regard to the ‘goodness of fit’*

The fact that the AES equivalent to EU legislation was first established in 1994 constitutes an advantage. The initial AES Regulation 2078/1992 was used to provide preliminary experience and allowed for the acquirement of knowledge as well as providing awareness about the issue and the ways in which it should be dealt with. Due to the experience gained in the first KULAP, a great deal of compatibility with the next Regulation (EC) 1257/1999 in terms of the Agri-environmental Scheme was found in the Land Brandenburg. Even though some similarity to Articles 22–24 of Regulation (EC) 1257/1999 existed, the scope of KULAP had changed. The alterations were led partly by the changes that this Regulation brought as well as by the experience gained during the first six years of the AES’ implementation. With reference to KULAP 2007-2013 a high level of path dependency with its predecessor has been noted as only minor changes were applied. Not surprisingly, the current administrative actors as well as environmental and agricultural NGOs perceive this EU measure as having a positive influence:

*‘In comparison with Regulation (EEC) 2078/1992 the programme has changed a lot, the AES has been improved in terms of taking into account environmental issues. The authorities think more about the targets and objectives that they want to have, thus it is more targeted. They focus more on rural development and not only on agricultural objectives, so it is a good direction. The Agri-environment Scheme will be the second objective of the RDP for 2007-2013, so it is promising’.<sup>76</sup>*

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<sup>76</sup> Interview with a Representative of Leibniz-Centre of Agricultural Landscape Research (ZALF), Evaluator of the Rural Development Plan for 2000-2006 of the Land Brandenburg, 04 May 2006.

In some ways it would be easier if countries could be more flexible, as you have some measures requiring a lot of administrative work and transaction costs that cause problems.<sup>77</sup>

Nevertheless, the belief that the EU affects the countries in a positive way prevails. It is difficult in the Land Brandenburg with such economic problems to bring the environment into the discussion. EU co-financing is needed otherwise the implementation of some of the measures would not be possible.<sup>78</sup>

However, administrative constraints deriving from EU requirements are mentioned by the administration body, which points to the fact that not only financial, but also political pressure from Brussels exists:

*'All measures have to be designed in line with EU Regulations. Hence, the threat that the national government would have to pay back the money to the European Commission, if the measures would not be applied in a proper manner, is still very high. For this reason, all German Länder are really cautious and put in a lot of effort to comply with EU requirements'.<sup>79</sup>*

Summing up, the Land Brandenburg has not encountered any difficulties in regards to the AES' implementation under Regulations (EC) 1257/1999 and 1698/2005. The main explanatory factor is the six years experience gained during the implementation of Regulation (EEC) 2078/1992. The developed ways of dealing with the initial AES' adoption were well established, and used for the follow-up periods. Hence, an understanding of the AES issue was adequate to meet the needs of the corresponding EU regulations.

With reference to the main subject of this study, the scrutiny of 'the goodness of fit' shows a high level of convergence with EU demands. However, the issue of exerted pressure is still

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<sup>77</sup> Interview with the Director of the Agricultural Economics Department, the Land Authority for Consumer Protection, Agriculture and Land Consolidation (*Landesamt für Verbraucherschutz, Landwirtschaft und Flurneuordnung*), Referat 41, 08 March 2006.

<sup>78</sup> Interview with the Director of the Forest and Nature Protection Department, the Ministry of Rural Development, Environment and Consumer Protection of Brandenburg (*Ministerium für Ländliche Entwicklung, Umwelt und Verbraucherschutz des Landes Brandenburg*), Referat 47, 24 March 2006.

<sup>79</sup> Interview with the Director of the Agricultural Economics Department, the Land Authority for Consumer Protection, Agriculture and Land Consolidation (*Landesamt für Verbraucherschutz, Landwirtschaft und Flurneuordnung*), Referat 41, 08 March 2006.

legitimate. For this reason, it is possible to respond to one of the research queries, as the incompatibility issue occurred to be insufficient to offer a complete explanation for the dynamics behind the process of change. Only a partial justification occurred.

Even though further analyses are still needed, it is possible to predict some possible solutions here. Therefore, the theoretical findings of this thesis emphasise a high compatibility between EU requirements and domestic arrangements, which indicates that one can expect incremental and path-dependent changes. Institution-based approaches highlight the role of policy culture as well as persuasion and collective action within the institutional settings in understanding the process. Prior to the examination of the above mentioned factors the author will proceed with an analysis of policy content to see to what extent stability and path dependency can be found there.

#### **4.7.2 Policy content**

In this section, the AES policy will come under close scrutiny. Brandenburg has been classified as an Objective 1 region. For this reason, the European Union co-finances up to 85% of all measures in the current period 2007-2013, whereas they only co-funded 75% of all measures in the previous budget for 2000-2006. The development of the initial Agri-environmental Scheme has been described in section 4.6, but for this research the content of the AES in the 2000-2006 period as well as in the 2007-2013 period is crucial. The legislative bases for the adoption of the AES in the Land Brandenburg, including the tasks for the implementation of the relevant institutions, are contained in the following: the Minister and the Ministry of Rural Development, Environment and Consumer Protection and the federal state of Brandenburg in relation to the Guidelines.<sup>80</sup>

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<sup>80</sup>Der Minister für Ländliche Entwicklung, Umwelt und Verbraucherschutz: Richtlinie des Ministeriums für ländliche Entwicklung, Umwelt und Verbraucherschutz über die Gewährung von Zuwendungen für die Förderung der integrierten ländlichen Entwicklung (ILE) Vom 17. Januar 2006

It should be noted that in the programming period 2000-2006 Brandenburg and Berlin implemented separate schemes. In the Land four programmes were set up (EC, 2007, p.8):

- A joint operational programme together with the structural funds (EFRE and ESF), 735 million euro from EAGGF-Guidance (e.g. redrawing of plots, vocational training, marketing of quality products, village renewal, rural infrastructure, flood prevention);
- The Rural Development Plan – including AES, LFA, afforestation;
- The Community Leader+ initiative, 31 million euro of EAGGF-Guidance funds;
- Berlin: Objective 1 phasing out programme, 10 million euro from EAGGF-Guidance. This was a comparatively minor programme and so in the current period the Berlin programme is combined and administered by the Managing Authority of Brandenburg.

The following priorities were considered within the Rural Development Plan for Brandenburg in 2000-2006 (EC, 2004, p.1; EC, 2007, p.4; ZALF, 2003, p.38):

► Priority 1: Areas with environmental restrictions (typical cultivation instruments for Less-Favoured Areas under Article 16<sup>81</sup> of Regulation (EC) 1257/1999 and specific handicaps (mentioned in Article 20<sup>82</sup> of the same regulation). The instruments included in the first priority covered 52 000 hectares of land during the 6 year period. It is stated that 3,500 farms qualified for the LFA scheme's support. Designated areas were a component of NATURA 2000 areas. It addressed the issues of the preservation of rural habitats by protecting environmental objectives and sustainable management. Conservation areas had been designated in which the endorsement of habitats and species, the enhancement of living conditions for typical fauna and flora species as well as compensation for farmers were provided. Brandenburg is one of only a few EU regions that support the Article 16 measure and was the only German Land that used the chance to apply the compensation allowance to specific handicaps under Article 20 of the RDP Regulation. The Spreewald Biosphere

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Richtlinie des Ministerium für ländliche Entwicklung, Umwelt und Verbraucherschutz des Landes Brandenburg zur Förderung umweltgerechter landwirtschaftlicher Productionsverfahren und zur Erhaltung der Brandenburger Kulturlandschaft (KULAP 2007) vom 12.09.2005.

<sup>81</sup> Less-Favoured Areas may include other areas affected by specific handicaps, in which farming should be continued where necessary and subject to certain conditions in order to conserve or improve the environment, maintain the countryside and preserve the tourist potential of the area or in order to protect the coastline (OPEC, 2004).

<sup>82</sup> Payments to compensate for costs incurred and income foregone may be made to farmers who are subject to restrictions on agricultural use in areas with environmental restrictions as a result of the implementation of the Wild Birds Directive 79/409/EEC and on the conservation of natural habitats and on wild fauna and flora (FFH) Directive 92/43/EEC, if and in so far as such payments are necessary to solve the specific problems arising from the implementation of those Directives (OPEC, 2004).

Reserve scheme provided support for an historically grown and culturally very special form of environmentally friendly agricultural production.<sup>83</sup>

#### ► Priority 2: The Agri-environmental Scheme

The second priority concerned agri-environmental measures and aimed at the extensification of rural areas, namely the promotion of the protection and maintenance of the countryside, natural resources and genetic diversity. Furthermore, issues such as the diversification of production and the supply of high-quality, healthy products along with reimbursement for farmers for income forgone were also contained. This measure was to cover 360,000 hectares until the end of 2006. By far the most important measures were organic farming and extensive pasture management. The tendency towards organic farming was enhanced. In 2004, about 10% of Brandenburg's agricultural area was assigned to this production, encompassing 732 farms. This amounted to the highest percentage of all German *Länder*. The average size of organically producing farms is 170 ha, i.e. much higher than the national average (45 ha).

#### ► Priority 3: Afforestation of agricultural land

The last priority was to enhance the sustainable development of forests by improving their economic, social and ecological functions. It aimed on generating 200 hectares of new woodlands every year.

In addition, within the Brandenburg region additional contractual nature conservation measures that are restricted to nature reserves and biotopes and are entirely financed by the Land have been designed and implemented. The national park of the Lower Oder Valley is a good example of such a programme, which aims at the adaptation of agriculture to national park standards (Kuiper, 2000). However, the Brandenburg authorities sought to include the above mentioned measures under the RDP in relation to Article 16 of Regulation 1257/1999 in order to get EU co-financing (Nitsch et al., 2005, p.38). Nevertheless, the development of the contractual nature conservation measures is more flexible than the instruments provided under Article 16 and considers local and individual conditions. Although the Authorities for

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<sup>83</sup> The Rural Development Plan provide an annual budget of 0,12 million euro for specific measure relating to crop production to maintain the agricultural use of this area, which amounts to 22 ha (Matzdorf, Piorr and Sattler, 2003a, p.4).

Environmental Protection, the Nature Protection Stations, the Land Environmental Authority (LUA) and the administration for Large Protected Areas (LAGS) are responsible for this matter, guidance for measures and payments is provided by the specific regulations and payment-tables of the MLUV (MLUV, 2004)

The budgetary arrangements for RDP 2000-2006 presented in table 7 show that the allocation of 364 million euro during the previous period was used to support agri-environmental measures deriving from the articles on agri-environment and animal welfare (Articles 22-24) as well as supporting areas with environmental restrictions (Article 16) contained within Regulation 1257/1999 and afforestation (Article 31). The European Community contributed 273 million euro through the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF-Guarantee) (EC, 2004). Thus, the majority of money (88%) was spent on the Agri-environmental Scheme.

Table 7 Rural Development Plan (Brandenburg) 2000-2006: financial allocation per priority (million euro).

Priorities	Total expenditures	EU contribution
Less Favoured Areas	31,52	23,65
Agri-environmental Scheme	321,93	241,44
Afforestation of agricultural land	10,15	7,61
Evaluation	0,60	0,30
<b>Total amount</b>	<b>364,20</b>	<b>273,20</b>

Source: EC, European Commission. (2004) Rural development programmes 2000-2006. Germany; Brandenburg. Directorate-General for Agriculture.

It has already been noted that apart from the EU's share, agri-environmental measures are financed by the *Länder* that are responsible for their share of the budget. In the case of the Land Brandenburg the funds comprise of the national share for co-financing measures in the framework of the GAK. For this reason, both EU Regulations and the support from the GAK are considered to be very important and provide many opportunities as Brandenburg does not

have sufficient financial assets to provide such a broad scope for the Agri-environmental Schemes and environmental concerns.

Administrative as well as non-governmental actors believe that European influence is significant, but it is perceived not as a threat but as an opportunity to develop the AES in the Land Brandenburg. Pressure deriving from EU requirements is high and some problems with compliance exist but still it is stimulating and worth the effort. The financial support from the EU and the GAK given to the Land Brandenburg is beneficial. Otherwise the Land would not have sufficient financial assets to offer such a broad scope for the Agri-environmental Scheme and environmental concerns. Both levels are taken into account and the schemes are designed in line with EU (75%) and GAK (15%) requirements. The Land Brandenburg gives only 10% to the schemes co-financed by the EU and GAK and 25% to the measures co-financed only with the EU. Therefore, the authorities could not afford to support them without co-financing:

*'if they would keep some measures without the co-financing they would have to rearrange the other supported measures to get the money from them'.<sup>84</sup> 'The Land Brandenburg is characterised by poor environmental conditions and when using the AES they have a chance to improve it, otherwise most of the money would be directed strictly to agriculture'.<sup>85</sup>*

#### *The priorities of the Agri-environmental Scheme for the period 2000-2006 KULAP 2000*

In accordance with the Agri-environmental Scheme (Articles 22-24) the horizontal AES encompassing KULAP 2000 has dealt with the issue of the environment and the protection of its heritage by means of extensification, the preservation of natural resources and biodiversity measures.

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<sup>84</sup> Interview with the Director of the Agricultural Economics Department, the Land Authority for Consumer Protection, Agriculture and Land Consolidation (*Landesamt für Verbraucherschutz, Landwirtschaft und Flurneuordnung*), Referat 41, 08 March 2006.

<sup>85</sup> Interview with the Director of the Farmers' Association of Brandenburg (*Landes Bauernverband*), 21 March 2006.

KULAP 2000's main objectives were (MLUR, 2005, p.1-5):

- to support the environment and natural landscape as well as to extensify grassland by decreasing the use of mineral fertilisers and plant protection substances. These allow the preservation of abiotic and biotic natural resources, the extensive economy based on the protection and the maintenance of water resources which prevent point and surface pollution, the extensive use of grassland in order to uphold the diversity of animal and plant species, the upkeep of the diversification of grasslands and their mosaic character, the extensive use and the protection of Spreewald meadows to maintain the specificity of the landscape;
- to protect organic farming and to control integrated horticulture;
- to maintain genetic plant and animal diversity by keeping local breeds to preserve the specificity of the region, the protection and preservation of ponds, the upkeep of green cover and biological and biotechnical plant protection to eliminate synthetic plant protection. Beneficiaries come from both agricultural and afforested land and special instalments are set up to avoid double payments.

As Matzdorf, Piorr and Sattler (2003a) point out the mid-term evaluation of the Rural Development Plan illustrates that 80% of the KULAP 2000 area is allocated within the scope of measures aiming at the reduction of pesticide and nutrients run-off. This contributes to the improvement of soil as well as ground and surface water quality along with biodiversity. It has been stated that Brandenburg's position in regards to the issue just mentioned is '*above the country's average, particularly in combination with the overall low level of fertiliser application*' (Matzdorf, Piorr and Sattler, 2003a, p.4). The evaluation shows that '*around a quarter of the total budget for AEM highly ecological effective measures to reduce agricultural inputs are supported*' (Matzdorf, Piorr and Sattler, 2003a, p.33). Consequently, it is acknowledged that these horizontal measures fulfill the ecological objectives in terms of soil and water but they are still not sufficient in regards to nature conservation. Thus, the group of measures contributing to species and habitat variety take up less than 10% of the AES' area (Matzdorf, Piorr and Sattler, 2003b, p.215). Finally, in comparison with other *Länder* a narrower scope of agri-environmental measures were offered within KULAP 2000.

Nevertheless, instruments such as organic farming, intercropping and the conversion of arable land into grassland are believed to have had a positive effect on soil fertility. This constitutes an important issue as light sandy soils prevail in Brandenburg (Matzdorf, Piorr and Sattler, 2003a, p.14).

#### *The priorities of the Agri-environmental Scheme for the period 2007-2013*

Brandenburg's Strategy for Rural Development in 2007-2013 derives from both the national and Community guidelines. Whilst elaborating on the new scope for KULAP 2007, the baseline requirements deriving from the EU level (Article 39 of Regulation (EC) 1698/2005) as well as from the German National Rural Development Strategy Plan and finally from specific regional legislation (e.g. Nature Protection Law and regional Nature Protection Ordinances) were met (EC, 2007, p.15).

The authorities sought to simplify the structure of the AES (table 8) to improve the organisational procedures while also ensuring that environmental concerns and needs were included in a more efficient way:

*'The main priority has been given to environmental considerations, along with economic aspects, as the level at which it is still cost-effective for farmers to assign the contracts had to be calculated. For example the objectives of a measure were reduced from three to one but without cutting the content. The focus was placed on the formulation of the AES in a more sufficient and useful manner'*<sup>86</sup>.

The following objectives for the period 2007-2013 were set: to introduce or to continue to apply agricultural production methods in Brandenburg and Berlin compatible with the protection and improvement of the environment, the landscape and its features, natural resources, the soil and genetic diversity.

Targets for KULAP 2007 included:

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<sup>86</sup> Interview with a Representative of the Land Authority for Consumer Protection, Agriculture and Land Consolidation (LVLF) (*Landesamt für Verbraucherschutz, Landwirtschaft und Flurneuordnung*), Referat 47, 08 March 2006.

- conserving and developing ecological and genetic resources in rural areas through extensive, adapted and environment-friendly agriculture,
- compensation for disadvantages caused by unequal competition with intensive agriculture,
- the preservation of an area-wide land use and therefore the maintenance of jobs in rural areas,
- the protection of a landscape that meets the inhabitants' requirements and those of tourists.

The basis for the measures also comprises of the German National Framework of Rural Development. Hence, under the GAK the agri-environmental payments are made available for the following measures (EC, 2007, p.18):

- extensive production methods for field cropping and permanent crops,
- the extensive use of grassland and
- support for organic farming.

In this regard, by means of the above mentioned instruments as well as measures financed exclusively by the Land, the rural environment of Brandenburg is improving.

Table 8 Financial allocation per priority for the convergence region (Brandenburg) 2007-2013 (million euro)

Priorities	Total expenditures	EU contribution/ EAFRD
Axis 1 Improving the competitiveness of agriculture and forestry	485, 4	364,1
Axis 2 Improving the environment and the countryside	426,5	341,2
Axis 3 The quality of life in rural areas and diversification of the rural economy	367,5	53,1
Axis 4 LEADER <sup>87</sup>	66,4	26,6
<b>Total amount</b>	<b>1 381,2</b>	<b>1 060,6</b>

Source: EC, European Commission (2007) Rural development programmes II EII.3 Austria, Germany, Slovenia, Brandenburg-Berlin/Germany. Opinion of the Committee on Rural Development of 24/25 July 2007 on a draft Commission Decision on the programming documents for the rural development of Brandenburg-Berlin /Germany pursuant to Council Regulation (EC) N° 1698/2005; 13/07/2007, Directorate-General for Agriculture and Rural Development. Directorate EII. Brussels.

<sup>87</sup> 'LEADER is the EU Community Initiative for rural development. The LEADER programmes were designed to involve the bottom-up formulation and delivery of integrated, locally-based, innovative and sustainable rural development strategies which bring about improvements in the socio-economic status of rural areas while also developing the indigenous developmental capacity of rural actors and communities'(FA, 2003, p.1).

Table 8 shows that 30.9% of the total expenditure for the RDP in 2007-2013 is allocated to the Axis 2 priority of which 62.5% is used for agri-environmental payments. This takes-up 267.447.472 euro for the whole period (table 10) and 2.600 euro annually. It should be noted that the level of co-financing for the measures has changed as the EU co-financing is equal 80% along with the Bund's 12% and the Land Brandenburg's 8% of the money. For the measures not included within the GAK the EU contributes 80% and the Land 20%.<sup>88</sup>

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<sup>88</sup> Interview with a Representative of the Ministry of Rural Development, Environment and Consumer Protection of Brandenburg (*Ministeriums für Ländliche Entwicklung, Umwelt und Verbraucherschutz des Landes Brandenburg*), Rural Development and Agriculture Department, Referat 22 Direct payments, Areable-Plants and Horticulture, Plants protection, Agri-environmental Measures, 10 October 2008.

Table 9 The scope of Agri-environmental measures combined within KULAP

<b>Number</b>	<b>Packages</b>	<b>Variants KULAP 2000</b>	<b>Variants KULAP 2007</b>
A	Extensive and environmentally friendly grassland management	7 variants including: extensive grassland management, extensive management and the maintenance of wetlands (foodplains), late and restricted mowing, small-scale grassland management, the maintenance of grassland management in the 'Spreewald', the maintenance of extensive grassland and heathland through grazing and the maintenance of traditional orchards.	5 variants including: extensive utilisation of the whole grassland, extensive grassland management at special sites, later or restricted management of grassland with fixed dates, the maintenance of heath and dry grasslands ( <i>Trockenrasen</i> ) through grazing and the maintenance of orchards.
B	Environmentally friendly plant production and protection of highly structured agricultural landscape/ Environmentally friendly horticulture and field cropping as well as the conservation of complex landscape	6 variants available, namely: B1 integrated farming (vegetables and fruits), B2 extensive cultivation of arable land (withdrawn from KULAP in 2003), B3 organic farming, B4 erosion reducing/ soil-conserving measures, B5 the conversion of arable land into grassland and B6 permanent set-aside of arable land on ecological sensitive areas.	B 1) monitored and integrated horticulture a) for orchards and vineyards; b) outdoor cropping of vegetables, medicinal plants, ornamental plants; c) indoor cropping of vegetables, medicinal plants, ornamental plants and berries; B 2) organic farming: a) permanent grassland; b) field cropping; c) vegetables, medicinal plants, ornamental plants and berries; d) permanent crops; B 3) leguminous plants for restoring nature in former mining areas.
C	Preservation of genetic diversity	2 options: breeding of endangered animals, maintenance of regional endangered plant varieties: C1) livestock breeding of locally endangered species: a) cattle ( <i>Deutsches Schwarzbuntes Rind</i> old breeding line); b) pig ( <i>Deutsches Sattelschwein</i> ); c) sheep ( <i>Skudden</i> ); C2) endangered plant varieties.	2 options: breeding of endangered animals and the maintenance of regional endangered plant varieties C1) livestock breeding of locally endangered species: a) pig ( <i>Deutsches Sattelschwein</i> ); b) sheep ( <i>Skudden</i> ); c) cattle ( <i>Deutsches Schwarzbuntes Rind</i> ); d) cattle ( <i>Rheinisches Kaltblut</i> ) C 2) Conservation of regional crops that are endangered by gene erosion: a) compensation for the cultivation of special types of wheat and sorghum b) compensation for seeding, processing and quality management, incl. for small units.
D	Extensive pond management	The maintenance and conservation of ponds	x
AEM from former KULAP (Regulation (EEC) 2078/1992), these instruments were no longer offered			
FP42	Maintenance of abandoned grassland		
FP43	Extensive cultivation of arable land and permanent crops		
FP48	Training on environmental friendly cultivation methods		
FP81D1	Minimum tillage		
FP85	Demonstration activities on environmentally friendly cultivation methods		

Source: own elaboration based on Matzdorf, B., Pierr, A., Sattler, C., (2003a) Mid-Term Evaluation of the Rural Development Plan 2000-2006 in Brandenburg: Part agri-environmental measures-Executive Summary. Leibniz-Centre of Agricultural Landscape Research (ZALF) e.V. Müncheberg and EC, European Commission (2007) Rural development programmes II EII.3 Austria, Germany, Slovenia, Brandenburg-Berlin/Germany. Opinion of the Committee on Rural Development of 24/25 July 2007 on a draft Commission Decision on the programming documents for the rural development of Brandenburg-Berlin /Germany pursuant to Council Regulation (EC) N° 1698/2005; 13/07/2007, Directorate-General for Agriculture and Rural Development. Directorate EII. Brussels.

Table 10 Rural Development Plan 2007-2013 –financial allocation (in euro, total period)

<b>Measure/Axis</b>	<b>Public expenditure</b>	<b>Private expenditure</b>	<b>Total costs</b>
Payments to farmers in areas with handicaps, other than mountain areas	9.333.333	0	85.973.571
<i>commitments for non-convergence in the region of Berlin</i>	600.000		
Natura 2000 payments and payments linked to Directive 2000/60/EC (European Water Framework Directive)	39.413.312	0	39.413.312
<i>commitments for non-convergence in the region of Berlin</i>	130.898		
Agri-environmental payments	267.447.472	0	267.447.472
<i>commitments for non-convergence in the region of Berlin</i>	600.000	0	
<i>old commitments for AEM convergence regions BB</i>	70.230.000	0	70.230.000
<i>old commitments for AEM non-convergence regions Berlin</i>	68.269	0	68.269
Restoring forestry potential and introducing prevention actions	8.758.514	0	8.758.514
Support for non-productive investments	26.275.541	15.750.000	42.025.541
<b>Axis 2 total</b>	<b>427.868.410</b>	<b>15.750.000</b>	<b>443.618.410</b>

Source: EC, European Commission (2007) Rural development programmes II EII.3 Austria, Germany, Slovenia, Brandenburg-Berlin/Germany. Opinion of the Committee on Rural Development of 24/25 July 2007 on a draft Commission Decision on the programming documents for the rural development of Brandenburg-Berlin /Germany pursuant to Council Regulation (EC) N° 1698/2005; 13/07/2007, Directorate-General for Agriculture and Rural Development. Directorate EII. Brussels.

Currently, the economic state of the Land Brandenburg places a significant constraint on the process. The amount of money envisaged for the next AES is lower than in the previous period 2000-2006 and for this reason the financing constitutes a cause for concern.

*An assessment of the changes undertaken in the scope of the Agri-environmental Scheme for the period 2007-2013 in comparison with the previous period 2000-2006.*

The differences highlighted in table 9 points to the conclusion that a greater divergence in approach can be seen between the initial scope (under Regulation (EEC) 2078/1992) and KULAP 2000-2006 than under the current AES framework. Based upon the Agri-environmental scheme's history, the majority of measures have not changed from the previous period. By far the most well known change from the previous scope to the current 2007-2013

period was the extensive pond management instrument cease. None of the other modifications stand out because only small alterations within the particular measures occurred. This was to be expected considering that the financial assets were cut considerably. The amount envisaged for the AES during the current period 2007-2013 is 267,45 million euro which constitutes 83% of the last budget. 17% can therefore be seen as a substantial decrease.

Hence, budget restrictions were one of the driving forces behind structuring the AES. Another issue is the effort undertaken to simplify the administrative procedures.<sup>89</sup> Yet, it is clear that the tendency to use both the GAK and EU support, prevails. According to the administrative bodies and the NGOs the objectives mentioned above have a significant importance, particularly considering the Land's budget. In this instance, the belief that the efforts were made to keep the situation under control rather than to advance the AES' scope occurs.

Since the beginning the majority of the AES' components has remained the same. Thus, the current situation does not point to the occurrence of any significant changes in the AES for the 2007-2013 application period, mainly because of a high level of convergence with EU requirements as well as financial constraints. A tendency towards a greater clarification of the AES' scope in order to lower administrative costs exists.

*How does the analysis of the presented policy content relate to the hypotheses of this research? To what extent has progress been made?*

The examination of the scope of the AESs underlines that Europeanisation has taken place and its influence has remained as strong as it was in its initial stage. Due to the complete political, administrative and financial recognition of the measure, the authorities are fulfilling European requirements and implementing the AES under the framework of the Rural

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<sup>89</sup> Interview with the Director of the Agricultural Economics Department, the Land Authority for Consumer Protection, Agriculture and Land Consolidation (*Landesamt für Verbraucherschutz, Landwirtschaft und Flurneuordnung*), Referat 41, 08 March 2006.

Development Plans. The structures of subsequent KULAPs are set strictly in line with changing EU Regulations and their demands. On the one hand, it is clear that European pressure is still influential. On the other hand, these findings validate the assumption that Europeanisation should be analysed as a process. Only by carrying out a longitudinal study could one observe the altering policy content and point to the EU as the main driving force.

Additionally, this section proves that the Land Brandenburg attaches great importance to EU support in regards to the AES. Likewise, the effort that has been made by the Land Brandenburg to use the national support provided under the GAK has been emphasised. Evidently, money is still the prominent issue in this policy area. Nevertheless, what also derives from this section is the amount of pressure exerted on the Land Brandenburg, from both the European and national levels, to meet the administrative and financial conditions. The regional bodies' approach to respond to these requirements is missing.

Hence, the above findings still provide little understanding of the reasoning behind the process of policy-making, including the attitudes and interactions between the actors and the learning that resulted in the presented AES' scope. In this instance, the missing element in this puzzle is the administrative approach, which includes not only the structure, but more importantly the policy-making culture as well as the distribution of power among actors. These will enable one to present the rationale behind the reactions of the regional actors towards the European and domestic pressures. Therefore, this matter is presented in the next section.

## **4.7.3 The administrative structure of the AES in the Land Brandenburg**

### **4.7.3.1 Administrative and Institutional Arrangements of the AES**

This section presents a detailed description of all the component authorities and bodies (managing authority, paying agency etc.) that are accountable for implementing the Agri-Environmental Scheme.

The Ministry of Rural Development, Environment and Consumer Protection of Brandenburg (*Ministerium für Ländliche Entwicklung, Umwelt und Verbraucherschutz des Landes Brandenburg*, MLUV, NUTS1) is the managing authority for the AES. The MLUV, in co-ordination with the Regional Authority for Consumer Protection, Agriculture and Land Consolidation (*Landesamt für Verbraucherschutz, Landwirtschaft und Flurneuordnung*, LVLF, NUTS1) and the Land Environmental Authority (*Landesumweltamt*, LUA, NUTS1) as well in consultation with the scientific bodies and the regional authorities for agriculture and the forestry board, elaborate the scope of the AES (figure 5).

### **4.7.3.2 The structure of interactions and communication**

In order to provide a full understanding of the vertical and horizontal interactions presented above, one needs to add the lower administrative level's perspective. Furthermore, for the AEMs contained in KULAP and Article 16 of Regulation 1257/1999, the rural districts (*Landkreise*, NUTS 3) determined and verified data and transferred this information to the managing authority, namely to the Land Authority for Consumer Protection, Agriculture and Land Consolidation, which then informed the MLUV. On this basis, the budgetary demands are computed and the Ministry of Rural Development, Environment and Consumer Protection of Brandenburg makes a decision about the AEMs as well as compensation payments to enable the rural districts to approve the measures. The budget lies in the competence of the

MLUV, which transfers the funds to the LVLF. In regards to the areas under Article 16, the lower nature protection agencies (*Umweltämter*, NUTS 3) verified whether the areas applying for the support were situated in a designated NATURA 2000 area, even though the applications had been examined by the LVLF and the authorization by the MLUV had been given (Matzdorf and Piorr, 2003).

The applicants obtain payments from the payment agency of the *Länder* (*Landeshauptkasse*). If the national government co-finances the AEMs, the payment office of the German state transfers this part to the payment agency of the *Länder* (MLUR, 2002, p.120). In the case of the Spreewald typical cultivation area, it is the regional Authority for Agriculture (NUTS 3) that approves the applications (Matzdorf and Piorr, 2003). The regional Authorities for Environmental Protection (*Umweltämter*, NUTS 3) nature protection stations (Naturschutzstationen) together with the Environmental Authority (*Landesumweltamt LUA*) and the administrations of the large protected areas (LAGS) formulate and carry out the nature conservation contracts (MLUV, 2004).

In Brandenburg, the IACS and the respective 16 regional Authorities for Agriculture (*Ämter für Landwirtschaft*, NUTS3) monitor the application of agri-environmental instruments under the KULAP, whilst the contracting authority for contractual nature conservation is the Land Environmental Authority (*Landesumweltamt*, NUTS1).

#### **4.7.3.3 Administrative actors**

The following administrative actors in Brandenburg take part in the administration of the AES:

*The Ministry of Rural Development, Environment and Consumer Protection of Brandenburg*

The Ministry of Rural Development, Environment and Consumer Protection of Brandenburg (*Ministerium für Ländliche Entwicklung, Umwelt und Verbraucherschutz des Landes Brandenburg*) was launched on 13.10.2004 as a result of transformation process from the Ministry of Rural Development, Environmental Protection and Regional Planning of Brandenburg (MLUR). In addition, the MLUR was set up on 13.10.1999 through the combining of a number of autonomic ministries: the Ministry of Environmental Protection, Nature and Regional Planning and the Ministry of Nutrition of Agriculture and Forestry. From 1999 to 2004, attempts to join both ministries under the auspices of Wolfgang Birthler the former Minister of Agriculture, Environmental Protection and Regional Planning were made ([www.mlur.brandenburg.de](http://www.mlur.brandenburg.de), downloaded on 01.04.2008).

Currently, the Ministry of Rural Development, Environment and Consumer Protection of Brandenburg is comprised of the following departments engaged in the AES' elaboration process:

- Department 22 for Direct Payments, Field Plants and Horticulture, Pest Management, Agri-environmental Measures of the MLUV's Rural Development and Agriculture Division (*Abteilung Ländliche Entwicklung, Landwirtschaft*). As the agricultural department is responsible for the designation of the AES it develops frameworks for the participation of socio-economic actors. Working groups are organised by inviting particular actors, which then hold common meetings and elaborate a common position.
- *Department 47* for Forest and Nature Protection. The number of people employed within the environmental unit of the MLUV has dropped, which does not affect the process in a

positive way. This matter though is not considered among the representatives of the agricultural section, to be problematic.

Furthermore, the AES example shows that there is a low staff turnover in the ministerial offices (the Head of the LVLF has been in office for 10 years and the Head of the Forest and Nature Protection Department at the MLUV has been in office for 9 years), which contributes to the advancement of knowledge as well as stability in the procedural decision-making process.

These findings signify path dependency in the policy-makers' environment.

#### *The Land Authority for Consumer Protection, Agriculture and Land Consolidation*

The Land Authority for Consumer Protection, Agriculture and Land Consolidation (*Landesamt für Verbraucherschutz, Landwirtschaft und Flurneuordnung (LVLF)*) (NUTS1) transferred from the Regional Authority for Consumer Protection and Agriculture (*Landesamt für Verbraucherschutz und Landwirtschaft (LVL)*) (NUTS1) to the LVLF. Since 2004 the Land Authority for Consumer Protection, Agriculture and Land Consolidation (*Landesamt für Verbraucherschutz, Landwirtschaft und Flurneuordnung (LVLF)*), has encompassed five departments ([www.mluv.brandenburg.de](http://www.mluv.brandenburg.de), downloaded on 15.07.2008). Department 41 for Agricultural Economics (*Referat 41 Agrarekonomie*) in Division 4 for Agriculture and Horticulture (*Abteilung 4 Landwirtschaft und Gartenbau*) is responsible for the management of the money allocation (the calculation of costs, payments to farmers, statistics etc.) and of monitoring of the Agri-environmental Schemes.

#### *The Land Environmental Authority (*Landesumweltamt ( LUA)*)*

The State Office for the Environment constitutes the nature conservation administration, which is involved in the management and the redistribution of national funds for contractual

nature conservation measures.<sup>90</sup> The Land Environmental Authority is the central upper authority, which directly reports to the MLUV. The following responsibilities are covered by the LUA: the fields of water, nature conservation, ecology and technology-related protection of the environment (air, noise, climate, energy, waste and soil, and residual pollution) (www.mluv.brandenburg.de, downloaded on 15.07.2008).<sup>91</sup> In regards to the RDPS' elaboration process, close cooperation with Department 47 for Forest and Nature Protection in the MLUV exists. The main objectives relate to the Natura 2000 areas, but consultation on the AES is also provided.<sup>92</sup>

Finally, the 16 Authorities for Agriculture<sup>93</sup> (*Ämter für Landwirtschaft*) and the authorities for environmental protection at the district (*Kreis NUTS3*) level (*Umweltämter*) were involved in the AES' design and implementation. The actors mentioned remit of the MLUV. Thus, cooperation was also noted. A consensual decision-making process, among the Kreis level–Landwirtschaftamt and Umweltamt–cooperation special groups, was employed to evaluate the administration's work, and they had good ideas about the issues of handling the measures and how they should be managed.<sup>94</sup>

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<sup>90</sup> The State Office for the Environment is responsible for 15 national nature landscapes in the state of Brandenburg. 11 nature parks, three biosphere reserves and the Unteres Odertal National Park are committed to support sustainable methods of economic management and lifestyles, the conservation of nature and also environmental education, as well as nature tourism.

<sup>91</sup> The following offices are encompassed in the LUA: since 2004 Offices for Immission Control (*Ämter für Immissionsschutz Äfl*) and the administration of Large Protected Areas (*Landesanstalt für Großschutzgebiete*).

<sup>92</sup> Interview with the Director of the Forest and Nature Protection Department, the Ministry of Rural Development, Environment and Consumer Protection of Brandenburg (*Ministeriums für Ländliche Entwicklung, Umwelt und Verbraucherschutz des Landes Brandenburg*), Referat 47, 24 March 2006.

<sup>93</sup> In 14 counties/districts and 2 cities (NUTS3).

<sup>94</sup> Interview with the Director of the Agricultural Economics Department, the Land Authority for Consumer Protection, Agriculture and Land Consolidation (*Landesamt für Verbraucherschutz, Landwirtschaft und Flurneuordnung*), Referat 41, 08 March 2006.

Figure 5 The AES' administrative structure in Brandenburg

**International level**

EU Agri-environmental Scheme

The Federal Ministry of Food,  
Agriculture and Consumer Protection  
Directorate-General 5 - Rural Areas, Plant  
Production, Forestry and Forest-based Industries

**National level  
(Bund)**

The Federal Ministry for the  
Environment, Nature Conservation and  
Nuclear Safety

**Regional level  
(Land  
Brandenburg)**

The Land Environmental Authority

The Ministry of Rural  
Development, Environment and  
Consumer Protection of  
Brandenburg

The Land Authority for Consumer  
Protection, Agriculture and Land  
Consolidation

**Local level  
(Landkreis)**

Authorities for the Environment

Authorities for Agriculture

Farmers NGOs (DBV, DGL...)

Environmental NGOs  
(NABU, WWF, DVL...)

Farmers' NGOs (DBV)

Environmental NGOs  
(NABU, WWF, DVL...)

Farmers' NGOs (DBV)

**Farm level**

Source: own elaboration

#### **4.7.3.4 Administrative capacity**

Not surprisingly, the human and organisational capacities are sufficient. The long term implementation of the AES' instrument allows for such a situation to occur. In this sense, there is a general perception that the level of human and organisational capacity in terms of the AES design is sufficient .

Cooperation between the MLUV's departments exists, but it depends to a great extent upon the people involved. One has to take into account that they work together when they are expected to do so, otherwise they do not. A working group for the Agri-environment Scheme was launched to work constructively towards a common purpose. The group develops a common view based upon a number of long and lively debates. Moreover, during the discussions a willingness to collaborate occurs. Thus, some people are more involved than others.<sup>95</sup> This shows that there is still a desire to improve relations between administrative bodies.

In the light of these arguments, it should also be mentioned that the unification of the agricultural and environmental departments contributed to the development of cooperation, or even exerted collaboration.<sup>96</sup> However, a consensual style of decision-making may at some point become a burden instead of an advantage, and so the 'lock in' effect occurs. As the two departments are combined, they have a lot of internal discussions and meetings but, when they reach a certain line, they cannot get across it:

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<sup>95</sup> Interview with a Representative of the Leibniz-Centre of Agricultural Landscape Research (ZALF), Evaluator of the Rural Development Plan for 2000-2006 of the Land Brandenburg, 04 May 2006.

<sup>96</sup> Interview with a Representative of the Ministry of Rural Development, Environment and Consumer Protection of Brandenburg (*Ministerium für Ländliche Entwicklung, Umwelt und Verbraucherschutz des Landes Brandenburg*), Referat 22 Direct Payments, Field Plants and Horticulture, Pest Management, Agri-environmental Measures (*Direktzahlungen, Acker-Pflanzen-und Gartenbau, Pflanzenschutz, Agrarmassnahmen*) 02 March 2006.

*'They have to deal with this issue further and reach an agreement. They are doing it in a very friendly manner. It is too nice sometimes, as they do not want to cross the line. It would be better on such occasions not to have a soft way of agreement'.*<sup>97</sup>

Consequently, this finding further supports our theoretical considerations, as it points to the ‘logic of appropriateness’ deriving from the institution-based institutionalist framework. It was proved that institutions indeed offer actors a set of views and ideas. The ‘lock in’ effect provides evidence for the assumption that actors are guided by collectively shared understandings of what constitutes proper behaviour in a given rule structure. Thus, they are expected to fulfil social expectations rather than maximize their own demands. The following section offers a comprehensive overview of the consensus oriented and cooperative political culture in regards to the AES’ elaboration process in the Land Brandenburg.

#### **4.7.4 Organisational Cultures**

##### *The existing consensual corporatist decision-making culture*

In general, German governments are believed to be in favour of a consensus and consultation oriented policy style (Wurtzel et al., 2003, p.119). This also relates to the AES’s policy-making in the Land Brandenburg.

As previously mentioned, from 1992 until 1994 the designing process of the AES did not take into consideration environmental issues. In spite of this, the procedure was carried via the collaboration of the Ministry of Agriculture and farmers’ interest associations. Thus, the departments of the Environment and Agriculture were separate administrative bodies at that time and due to this, cooperation did not exist. However, the way in which environmental issues are considered has improved significantly since 1999. Therefore, more actors interested

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<sup>97</sup> Interview with the Director of the Forest and Nature Protection Department, the Ministry of Rural Development, Environment and Consumer Protection of Brandenburg (*Ministerium für Ländliche Entwicklung, Umwelt und Verbraucherschutz des Landes Brandenburg*), Referat 47, 24 March 2006.

in environmental issues have been involved and their proposals have been included within the scope of the AES. The unification of the agricultural and environmental departments has had a great influence on the cooperation issue: '*it was a starting point and it has a great meaning*'.<sup>98</sup>

In 1999 environmental groups were included in the AES' designing process for the first time. Working groups were set-up, each of which dealt with different issues of Regulation (EC) 1257/1999. Each issue, regardless of the agricultural or environmental matter, is dealt with in a similar way - by including all people interested in it and solving it in a consultative manner. According to the MLUV, the scope of the AES for 2000-2006 was developed through newly established cooperation among the actors as well as by using the results of the first RDP's evaluation. The MLUV representative believes that the way of dealing with environmental issues has not changed since 1999 and that a number of actors interested in both environmental and agricultural issues were involved then as they are now. A general belief that the number of participants and the ways in which they are involved has stayed unchanged prevails, except for environmental actors as their number increased. There was no opportunistic approach as all actors were trying to solve the issues in a cooperative, consultative manner. Additionally, it was pointed out that: '*the unification of both the departments of agriculture and the environment constitutes an advantage that allows for better cooperation and even extorts collaboration*'.<sup>99</sup>

In comparison, the environmental NGOs and scientific advisors argue that there was no contribution from the social actors in the previous period. The scope of KULAP 2000 was

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<sup>98</sup> Interview with a Representative of the Leibniz-Centre of Agricultural Landscape Research (ZALF), scientific advisor working on agriculture and rural development issues, 20 February 2006.

<sup>99</sup> Interview with a Representative of the Ministry of Rural Development, Environment and Consumer Protection of Brandenburg (*Ministerium für Ländliche Entwicklung, Umwelt und Verbraucherschutz des Landes Brandenburg*), Rural Development and Agriculture Department, Referat 22 Direct payments, Areable-Plants and Horticulture, Plants protection, Agri-environmental Measures, 02 March 2006.

only defined by the Ministry and the LVL. Some environmental groups as well as scientific advisors took part, but it was insufficient as the MLUV did not take the advice they had given, into consideration.

It is clear that European pressure still exists and continues to heavily influence the AES' setting up process. Firstly, Regulation (EC) 1698/2005 enforced a bottom-up approach to policy design, which exerts an additional pressure on the MLUV. This fact has been pointed out by several interlocutors.<sup>100</sup> Secondly, the results of the EU's mid-term evaluation of the RDP 2000-2006 disclosed the need to bring more public views into the process. It is more formal now as the necessity to include economic and social partners comes from the European level.

The administrative bodies do not have a real interest in the broad participation of the various actors, as they are placed in a difficult political situation, having to mediate between the different departments in the Ministry. It has been already mentioned (section 4.7) that the 'lock in' effects takes place. Additionally, public actors and stakeholders were brought into the consultation process which makes it even more difficult for the administrative bodies to take a decision. Although the procedure improves as the comments deriving from the evaluation of the RDP for 2000-2006 are considered, still it is the influence of the Farmers' Association rather than the environmentally orientated organisations which is given prominence.<sup>101</sup> This opinion is held among all actors.

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<sup>100</sup> Interviews with a Representative of the Leibniz-Centre of Agricultural Landscape Research (ZALF), and a scientific advisor working on the Mid-term evaluation of the Rural Development Plan of the Land Brandenburg for 2000-2006, 20 February 2006.

<sup>101</sup> Interviews with: a Representative of the Leibniz-Centre of Agricultural Landscape Research (ZALF), a scientific advisor working on the Mid-term evaluation of the Rural Development Plan of the Land Brandenburg for 2000-2006, 20 February 2006; the Director of the Farmers' Association of Brandenburg (*Landesbauernverband*), 21 March 2006; the Referent, the Farmers' Association of Brandenburg (*Landesbauernverband*), the Department of Agricultural Politics, 21 March 2006.

Nonetheless, the incentive to broaden cooperation exists, although the process is still not transparent enough:

*'The manner in which stakeholders' meetings are held has to be defined in a different way as they had two workshops concerning the RDP in general and then two big discussion rounds. But, it was not really sufficient as the heads of the Ministry's departments were not present. Hence, it gives the impression that they are not really interested in integrating all views into the process. Although some progress has been made, it is still not sufficient'.<sup>102</sup>*

Additionally, the policy-making of the AES' process for the next period 2007-2013 is similar to the one that was introduced in 1999. The scope of the new Agri-environmental Scheme has been designed by several experts from the MLUV as well as actors from the LUA and the Land Authority for Consumer Protection, Agriculture and Land Consolidation. In this respect, the elaboration process is parallel to the previous one. The structure of the measures changed in order to make it easier for the administration but the issue of cost-effectiveness for farmers and environmental matters was also taken into consideration. However, if economic and social partners are taken into account, such as nature protection organisations, farmers associations and research institutes, it may be stated that more environmental actors are involved than in 1999.

In 1999, KULAP's designing process looked more or less similar to the current one. The environmental aspects were considered for the first time. Hence, on the basis of previous experience two measures had been changed as the authorities focused on the first evaluation.

Presently, working groups encompassing both environmental and agricultural representatives are included. The working groups are discussing and elaborating upon their own proposals and present their views to the MLUV. The personnel capacity is sufficient, hence the organisation of meetings and information exchange do not constitute a problem. In this regard, cooperation between the environmental and the agricultural administration exists.

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<sup>102</sup>Interview with a Representative of the Leibniz-Centre of Agricultural Landscape Research (ZALF), Evaluator of the Rural Development Plan for 2000-2006 of the Land Brandenburg, 04 May 2006.

Thus, a good consultation process between socio-economic partners and the ministerial body, for the new period of 2007-2013 has arisen. The administrative capacity including human resources and organisational structures is sufficient. The MLUV gets in touch with relevant partners when there is a special need for a specific issue but interested social actors may also get involved on their own initiative. Currently, more environmental groups are engaged than in 1999 and the ministry is seeking to balance the interests of both groups. Working groups encompassing the representatives of environmental and agricultural issues are included, on a 50:50 basis. Workshops within the working groups and then a general workshop were held, together with the frequent dissemination of information in the form of emails, phone calls etc. During several meetings the AES was discussed and the results were disseminated among the actors in order to get additional comments, whereas previously there was only one discussion and the environmental NGOs were not informed about the results.<sup>103</sup> Generally the implementation of the NGOs' perspectives has increased but the agricultural lobbying (LBV in particular) still has more influence over the AES policy-making process than environmental interest groups. Whilst the final proposal of KULAP is set by the agricultural administrative sector and submitted to the Minister, it is the Farmers' Association (*Landesbauernverband*) that has the power to influence this stage, as environmental groups are not considered in the final consultation round. The close collaboration which already exists between administrators and the farmers' union in regards to the elaboration of the AES is to be extended, whereas environmental groups still have a long way to go to reach the same state.<sup>104</sup> Notwithstanding this, some progress has been made and the consultation process with the main environmental NGOs is taking place. This point is expanded upon below.

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<sup>103</sup> Interview with the Director of *Agro-Öko-Consult*, 29 March 2006.

<sup>104</sup> Interview with the Director of Farmers' Association of Brandenburg (*Landes Bauernverband*), 21 March 2006.

#### **4.7.5 Empowerment of actors**

Although the European agri-environmental policy gives additional power to environmental interests, environmental groups existing in the Land Brandenburg are not strongly influential and do not possess much authority. It has been noted in section 4.4.1.3 that at the Federal level, environmental groups including both the NGOs and the governmental parties have gradually built up a significant position. Therefore, one could expect greater environmental pressure at the regional level. However, this section shows that this is not the case in regards to the AES' design in Brandenburg.

While discussing this issue, the causes of such a state of affairs should be mentioned. To start with it is necessary to emphasise the disparity of interests that each environmental interest group represents, partly owing to the power held by agricultural lobbying groups:

*'It needs to be highlighted that close cooperation between the agricultural side of the ministry and agricultural NGOs exists. They are working together very tightly and professionally, whilst the nature conservation side is not as effective. But, the MLUV is not necessarily the one to blame for this. There are a lot of individual issue areas among environmental groups; some are only interested in birds and the others in meadows. Thus, it is very difficult to combine them together. There is one view from the agricultural side and several separate views from the environmental side'.<sup>105</sup>*

In this instance, this finding is in accord with Eggers and Hagedorn's (1998) and Eggers et al. (2007) statement that agricultural lobbies are extremely influential in designing and implementing agricultural policies including agri-environmental incentives. In regards to the AES' design in the Land Brandenburg, this assumption is still applicable.

In spite of the constraints mentioned above, the German Association for Landscape Protection has prepared a common position of the landscape protection and conservation groups:

*'It is more powerful to combine institutions which have the same view. For this reason, they have developed a common declaration, in which the priority is given to*

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<sup>105</sup>Interview with the Director of the Forest and Nature Protection Department, The Ministry of Rural Development, Environment and Consumer Protection of Brandenburg (*Ministerium für Ländliche Entwicklung, Umwelt und Verbraucherschutz des Landes Brandenburg*), Referat 47, 24 March 2006.

*the maintenance of organic farming along with the maintenance of the extensification of several grassland areas. Yet, Environmental protection has no lobby, and it can be noticed that the environment was and still is not a priority*'.<sup>106</sup>

The opinion that the weakness of the environmental NGOs derives partially from the lack of their interests in the AESs also exists. The environmental interest groups have established ways in which they have to deal with this issue over the last couple of years and are not fully aware of the new opportunities that the current Regulation (EC) 1698/2005 in the scope of the AES brings:

*'The lack of interest and knowledge prevails. When asked about Article 39 there were only three people capable of answering. All the others did not know what it was about'*.<sup>107</sup>

Last of all, a reduction in the environmental administration's personnel in comparison to the agricultural administration, can be highlighted

#### **4.7.6 Policy preferences of key actors (veto points and existing facilitating institutions)**

##### **4.7.6.1 Veto points**

It must be clearly stated that veto points do not occur in the case of the Land Brandenburg's Agri-environmental Scheme designation. The long-term practise in administrating this measure offers a better understanding of the issue as well as the opportunity to use the experience gained in previous years. For this reason, an opportunistic approach among the administrative body does not exist:

*'In the Land Brandenburg the administrative body seeks to include most of the views of the actors that are taking part in this procedure. Currently, the incorporation of*

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<sup>106</sup> Interview with the Director of the German Association for Landscape Protection of the Land Brandenburg (*Deutscher Verband für Landschaftspflege*), 05 April 2006.

<sup>107</sup> Interview with the Former Scientific Advisor for the European Commission, researcher of the Agri-environmental Schemes, Humboldt University of Berlin, 27 June 2006.

*'NGOs in the AES elaboration process plus the connection between the government and interest groups is more efficient than in the other Federal States'.<sup>108</sup>*

The resistance to the AES is not present in the case of the agricultural administrative body and farmers' associations. Cooperation between the Farmers' Association of the Land Brandenburg and the administrative level is well established and enables the advancement of farmers' interests. The AES is perceived as an additional source of income to the farmers which is why agricultural interests groups are supportive.<sup>109</sup>

The fact that this measure is well known as well as the actors' previous experience gained in applying it contributes to this matter. Furthermore, the advantages and disadvantages of this instrument are recognised so one can point out the set codes of practise. Consequently, coordination as well as a constant information flow between the above mentioned actors is assured. In this regard, well-established procedures and ways of solving conflicting matters prevail.

By far the most important finding of this research is that environmental and farmers' non-governmental organisations have developed a common understanding. The German Association for Landscape Protection of the Land Brandenburg and the German Grassland Association (Land Brandenburg division) share the opinion that although agriculture lobbying is more powerful, it opens up the channels for discussion and collaboration:

*'The Brandenburg Farmer's Association (Landesbauernverband) is quite cooperative'.<sup>110</sup> 'It is relatively easy to communicate with them. The LBV has put more effort towards environmental protection than representatives of the regional*

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<sup>108</sup> Interview with the Director of the German Grassland Association of the Land Brandenburg (*Grünland Verband*), 21 April 2006.

<sup>109</sup> Interviews with the Director of Farmers' Association of Brandenburg (*Landes Bauernverband*), 21 March 2006; Referent, the Farmers' Association of Brandenburg, the Department of Agricultural Politics, 21 March 2006.

<sup>110</sup> Interview with the Director of the German Grassland Association of the Land Brandenburg (*Grünland Verband*), 21 April 2006.

*rural development Leader Programme who are more concentrated with economic development*'.<sup>111</sup>

Finally, it has been noted a few times already that the unification of agriculture and the environment departments within the ministry added to the success of the AES' application in terms of both the administrative acceptance and the simplification of the designing procedure. For this reason, veto points are not a characteristic feature of the AES' implementation in the Land Brandenburg.

#### **4.7.6.2 Facilitating Institutions**

Despite the fact that the influence of the environmental groups is not as strong as one could expect (section 4.7.5), it needs to be noted that some progress has been made since 1999. In regards to the RDP 2000-2006, the environmental NGOs were incorporated into the designing process for the first time. However, their realistic contribution to the final proposal was slight. During the elaboration of the RDP 2007-2013 the issue of the AES was of interest to the environmental NGOs. Moreover, a shared opinion and aims were provided to the authorities from the initial stages of the development of the AES (Schwigon, 2005b). The number of environmentally oriented actors has increased in comparison with the previous process. Hence, the position of environmental incentives within the AES designing process is gradually increasing.

Even if the situation has improved, it is still not satisfactory to some of the environmental specialists. The following environmental groups joined forces to achieve a shared aim: Naturschutzbund Deutschland Landesverband Brandenburg, Bund für Umwelt und Naturschutz Deutschland Freunde der Erde, Grüne Liga Netzwer Ökologischer Bewegungen,

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<sup>111</sup> Interview with the Director of the German Association for Landscape Protection of the Land Brandenburg (*Deutscher Verband für Landschaftspflege*), 05 April 2006.

Die NaturFreunde Land Brandenburg, Deutscher Verband für Landschaftspflege (Schwigon, 2005a). Nevertheless, it is still hard ‘to speak with a common voice’:

*‘Environmental interest partners cooperated and developed a common understanding but it is always hard to provide a meaning of environmental protection, also among the socio-economic partners, as it covers a huge spectrum. Each organisation has its particular focus rather than a general one. For this reason, it is hard to get a common view as environmental groups have requirements which are set too high; they differ from farmers’ perspectives that rather look at economic efficiency’.<sup>112</sup>*

Furthermore, the level of acceptance of the AES is high in the MLUV. For this reason, the procedure of AES’ design is accompanied by a high number of facilitating institutions including administrative actors at the ministry level and associated bodies at the *Länder* (LVLF and LUA) and the Kreis levels (Landwirtschaftamt and Umweltamt). The latter encompasses special groups which were employed to evaluate the administration work and to provide good ideas about managing issues.

The analysis concerning the empowerment of actors allows one to draw some conclusions. To start with there are a lack of veto points and a high number of facilitating institutions. The AES’ instrument is also accompanied by a high political and administrative acceptance. This was to be expected though, considering that the AES has been implemented for a long period of time and is perceived as a great source of support to farmers and the environment. Irrespective of this, the notion that the agricultural lobby is more influential is confirmed.

#### **4.7.7      Participatory issues-social learning**

Policy learning is taking place as the previous experience gained by policy-makers, the NGOs and farmers is being used to improve both the organisational aspects and the content of the Agri-environmental Schemes. The first evaluation of the Agri-Environmental Scheme was

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<sup>112</sup> Interview with the Director of the German Association for Landscape Protection of the Land Brandenburg (*Deutscher Verband für Landschaftspflege*), 05 April 2006.

considered in 1999 when the scope of KULAP 2000 was elaborated upon. Similarly, the second evaluation, whilst designing KULAP 2007, was taken very seriously:

*'The policy learning process develops, especially among the administration and evaluators. The discussions really contribute to the learning process'.*<sup>113</sup>

However, the opinion that the last evaluation placed too much focus on environmental concerns, neglecting economic efficiency occurred:

*'Farmers have to have a good financial incentive to sign up for the schemes otherwise the uptake of this measure will be scarce. This is a voluntary instrument hence it must be both environmentally and economically efficient'.*<sup>114</sup>

The dissemination of information by the Ministry of Rural Development, Environment and Consumer Protection of Brandenburg includes brochures, articles, the internet, announcements and an advisory service provided together with the agricultural authority in the Landkreis. Direct personal contacts between farmers and institutional arrangements concerning environmental and agricultural structures at the *Länder* level were also made available. Furthermore, the MLUV along with the LVLF offer advisory services and inform beneficiaries about current support opportunities.

It is clear from the examination here that the learning process has taken place and is based on 14 years of implementation experience as well as two evaluations. The knowledge gained whilst applying previous KULAPs is used to improve both the organisational aspects and the content of the Agri-environmental Scheme.

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<sup>113</sup> Interview with a Representative of the Leibniz-Centre of Agricultural Landscape Research (ZALF), Evaluator of the Rural Development Plan for 2000-2006 of the Land Brandenburg, 04 May 2006.

<sup>114</sup> Interview with the Director of the Agricultural Economics Department, the Land Authority for Consumer Protection, Agriculture and Land Consolidation (*Landesamt für Verbraucherschutz, Landwirtschaft und Flurneuordnung*), Referat 41, 08 March 2006.

#### **4.7.8 Domestic change**

##### **GERMANY, THE LAND BRANDENBURG: COMPLIANCE WITH INCREMENTAL CHANGE**

By reviewing the Land Brandenburg's case one may conclude that incremental changes have occurred. In this case, the lack of existing veto points as well as a cooperative and consensus oriented policy style was noted. The European Agri-environmental Policy is perceived as an opportunity that is being used.

Although the pressure to comply with the EU is not high, as the compatibility with requirements exists, the authorities are still aware of the necessity to fulfil the demands in order to get the support. Consequently, the AES' instrument is perceived as a good opportunity to provide the Land with additional money. The well established ways of implementing the AES in regards to the political and institutional patterns adds to the issue, whereas the Land's shrinking budget constitutes a burden.

This case study pointed out that the experience gained during the implementation of the initial Regulation (EEC 2078/1992) contributes significantly to this matter. The majority of the measures stayed unchanged, which does not provide additional administrative costs. A long term implementation perspective resulted in a policy learning process hence the beneficiaries are familiar with the benefits of this measure. The acceptance of the rationale behind the AES is high not only among the authorities, but also among farmers.

Furthermore, the current situation does not point to the occurrence of any significant changes in the next AES application period, mainly because of a high level of convergence with EU requirements as well as financial constraints. Additionally, a restricted budget does not leave

much room for the expansion of the AES' scope. For this reason, the administrative costs are being reduced.

#### **4.8 Conclusions**

Summing up this chapter one needs to answer the question: to what extent do the presented findings advance this research?

The analysis in the preceding sections leads to the conclusion that different strategic AES approaches occur depending on the political and economic power that the *Länder* assigned to this measure. The high autonomy of the German *Länder* contributes to a variety of AES' strategies. Therefore, an examination of each Land leads to different results. It is clear from the Brandenburg case study that the EU level continues to heavily influence the national and regional authorities.

A review of the administrative procedure in regards to the AES' implementation in the Land Brandenburg confirms the core and supplementary hypotheses. Europeanisation affects the national arrangements to a great extent. Even so, the domestic authorities are able to provide opportunities for further improvement or they can restrain the process. It has been shown here that the former applies as the long-term experience gained in implementing the AES enables the Brandenburg policy-makers to use well established ways of application. Unsurprisingly, the process was easier to organise and the existence of veto points was not noted. Conversely, a high number of facilitating factors prevail among both the agricultural and environmental groups. The rationale behind the AES' instrument is well understood, which contributes to the process. Thus, the attempts to fully exploit opportunities deriving from European policy have been made. It has been shown here that the AES' design and implementation pattern depends upon the uniqueness of domestic opportunity structures that transpose EU requirements with the outcome that a small level of change occurs.

This research treats the Agri-environmental Policy as a process and the German case study has proved this point, as only by tracing back the formal and informal strategies and policy-making patterns could one note that a broad consultation process occurred as a result of both EU requirements and domestic circumstances. Having gained some experience in the AES' implementation the authorities have gradually increased the number of environmental interest representatives to advance environmental incentives within the programmes. However, the further expansion of environmental concerns and a more regional approach is called for.

This chapter has validated the assumption that domestic political and institutional arrangements matter during the adaptation of the Agri-environmental Schemes and help to explain the Land Brandenburg's approach. Therefore, this research focuses upon the Polish case study in the following chapter to assess whether similar conditions and a comparable level of change prevail.

Hence, the results obtained in this case will make a good comparison with Poland, where completely different conditions will be found. These findings will then be used (Chapter 6) to point out the variety of possible ways of implementing the AEP. Similarities and differences between the case studies will allow one to assess and to exemplify the legitimacy of the research hypotheses.

## **5. Polish case study**

### **5.1 Introductory remarks**

Contrary to Germany, Poland is characterised by a centralised structure, hence the Ministry of Agriculture and Rural Development (MARD) is responsible for the elaboration of the AES. In addition, the Agri-environmental Scheme is horizontal and applied throughout the country. The policy process related with the elaboration of the AES constituted a real challenge for the Polish administration, as both the policy content as well as the corporatist approach to policy style were novel. Hence, the most notable finding, which will be shown in this section, is that Polish Agri-environmental Policy is strictly rooted in the principles and political aims of the EU.

The accession countries<sup>115</sup> needed to undertake a large number of changes in economic and social environments of policy in order to adjust their structures to the European Union. EU membership and the implementation of the CAP objectives within the domestic arena affect agriculture and the environment substantially. It is common knowledge that the political changes towards the common market significantly influenced the agricultural structures within the new member states (Hadynska and Hadynski, 2003; Hoffmann, 2004; Karaczun, 2002b). According to the European Environment Agency (2004a) the negative influence on the environment is foreseen to occur as a result of production trends supported by the Pillar I payments despite the fact that the level of intensification of production should not reach that of the EC in the late 1980s. In order to alleviate such pressure caused by the higher level of intensification emerging from the market support, measures provided under the Rural Development Plan (Pillar II of the CAP), encompassing mainly agri-environmental measures,

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<sup>115</sup> By accession and new countries the author considers 12 countries that have recently joined the EU in 2004: Poland, Czech Republic, Slovakia, Slovenia, Hungary, Lithuania, Latvia, Estonia, Malta and Cyprus and in 2007 Bulgaria and Romania.

may be compensative to some extent: '*Agri-environment schemes can be a powerful mechanism for securing favourable management of agricultural areas to maintain semi-natural habitats and scarce species*' (Keenleyside, p.20).

The Polish case illustrates this process within the Agri-environmental Policy. It is crucial, though, to investigate the way in which the Polish authorities develop and adopt agri-environmental incentives. It will allow one to evaluate to what extent one may expect the upkeep of a rich biodiversity in rural areas. Thus, the level of priority given to agri-environmental measures will highlight the direction undertaken by the Polish government.

## **5.2 The state of affairs of agriculture and rural areas in regards to the environment**

As noted by Grant (2006), the accession of the East European countries to EU structures may result in the damage of valuable natural habitats that many of these countries possess. Indeed, this is a potential threat for Poland, which is among the countries with the highest biodiversity rates in Europe. This results from suitable natural conditions and from smaller anthropogenic pressure in comparison with the old<sup>116</sup> EU countries. Conversion to the market economy resulted in the abolition of intervention in the agricultural market, which with the opening of the country's borders caused the intensified import of agricultural products. Hence, a decrease in farmers' incomes in addition to a reduction in investments in the sector, including both current and fixed assets, occurred. Consequently, the use of pesticides and fertilisers was also reduced. On the one hand, the environmental effects of the above processes may be profound. On the other hand, the lack of access to new technology and old methods of production affect the environment in a negative way. The shortage of funds in erosion mitigation and in manure storage facilities will put the environment and its resources at great risk, if the agricultural practises will be applied again in the forthcoming years (EEA, 2004a).

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<sup>116</sup> By old countries the author considers 15 EU states: Germany, Italy, Netherlands, Belgium, Luxemburg, France, Ireland, the UK, Denmark, Greece, Spain, Portugal, Austria, Sweden and Finland.

The biodiversity of species in the world amounts to 2 120 000 with 60 108 (2.8%) species registered in Poland (NFOŚ, 2003). The richness of fauna and flora in a number of areas has a unique character, including some scarce types at the European level (Liro, 1995). Thus, 485 plant groups exist of which 56 constitute forest clusters (17 were acknowledged by the EU to have a priority meaning) and half of them cover rural areas (MRiRW, 2007, p.78). Furthermore, primeval habitats are maintained in muddy and in high mountainous areas. The natural and semi-natural characters have some extensively managed woods, peat bogs and high mountain grass (Liro, 2003b). There are 23 national parks (in 2006) with an area of 317 233 ha and 1395 natural reserves with an area of 165 244 ha, and 120 scenic parks with an area of 2 516 855 ha. There are also many protected landscape areas and monuments of nature. In total 36.5% of the country area is covered by various forms of nature protection (MRiRW, 2007, p.79,80). Finally, a high population level of farmland birds should be noted. Well-preserved biological diversity, a low level of chemicalisation of agriculture as well as high natural environment standards enhance the attractiveness of rural areas. For this reason, the Agri-environmental Policy needs to be given a higher priority in Poland to allow for the conservation of nature. As Hoffman, Nowakowski and Metera highlight (2004, p.8): *'it is always cheaper to protect existing environmental values and then buffer and extend them, than to restore the (sometimes irreversibly) damaged habitats. The Acceding States have the opportunity to conserve a great deal of their nature value at comparatively low costs, if the AEP is used as an effective tool to allocate payments to sites of high environmental value'.*

Furthermore, in Poland, the level of intensification of agricultural production is lower than in other old European countries as highlighted above. The agriculture sector is characterised by a moderate level of capital and in comparison to the old European states, a lower level of production with relatively high labour intensity that does not result in a high degradation of the environment. One may point to the use of fertilisers, which has declined significantly from

1989/90. The lowest level occurred in 1991/92 and amounted to 62,1 kg NPK/ha. It has increased to 99,3 kg NPK/ha in 2003/04. The highest average rate of fertilising in a voivodship<sup>117</sup> was 150 kg of NPK/ha, and the lowest 73 kg of NPK/ha. 44 dt/ha of natural fertilisers were used on average, with the lowest level of 17 dt and the highest of 55 dt (GUS, 2005). In comparison with the German average the levels of nitrate fertilisers used in Poland are much lower but they are higher with reference to phosphate and similar to kalk (figure 4).

However, one cannot forget about threats such as poor compliance with law objectives, inappropriate ways and time of usage, lack of suitable application of the above mentioned substances and storage equipment that still exist in Poland and constitute significant problems locally. Consequently, the pollution of surface and ground waters still constitutes a burden to authorities. It is crucial to support farmers so they can obtain suitable equipment as well as to provide them with an advisory service and training so they can gain knowledge about the appropriate ways of applying fertilisers and pesticides and improve their environmental awareness in regards to the consequences of their agricultural practises (MRiRW, 2006).

The issues mentioned above, namely the richness of biodiversity along with the relatively low level of chemicalisation, highlight the importance of undertaking activities which aim to maintain these conditions. This includes the endorsement of more environmental friendly methods of production such as ecological farming, the Agri-environmental Schemes, LFA etc.

However, as it will be demonstrated in this section the origins of agri-environmental issues were accompanied by a strong reluctance from the Polish government to put this issue on the agenda prior to the EU accession process and still only the minimum requirements deriving from the European level are fulfilled. Prior to the scrutiny of the causes of such a situation one needs to explain the importance of the agriculture sector as a starting point for the

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<sup>117</sup> Voivodship (województwa) - provinces of Poland. In 1999 Poland was divided into 16 voivodships.

understanding of the aims of the agricultural policy. Therefore, it will allow one to clarify where the conflict between agricultural and environmental issues occurs.

### *The place of agriculture in the Polish economy*

The agriculture sector continues to play an important role in the Polish economy regardless of a drop in the share of agriculture in the Gross Domestic Product (GDP). In 2005, it was 3.5% compared to 8% in 1989 and 6% in 1996. The highest rate of GDP occurs in the mazowieckie voivodship, but it was still only 72.8% of the EU-25's average in 2006. This is similar to the level of the EU's poorer regions such as some of the German Eastern *Länder* and the southern Italian regions (MRiRW, 2007). Rural areas<sup>118</sup> occupy 93% of the country and agricultural land<sup>119</sup> accounts for 16,327 million ha, which is 52.2% of the grand total area (MRiRW, 2005b). In addition, 53% of agricultural land has been designated as Less Favourable Areas. Forestland accounts for 29% of the grand total area (9,170 million ha) of which public forests comprise 82.5% and private 17.5%, and protective forests take up 37.2% of forest areas (GUS, 2005).

Since 1945, the majority of farms were private, accounting for 75% of arable land: '*Polish farmers paid a high price for keeping private ownership. As the state tolerated only small farms and would discourage young people from running them, the majority of the farmsteads were technically backwards and fragmented*' (Karaczun, 2002a, p.4). Yet, the spatial structure of agricultural holdings is fragmented. In 2005, the number of farms amounted to 2.7 million and the average area was 6.71 ha (table 11) (GUS, 2006; MRiRW, 2007).

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<sup>118</sup>Definition of rural areas: the term 'urban area' is understood as an area located within the administrative borders of cities, while a 'rural area' is understood as the remaining territory of the country (MRiRW, 2006, p.4,5).

<sup>119</sup>Agricultural land consists of 77.7% arable land, 1.7% orchards, 14.6% meadows and 6.0% pastures.

Table 11 The number of farms in Poland (2005)

Farm size (ha)	total	<1	1-5	5-10	10-20	20-50	>50
Number	2 733 363	946 679	1 032 441	388 513	245 038	99 156	21 536

Source: GUS, Główny Urząd Statystyczny. (2006) Charakterystyka gospodarstw rolnych w 2005 roku.

The majority of farms comprise of small holdings (to 5ha). They take up 72.5% of the total number of agricultural holdings and use 18.3% of agricultural land. The largest farms (more than 20ha) take up 4.3% but use 43.2% of the land (table 12) (MRiRW, 2007).

Table 12 The Polish farm structure in % (2005)

Farm size (ha)	<1	1-5	5-10	10-20	20-50	>50
The percentage of arable land	2.4	15.9	17.4	21.2	18.0	25.2

Source: GUS, Główny Urząd Statystyczny. (2006) Charakterystyka gospodarstw rolnych w 2005 roku.

Prior to Poland's accession to the EU structures, agricultural production had not entered into the higher levels of specialisation and intensification, mainly because of:

- ☒ a slow and costly social transformation process,
- ☒ the maintenance of traditional farming methods (despite the continuing decline of this trend),
- ☒ the traditional farmland structure,
- ☒ the lack of financial instruments for the intensification of agricultural production (Liro, 2000, 2002b, 2003b).

Polish agriculture is also important because a significant proportion of the population live in rural areas (14,73 million, which accounts for 38.6% of the total including 7,33 million men and 7,39 million women)<sup>120</sup> (MRiRW, 2007). Consequently, rural areas are rich in human resources. Agriculture is a source of income for 18% of the people employed, whilst in Germany the number is 4.3%. Economic activities related to agriculture and external actions are present in 77.8% of farms, whilst 22.2% are engaged in setting-aside the land and live on

<sup>120</sup> The Polish population size is 38,16 million, which constitutes 8.3% of European Union citizens.

pensions, as well as temporary work (GUS, 2002; Szumski, 2006). One of the main constraints for effective rural development is a high unemployment rate. It is estimated that 1,6 million people are unemployed including both registered and unregistered forms as well as a much lower level of education within rural communities. Therefore, the multifunctional development of both agriculture and rural areas is perceived as the main priority within the next rural development strategy for 2007-2013 (MRIRW, 2005a). This would allow for the provision of a variety of additional work places not related to agricultural production.

### *Strengths and weaknesses of Polish agriculture and rural areas*

Prior to the identification of the feeble points in rural areas one needs to reiterate their strengths, namely: a high biodiversity rate and a low level of intensification that coincide with the good state of the environment and the potential for producing high quality food.

One of the most important issues that ought to be mentioned whilst discussing the agricultural sector are the conditions for agricultural production, which are worse in Poland than in other European countries. These circumstances are the result of a high percentage of average and poor soils, the high level of their acidification along with unfavourable climate conditions (the shorter length of the vegetation period, the lower average temperature and smaller annual rainfall), which cause lower yields. The climatic and soil conditions, as well as traditions in particular regions, determine the type of farming.<sup>121</sup> Additionally, one of the potential fears deriving from this state of affairs is the overuse of I Pillar payments to make up for the above disadvantages, which may result in environmental damage. Even though the losses should not

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<sup>121</sup> Potatoes, rye and grassland dominate in central, eastern and northern Poland. Orchards and berry-fruit plantations are located in Mazovia, in the lubelskie voivodship, in the area near the town of Sandomierz, as well as in Wielkopolska and in the Łódzkie voivodship. Within the structure of agricultural production, 39.4% constitutes plant production, and 60.6% constitutes animal production. Hence, agriculture is characterised by a high level of regional diversification in terms of the type of production deriving mainly from varied climate conditions.

be as severe as in the old EU countries it is still likely that some of nature's valuable features will be lost (MRIRW, 2005a).

A second threat is the state of the technical infrastructure, which constitutes a barrier for multifunctional rural development. In comparison to the EU 15, Polish farms are generally in a poorer economic condition, which can be observed through an inadequate level of investment in agricultural infrastructure namely in the water supply and sewage systems, as well as manure and slurry storage. Consequently, the standard of living is lower and the attractiveness of rural areas for potential investors decreases. The lack of capital along with the poor financial abilities of the local authorities slows down the development of the infrastructure. Since 1994 significant progress has been made in the development of the technical infrastructure, but the results are still unsatisfactory.<sup>122</sup> The most important requirements concern investments in sewage systems and the sewage treatment plant. The average level of rural households equipped with sewage infrastructure is only 4.5%. Thus, a significant disparity between the development of sewage and water supply systems exists. In 2003, 82% of villages were provided with water supply systems, whilst not more than 15% were in the possession of sewage systems (MRIRW, 2005a). It must be noted that this situation does not affect the environment in a positive way. In addition, the support provided by the CAP should be used to enhance the modernisation of the agricultural holdings' infrastructure that would prevent surface and ground water from human and animal waste pollution.

These specific conditions point to the conclusion that the potential opportunity of improvement of both agriculture and rural areas rests upon multifunctional objectives. It can

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<sup>122</sup> The 11 thousand investments for 2 billion zł were accomplished through a co-financed initiative from the national budget, the Central Bank 'ASAL 300' and credit from the European Investment Bank (MRIRW, 2005a). Additionally, the development of the infrastructure has been financed within the scope of Activity 3 'Development and improvement of rural areas infrastructure' from the pre-accession fund SAPARD. 4493 agreements were signed amounting to 2 billion zł.

be stated that from an environmental policy perspective, Poland has a great advantage over the EU 15 with its great biodiversity, low chemicalisation levels and constructive agricultural holdings structure that contribute to the employment of extensive methods of production. It would contribute to the maintenance of the richness of the environment. Hence, the fact that rural areas are rich in human resources adds to this matter by leaving space for diversified activities in rural areas such as agri-tourism, services etc. Having discussed the potential threats and opportunities of agriculture and rural areas the overview of their strengths and weaknesses is presented in table 13.

Table 13 SWOT analyses of agriculture and rural areas in Poland.

<b>Strengths</b>	<b>Weaknesses</b>
<ul style="list-style-type: none"> <li>• Considerable amount of agricultural areas together with significant labour resources and low work and land costs</li> <li>• A large number of people living in rural areas</li> <li>• The advantage of lower prices of production in the early post-accession period</li> <li>• Favourable age structure of rural areas habitats (including farmers)- a high percentage of young people,</li> <li>• An enterprising character in the rural community</li> <li>• A modernized processing sector,</li> <li>• Favourable conditions for the development of tourism</li> <li>• The relatively good state of the natural environment</li> <li>• A low level of specialization that allows changes in production</li> <li>• Large markets in Poland's neighbourhood, e.g. Germany</li> <li>• Obtained experience of getting pre-accession funds like SAPARD</li> </ul>	<ul style="list-style-type: none"> <li>• A high unemployment rate</li> <li>• Low mobility of the rural community</li> <li>• A low level of education</li> <li>• A lack of capital in both agriculture and rural areas</li> <li>• Low credit ability of the agricultural sector's products</li> <li>• A lack of opportunity for employment outside agriculture</li> <li>• A low level of development of social structures (schools, cultural institutions) as well as technical infrastructure (sewages, sewerage gas)</li> <li>• A low level of attractiveness of investments in rural areas</li> <li>• Weak vertical and horizontal integration levels in agriculture and food sectors</li> <li>• Poor marketing</li> <li>• An increase in disparity of incomes between small and large arable farms</li> <li>• Diversified regional development</li> <li>• Unfavourable farm structures</li> <li>• A low state of cultural heritage maintenance in some regions</li> </ul>

Source: MRIRW, Ministerstwo Rolnictwa i Rozwoju Wsi. (2005a) Strategia rozwoju obszarów wiejskich i rolnictwa na lata 2007-2013 (z elementami prognozy do roku 2020). Warszawa.

Summing up this section, Poland is still compensating for its 50 year delay in economic development deriving from the communist system. In this regard, EU accession contributes to changes in most of the economic sectors, agriculture in particular. When characterising Polish agriculture the following issues should be distinguished: a high level of inner diversification and lower efficiency in comparison with other EU countries accompanied by a greater number of people employed in agriculture. Rural areas are also poorly equipped in technical infrastructure, but the ongoing modernisation process of agriculture and rural areas has quickened in recent years. Although Polish farms have less machinery and use less plant

protection substances than the farms in other EU countries, the agriculture sector constitutes the basis for social and economic development in many regions, as a result of the economic changes in the 1980s and the 1990s.

Considering these conditions, it becomes clear that the adoption of the CAP requirements in view of both the I and II Pillars constituted a great challenge for the Polish authorities. Hence, a detailed examination of the Agri-environmental Scheme's adaption will illustrate the circumstances in which Europeanisation takes place in this instance. In theory, the potential for developing AESs exists as there are a great number of small farms using the traditional form of farming. These contribute to a more extensive approach towards agricultural production. However, it will be shown that the extent to which this measure is used has been insufficient. The reason for such a state of affairs will be explained.

### **5.3 The origins of the AEP at the national level**

Prior to the accession process the existing activities of the restructured agriculture sector had not taken into account the need for environmental protection. During the communist era and transformation process, little support was given for rural development as such. For this reason, the strategy of implementation of long-term agri-environmental programmes compatible with the European model did not exist (Hadynska and Hadynski, 2003).

Nevertheless, scarce financial support was applied, in order to contribute to the promotion of environmentally friendly methods of agricultural production like organic farming. Prior to the accession process, subsidies for genetic resources of local breeds and breeding varieties as well as for soil tests were granted. However, the granting requirements differed from the ones provided by the EU and the level of support was much smaller (Liro, 2003a).

The first practical approach to introducing agri-environmental measures was undertaken in accordance with the PHARE (Polish Hungary Assistance for Structuring their Economies) Fund. Progress was made as other pre-accession funds were made available and in particular, SAPARD (Special Accession Programme for Agriculture and Rural Development) (Heller, 2000).

However, the history of agri-environmental incentives has to be traced to the following two projects. The first programme was entitled: '*A case study in the Green Lungs Area of Poland*'<sup>123</sup> implemented in 1997. The objectives of this scheme included issues concerning the upkeep of biodiversity and the environmental assessment of farming methods. Thus, various farm management packages were offered to farmers and economic and monitoring measures were tested and scrutinised (Metera, 2003, p.1). This programme was tested in the four regions of north-east Poland in 58 farms because from an ecological perspective, swamps and marshy areas within this area are the most valuable. One of the main contributions of this preliminary Agri-environmental Scheme was the establishment of detailed rules governing the protection of particular nature valuable environments. The implementation of these activities allowed for the change in farmers' perceptions as they became not only the producers of the agricultural product, but also active protectors of the environment (Tyburski et al., 2000, p.19).

The second project: '*Conservation and Restoration of Biebrza Wetlands*'<sup>124</sup> launched in 1997 intended to reinstate the natural features of the wetlands, as well as to support the development of eco-tourism, local cooperation and to upkeep traditional farming methods (Znaniecka, 2003).

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<sup>123</sup> Founding Partners: IUCN Office for Central Europe and the National Foundation for Environmental Protection, Avalon Foundation (the Netherlands), Veen Ecology (the Netherlands), the Institute for the European Environmental Policy (United Kingdom).

<sup>124</sup> Financed by the World Wildlife Fund.

International NGOs supported these projects with the intention of initiating environmental awareness among both the administrative bodies and farmers. Even if the main objective was only to ‘teach’, rather than to adopt EU practises, their meaning was vital. These opening schemes constitute a turning point in the development of the Polish AEP because a completely new perspective on agriculture and the rural environment was provided. The provision for the introduction of environmental incentives in rural areas was made. Hence, the notion that agricultural activity should be managed without having to pollute the environment was promoted and the directions for achieving this objective were given.

Furthermore, the experience gained during the application of the schemes mentioned above together with the following PHARE<sup>125</sup> projects were used for the elaboration of the Pilot Agri-environmental Scheme (*Pilotażowy Program Rolno-środowiskowy*) under the SAPARD programme:

- PHARE 99 ‘*Regional Development in Warmia-Mazury and Podkarpacie*’ implemented by the Polish Ministry of Agriculture and Rural Development.
- PHARE 99 PL/1999/IB/AG/1 ‘*Preparation for the implementation of the Common Agricultural Polity*’ implemented by the Agency for Restructuring and Modernisation of Agriculture.
- PHARE PL/2000/IB/AG/02 ‘*Institution building for Rural Development*’ implemented by the Polish Ministry of Agriculture and Rural Development and German twinning partners in order to adjust government and local administrations to EU structures. This project contributed to the construction of human and institutional capacities needed for the implementation of the *acquis communautaire* (Metera, 2003, p.2).
- PHARE PL 2000/IB/AG/03 ‘*Institutional development in the scope of agri-environment and afforestation*’ aiming at the dissemination of knowledge among advisory and administrative bodies about agricultural production methods which were compatible with the requirements of environmental protection (FAOW, 2003b). This project was

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<sup>125</sup> The implementation of the pre-accession fund PHARE was made in two phases 1990-1997 and 1998-2003; around 10% of the budget was devoted to agriculture and rural areas; the support was mainly given to the following activities: advisory services, training and the transfer of knowledge know-how within the scope of organisation, management and understanding of the issues concerning the market economy. In the latter phase the main objectives were to build institutional arrangements, socio-economic cohesion and cross-border cooperation (MRIRW, 2004a).

launched in 2002 with the aim to prepare and disseminate information in the following forms: leaflets, brochures, movies along with training manuals on agri-environmental and afforestation schemes (Metera, 2003, p.2).

Contrary to the previous two programmes, the PHARE projects were funded from the EU's pre-accession support and aimed to broaden the farmers' and administrators' knowledge of environmental issues as well as setting up new policy and institutional arrangements equivalent to supranational principles. These tasks can be perceived as a first feasible change towards the development of the Agri-environmental Policy in Poland. Firstly, the Polish Ministry of Agriculture and Rural Development was the managing authority which contributed significantly to the preparation for the adoption of the CAP objectives. Secondly, the transformation was made at the EU's expense. Thirdly, the knowledge gained whilst implementing these objectives facilitated to a great extent the future transposition of the *acquis communautaire*. In connection with this study, one may state that the Europeanisation of the AEP commenced here. It is clear that administrative and political actions hinge on European ideas.

What is more, the concept for the introduction of payments to farmers under the Agri-environmental Schemes was outlined in the strategic document '*Coherent Structural Policy for Rural Areas and Agriculture Development*' (July 1 1999), in which the guidelines for a sustainable development approach were comprehensively reflected. The need for the integration of economic, social and environmental issues was underpinned. The strategy for the Polish Operational Programme for Rural Areas Development SAPARD<sup>126</sup> was set out in

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<sup>126</sup> SAPARD was implemented by the ARMA prior to Poland's accession to the European Union. SAPARD made it possible for the ARMA to grant financial support for the development of Polish agriculture and rural development before resources to support Poland as an EU Member State became operative. The programme was launched in July 2002. Collecting applications for financial aid ended on 20 February 2004. Within this period farmers, local governments and entrepreneurs have submitted 31 098 applications for aid for: the improvement of processing and marketing of agricultural products; on-farm investments; the development and upgrading of rural infrastructure; the diversification of business activity in rural areas ([www.arimr.gov.pl](http://www.arimr.gov.pl); downloaded on 18.01.2007).

this document. In addition, the idea of providing agri-environmental incentives compatible with EU requirements occurred in the National Plan for Accession (2000) and Poland's negotiation positions (2000) as a middle term priority (Metera, 2003, p.1; Liro, 2002a). At this point another argument which highlighted that the origins of the AES in Poland need to be related to the accession process, was proved to be true. It is apparent that the Agri-environmental Scheme occurred to respond to the European need for its implementation.

In regards to the SAPARD Programme it not only aimed to provide financial aid for investments in the field of agriculture and rural development, but also to prepare the administration and to build institutional capacity for the implementation of EU instruments. It also played an important educational role in respect to present and future beneficiaries of the EU's aid instruments. The workshops aiming at preparing farmers for the implementation of the AES were carried out and co-financed from SAPARD (PL-6-11/01).<sup>127</sup>

The premise that the Agri-environmental Scheme should be elaborated within the confines of the SAPARD programme as an act to assure continuity of the funding of the PHARE projects was established. The Agri-environmental Scheme and the Afforestation measure as pilot projects were established under Activity 5. In this regard, the pilot programme was a continuation of the PHARE 1999 project 'Regional Development in Warmia-Mazury and Podkarpacie'. The selected activities were to be undertaken within three regions of the country, with reference to the project concerning the alleviation of arable pollution affecting the Baltic Sea. Moreover, Activity 5 was complementary to the PHARE 2000 project, which referred to institutional issues along with the agri-environmental programme's implementation and the afforestation measure. The Pilot AES was finally designed for

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<sup>127</sup> Project titled 'Szkolenie na obszarach pilotażowych przygotowujące rolników do wdrażania programów rolnośrodowiskowych' co-financed from the SAPARD fund (SAPARD PL-6-11-01).

implementation in four regions, namely: Dolina Biebrzy i Narwi, Ujście Warty, Warmia i Mazury, Podkarpacie (MRiRW, 2004b).

The beginning of the pilot programmes would have had to be preceded by the acceptance of the European Commission and the recognition of Good Agricultural Practice by the Ministry of Agriculture and Rural Development together with the Ministry of the Environment. Although these conditions were finally met and 30,56 million euro were envisaged under the SAPARD programme, the Pilot Agri-environmental Scheme was not put into practise in Poland, at that time, in contrast to Slovenia, Estonia and Hungary (Petersen, 2003; Karaczun, 2002b). In June 2003 the Monitoring Committee scrapped the Activity 5 measure under the SAPARD programme. Although the recommendation of the NGOs to use these modest funds to finance the introduction of the agri-environmental instrument was given, the Ministry of Agriculture reallocated them to measures contributing to the intensification of agricultural production (Measure Activity 2) (Metera, 2003, p.1). In spite of the fact that the Pilot AES was brought back into the SAPARD, this instrument was not put into practise at all.

This study is in line with the scientific,<sup>128</sup> NGOs<sup>129</sup> and some administrative bodies'<sup>130</sup> perception that the absence of the AES adoption is considered as a missed opportunity. If the Agri-environmental Scheme had been implemented this would have allowed actors to gain a wide theoretical and practical knowledge about the application of environmental incentives in rural areas. This would also provide the administration and farmers with vital experience in

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<sup>128</sup> Interview with a Scientific Advisor, Expert in soil and plant cultivation, Poznan University of Life Sciences (Uniwersytet Przyrodniczy w Poznaniu), the Ministry of Agriculture and Rural Development's Advisor, 15 January 2007.

<sup>129</sup> Interview with the Former IUCN Expert, Chief of Bioekspert, Euronatur in Poland, the Ministry of Agriculture and Rural Development's Advisor, 27 May 2006.

<sup>130</sup> Interviews with: the Minister of Environment's Advisor, The Ministry of Environment (Ministerstwo Środowiska), Former Specialist of the Department of Pre-Accession and Structural Funds in the Ministry of Agriculture and Rural Development responsible for the elaboration of the Agri-environmental Scheme, 24 May 2006; Senior Specialist, the Ministry of Agriculture and Rural Development (Ministerstwo Rolnictwa i Rozwoju Obszarów Wiejskich), the Rural Development Plans' Planning Department (Dział Programowania Planów Rozwoju Obszarów Wiejskich), Chief of the Working Group for the Agri-environmental Scheme 2007-2013, 31 May 2006.

implementing the AES. Finally, this would facilitate the policy learning process and simplified the accession procedures in the framework of the Agri-environmental Scheme's requirements.

*The causes of the lack of the accomplishment of the Pilot AES*

The Ministry of Agriculture and Rural Development's official position on the failure of the implementation of the Pilot AES highlights that it was due to the short pre-accession time frame as well as to the time-consuming and costly process of accreditation. The completion of the accreditation procedure and documentation were envisaged at the end of March 2003. The acceptance by the European Commission of the readiness of the payment agency (the SAPARD) would have taken additional weeks. The implementation of the Rural Development Plan for 2004-2006 was to take place soon and the deadline (the end of November 2003) for the accomplishment of the whole Pilot AES accreditation procedures set by the European Commissioner Franz Fischler also affected the process. For these reasons, the Monitoring Committee for the SAPARD, during its meeting on 9<sup>th</sup> December 2003 recommended not to continue actions on Activity 5 (MRIRW, 2004b, p.59; FAOW, 2003b).

However, there is much more to this matter and one needs to consider the following grounds for the failure in implementing the Pilot Agri-environmental Scheme.

To start with there was a lack of knowledge which brought about a refusal of the measure. It should be mentioned that a large number of veto points in both the administration and at the political level existed. The deficiency of knowledge about this instrument and the opportunities that it brings resulted in a shortage of attention. Powerful opposition from the former Minister of Agriculture had played a decisive role in the failure of the application of this measure:

*'The decision to abandon the Activity 5 measure was strictly political. The people engaged in the elaboration of this matter within the ministry did their best, but the lack of the Minister's will brought such a result'.<sup>131</sup>*

Secondly, the deficiency of information in regards to the Activity 5 measure should be highlighted. Only two people within the structure of the Ministry of Agriculture and Rural Development were engaged and possessed the knowledge about the benefits that this measure carried. This was not enough to disseminate information and change the attitude of the rest. During the pre-accession process the dissemination of information was scarce at both the administration and the NGOs levels. Hence, a small number of people were involved and the consultation among the actors was very weak. What is interesting, though, is the role that the environmental non-governmental organisations played in the publicising and lobbying for this measure. It needs to be highlighted that the Polish sections of organisations such as the World Wildlife Fund, The World Conservation Union and the Institute for Sustainable Development prevented Activity 5 from being taken out of SAPARD. However, the active role of the environmental organisations was not sufficient to oppose the Minister's will.

Thirdly, it should be noted that the financial arrangements for '*agri-environmental measures under SAPARD were clearly insufficient with respect to the needs of the Candidate Countries. Yet, as mentioned above, even this modest level of expenditure was not met by the Candidate Countries, due to the secondary importance given to agri-environment under SAPARD'*' (WWF, 2002, p.8). This situation encompasses Poland as only 2% of the total expenditure was assigned to the Pilot Agri-environmental Scheme (Konečný, 2004, p.62). The main assumption was to set up a few pilot projects, but with scarce support it was not feasible.

Fourthly, there were administrative constraints, as the administrative procedures of the AES offered under the SAPARD varied from the ones that were to be implemented after Poland's

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<sup>131</sup> Interview with an official, Director of the Regional Office of the National Community for Bird Protection, the Ministry of Agriculture and Rural Development's Advisor, 01 September 2006.

accession to the EU.<sup>132</sup> In the ministerial representative's view there was no point in implementing the Pilot Agri-environmental Scheme as there was not enough time. The procedures were very bureaucratic and differed from the ones that are currently set up under Regulation (EC) 1257/1999. From the administrative body's perspective it was better to prepare the administration and all institutions involved for the next period, than to use time for the implementation of something that would not be permanent. For this reason, the Ministry of Agriculture and Rural Development neglected this issue:

*'The setting up of the National Agri-environmental Scheme for 2004-2006 was more efficient than the application of the narrow scope of the pilot programme predicted under the SAPARD. Hence, the Pilot AES would only be employed for a 1,5 year period before accession. The period was too short and the decision to direct the money to other activities under the SAPARD programme was made.'*<sup>133</sup>

Fifthly, the delay in the preparation of the AES derived to a great extent from the reluctance of the Agency for Restructuring and Modernisation of Agriculture (ARMA). There was good will from the MARD's side, to be exact from the people involved in the elaboration of this matter. However, the process included the financial perspective and the implementation procedure was to be set up by the payment agency, the ARMA. This was a completely new measure that was not known and not considered to be as important. The Agency for Restructuring and Modernisation of Agriculture worked mainly on instruments that were known to farmers and more money was envisaged for them. As this instrument was not compulsory the consultation had been made among the regional authorities in relation with the priorities that they had. None of the authorities highlighted the agri-environmental

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<sup>132</sup> In order for the farmers and long-term tenants to be eligible to participate in the programme they would have to have farms the size of 3 ha. It was expected that a farmer willing to adopt the programmes would sign a five-year contract with the SAPARD Agency. Currently, the contracts are signed with the Regional Agencies for Restructuring and Modernisation of Agriculture. New administrative procedures for the implementation of the AES had to be developed, so that ARMA would-be able to accept, process and monitor applications and finally do the payments.

<sup>133</sup> Interview with the Minister of the Environment's Advisor, The Ministry of Environment (Ministerstwo Środowiska), Former Specialist of the Department of Pre-Accession and Structural Funds in the Ministry of Agriculture and Rural Development responsible for the elaboration of the Agri-environmental Scheme, 24 May 2006

measure as they were unaware of it and were reluctant at first. The minor role that was assigned to the AES was due to the false belief that:

*'the AES under the SAPARD takes up a share of farmer's money. There was not enough information about this measure, most instruments support medium and large-size farms. It took some time for the Polish authorities to understand that the AES is a perfect instrument to support small farmers. Hence, most of these types of farms are located in the poor regions that are characterised by the most valuable nature areas.'*<sup>134</sup>

Consequently, the ARMA chose to put more effort into other measures and postpone the work related to the AES. The deadlines were set but they could not be met and at the end this instrument was deleted from the SAPARD.

Finally, the responsibility for the failure of the implementation of the Agri-environmental Schemes at that time rests to some degree with the European Commission, which did not give a high priority to this measure. One may look at the dates of the accreditation given by the Commission to see that the completion of the preparation of the AES implementation was delayed for more than a year. The EU decision to allocate the money under most of the SAPARD activities, except activity 4 and 5, was made on 2<sup>nd</sup> July 2002. Only on 1<sup>st</sup> August 2003 was the preparation for the Pilot Agri-environmental Scheme acknowledged and Activity 5 received the accreditation from the European Commission (MRIRW, 2004b).

The discussion above shows that the causation for the failure of the application of the AES within the SAPARD is not straightforward. In particular, it is argued here that the reluctance of key political actors and their preferences are held responsible for such a state of affairs. In addition, the pre-accession period resulted in a missed opportunity to implement the Agri-environmental Scheme, mainly because of the insignificant role that this measure played

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<sup>134</sup> Interview with a specialist, Institute for Sustainable Development (Instytut Zrównoważonego Rozwoju), the author of the ex-ante analysis of the Polish Rural Development Plan 2004-2006, the Ministry of Agriculture and Rural Development's Advisor, 25 May 2006; The Institute for Sustainable Development took part in lobbying, for the introduction of the AES within the scope of SAPARD, within the ministry and outside, submitting opinions, comments to the Vice Minister, disseminating information about the AES within the non-governmental organisations etc.

within the agricultural sector together with the strong opportunistic behaviour of the former Minister of Agriculture and Rural Development. Considering the lack of political will together with the deficiency in the agricultural administrative bodies' support, the Agri-environmental Scheme was like an '*unwanted child*'.<sup>135</sup> These findings need to be related to the theoretical considerations that have highlighted the meaning of opposing actors. Looking from the rational institutionalist perspective it comes as no surprise that the Pilot project was not implemented. The use of the AES under the SAPARD was not obligatory but optional. For this reason, strong resistance from political and administrative representatives brought such results and delayed a change. Considering the conditions above, opportunistic domestic actors are recognised as the primary source of the deficient transformation.

From a broader perspective, the main assumption of this research appears valid. Indeed, Europeanisation is affected by the domestic arena and this process can be slowed down by the lack of support from national actors.

However, a high number of veto players derived from a shortage of knowledge about the AES. Hence, the institution-based institutionalist approach which highlights the necessity for policy-learning as a facilitating factor for alteration was also supported. Last of all, these results have illustrated that the idea of the lack of institutional reform capacity cannot be omitted. It is apparent that building up new administrative structures constituted a burden to the process of change.

These findings are in contradiction with the first case study, where path dependency has been noted. The authorities' experience in implementing the AES over the years resulted in great

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<sup>135</sup> Interview with the former IUCN Expert, Chief of Bioekspert, Euronatur in Poland, the Ministry of Agriculture and Rural Development's Advisor, 27 May 2006.

domestic compatibility. Not surprisingly, the Brandenburg authorities do not encounter similar obstacles to Polish decision-makers whilst designing the process.

The discussion above emphasised how domestic institutional and political arrangements substantially affected the development of the AES. Hence, detailed analyses of these factors will allow for further clarification.

#### **5.4 The institutional, political and social context for the development of the AES in Poland**

Although the Agri-environmental Scheme was a missed opportunity under the SAPARD project, Poland's accession to the EU forced the Polish authorities to undertake a more active approach. As stated by Witkowski (2003, p.3), during the pre-accession period Poland, on the basis of artificial regional market research, selected only direct subsidies. However, the pressure from the EU accompanied by the Polish ecological lobby forced the adoption of the AES. It was agreed that 5% of agricultural land in each voivodship would be assigned to this measure. Nevertheless, in the case of Poland, the AESs were considered '*as a temporary solution*' that would '*help to survive changes*' (Witkowski, 2003, p.4).

At the beginning of the post-accession period, the Agri-environmental Scheme for 2004-2006 was adopted throughout the country and financed under the Rural Development Plan. According to the European Environment Agency the unification process along with the pre-accession support would facilitate Agri-environment Schemes and other rural development measures. National level implementation and capacity building were pointed out as chief aspects that guarantee success in the implementation of the AES (EEA, 2004a, p.8). The following section will allow for a detailed analysis as to how far Poland succeeded in this matter.

### **5.4.1 Legal capacity**

*National legislative and institutional conditions in regard to the ‘goodness of fit’,*

It has already been mentioned that the Agri-environmental Scheme’s instrument was not applied in Poland prior to EU accession. Thus a complete ‘misfit’ with corresponding EU regulations occurred. Incompatibility in legislative scope, as well as in institutional style and the structural dimension existed. One has to take into account that all activities that had been undertaken were forced upon Poland by the requirements of the European Union. Hence, inconsistency with national arrangements resulted in change being resisted.

The EU accession process forced the Polish authorities to develop and apply environmental measures in rural areas. Both the administrative body and environmental interest groups share the opinion that agri-environmental measures would not be implemented without the pressure to adopt to EU standards.<sup>136</sup> This points to the conclusion that the AEP was applied after Poland’s accession only because Regulation (EC)1257/1999 imposed it.

As previously stated, strong resistance to the adoption of European requirements existed prior to the accession process leading to a failure to gain preliminary experience in the implementation of the AES’ legislation. Strong pressure for institutional adaptation existed, which entailed building a capacity for reform, setting up new institutional structures and changes in the perception of agricultural activity by acknowledging its damaging effects. However, as the implementation of the AES under the SAPARD programme was optional, the

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<sup>136</sup> Interviews with: A Scientific Advisor, The Agricultural University of Warsaw (Szkoła Główna Gospodarstwa Wiejskiego), Member of the Polish Ecological Club, 09 June 2006; Specialists in the Ministry of Agriculture and Rural Development, Members of the working group for the Agri-environmental Scheme 2007-2013, 31 May 2006; Scientific Advisor, Agricultural Economist, Expert in the rural development and agriculture sector who carried out RDP analyses and training activities, Poznan University of Life Sciences (Uniwersytet Przyrodniczy w Poznaniu), 18 August 2006; the former IUCN Expert, Chief of Bioekspert, Euronatur in Poland, the Ministry of Agriculture and Rural Development’s Advisor, 27 May 2006; Specialist, Former Representative of the World Wildlife Fund Poland, 31 May 2006; Representative of the Agency for Restructuring and Modernisation of Agriculture (Agencja Restrukturyzacji i Modernizacji Rolnictwa), Training Department, 29 May 2006.

Polish authorities did not use this chance. Administrative opposition remained until the early post-accession period. In spite of institutional obstacles, which will be analysed next, the European Commission forced changes that were finally undertaken.

Moreover, fundamental changes were required and a lot of preparation was needed. The Agri-environmental Scheme initiative was innovative and demanded a lot of knowledge that had to be acquired, together with the development of new complicated procedures, activities, and documents. In regards to the institutional capacity and structure, the new AES policy called for completely different objectives from the ones already established. The Ministry of Agriculture and Rural Development had to be reorganised and new departments with qualified personnel had to be arranged. Cooperation between the Ministry of Agriculture and Rural Development and the Ministry of Environment together with socio-economic partners had to be established.

The management of the measure necessitated a broad administrative capacity, which did not exist at that time. The transformation called for modifications not only within the Ministry of Agriculture and Rural Development, but also at the regional level, as new administrative units and personnel with specific skills had to be provided. Additionally, a lot of nature protection institutions had to be involved like the Regional Nature Protection Officers, Zootechnical Inspection, and the Inspection of the Quality of Agricultural Products.

Hence, a complex system of management encompassing payment institutions, such as the ARMA, which accepts and processes the AES' applications, was adopted. The Regional Agencies for Restructuring and Modernisation of Agriculture had to introduce new procedures in order to be able to deal with the implementation of the AES at the national and regional levels.

The implementation of the AES, required broad cooperation, interaction and communication between various administrative and community levels, together with the creation of an efficient system for information exchange and coordination. Therefore, there was an urgent need for the creation of efficient advisory services and trainings at all levels, from the Ministry's personnel, through to the regional administration and finally farmers. The advisory services, and trainings were set up and the Agricultural Advisory Centres (Ośrodki Doradztwa Rolniczego, AAC) were adjusted.

Finally, the issue of change in farmers' beliefs has to be mentioned. A conflict between environmental and agricultural issues exists among farmers. They are not used to the idea of the necessity of preserving the environment and they are not familiar with the thought that their activity may pollute and damage. So far farmers were perceived as stewards of the land and nothing that they did qualified as being damaging for the environment, as they used a much lower amount of fertilisers and plant protection substances than other EU countries. Hence, it is hard to explain to farmers that they should apply environmentally friendly methods of production. They are not aware of nature and its aspects. There was and still is a low awareness of the belief that farmers should be perceived as protectors of the environment. However, some progress has been made as a number of training workshops were made available. It needs to be stated though that these activities are strictly linked with the accession process and the CAP's incentives in particular.

Concluding remark is that the necessary legislation and institutional issues were put into practise, and changes deriving from the Agri-environmental Scheme under Regulations (EC) 1257/1999 and 1698/2005 were applied:

*'The establishment of institutional and procedural aspects plus control of AES implementation were the most important issues, as these type of practises did not exist in Poland'.*<sup>137</sup>

This section emphasised that a complete misfit between domestic and European arrangements occurred. It highlighted that a number of modifications were made at all administrative levels, including capacity, style and procedures, along with the alteration in belief systems that were considered necessary to adjust to the EU structures. Clearly, the number of fundamental changes that were needed justify to some extent the delayed introduction of the AES as well as the reluctance of the administration body. This part showed that a high level of incompatibility with the EU's requirements resulted in strong opposition towards change. Notwithstanding this, Europeanisation took place. The accession process exerted pressure to comply with European objectives and forced national actors to carry out the transformation. However, interactions between domestic actors and the way in which they affected the process are still missing. Yet, this analysis has not offered a full understanding regarding the dynamics of domestic change. This leads into the legitimacy of the first supplementary hypothesis which states that the level of incompatibility is not a sufficient explanatory value as the meaning of domestic factors and their role needs to be highlighted.

In comparison with the Land Brandenburg, the Polish example shows a different picture. Two contrasting circumstances, domestic compatibility in the first case and a complete incompatibility in the second, enrich the findings of this thesis. These point to the conclusion that various dynamics of political and institutional conditions are likely to be found. Thus, diversified levels of change caused by Europeanisation are to be expected.

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<sup>137</sup> Interview with a Senior Specialist, the Ministry of Agriculture and Rural Development (Ministerstwo Rolnictwa i Rozwoju Obszarów Wiejskich), the Rural Development Plans' Planning Department (Dział Programowania Planów Rozwoju Obszarów Wiejskich), Chief of the Working Group for the Agri-environmental Scheme 2007-2013, 31 May 2006.

Nevertheless, in spite of the harsh criticism highlighted above in regards to the origins of the Polish AES, the next section will emphasise more positive aspects. It will be illustrated that the improvement of the Agri-environmental Scheme's scope can be easily classified as a stepping stone.

#### **5.4.2 Policy content**

##### *The priorities of the National Agri-environmental Scheme for the period 2004-2006*

The previous section has illustrated a complete misfit between national and European arrangements. This points to the fact that the new national policy and institutional framework that has been developed to unify the policy with European objectives is strictly rooted in the EU. The Agri-environmental Scheme's instrument, included in the rural development policy, was initiated through the accession process.

The Polish legislative bases for the adoption of the AES, including the tasks for the implementation institutions, are contained in the following: the support for rural development act from the Guarantee Section of the European Agricultural Guidance and Guarantee Fund,<sup>138</sup> the Minister of Agriculture and Rural Development's Regulation<sup>139</sup> and together with the Council of Ministers, the Agri-environmental Aid and Animal Welfare Scheme with later amendments.<sup>140</sup>

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<sup>138</sup> Ustawa z dnia 28 listopada 2003 r. o wspieraniu rozwoju obszarów wiejskich ze środków pochodzących z Sekcji Gwarancji Europejskiego Funduszu Orientacji i Gwarancji Rolnej. Dz.U.Nr 229, poz.2273 z późn. zm: DZ.U.z 2004 r. Nr 42, poz.386; Nr.148, poz.1551 i Nr162, poz.1709 oraz z 2005 r. Nr 10, poz.64.

<sup>139</sup> Rozporządzenie Ministra Rolnictwa I Rozwoju Wsi z dnia 6 sierpnia 2004 r. w sprawie wzoru wniosku o przyznanie płatności z tytułu realizacji przedsięwzięć rolno-środowiskowych i poprawy dobrostanu zwierząt oraz zawartości planu tego działania. Dz.U.Nr 181, poz 1878.

<sup>140</sup> Rozporządzenie Rady Ministrów z dnia 20 lipca 2004 r. w sprawie szczegółowych warunków i trybu udzielania pomocy finansowej na wsparcie przedsięwzięć rolnośrodowiskowych i poprawy dobrostanu zwierząt objętej planem rozwoju obszarów wiejskich. Dz.U.Nr 174, poz 1809, Rozporządzenia Rady Ministrów zmieniające rozporządzenie w sprawie szczegółowych warunków i trybu udzielania pomocy finansowej na wsparcie przedsięwzięć rolnośrodowiskowych i poprawy dobrostanu zwierząt objętej planem rozwoju obszarów wiejskich. Z dni: 23 września 2004 r.Dz.U.Nr 213, poz 2160; 18 stycznia 2005 r.Dz.U.Nr 22, poz 179; 29 czerwca 2005 r.Dz.U.Nr 131, poz 1095; 25 kwietnia 2006 r.Dz.U.Nr 75, poz 521; 14 marca 2007 r.Dz.U.Nr 46, poz 302.

The Ministry of Agriculture and Rural Development, with some help from the Ministry of Environment, prepared the presumptions and rules for the Agri-environmental Scheme's adoption. The Agency for Restructuring and Modernisation of Agriculture is the institution, which puts the National Agri-environmental Scheme (NAES) into practise. Increasingly, after the accreditation process the ARMA adopts the role of the Payment Agency (PA). The PA is responsible for giving financial support, mainly to accept, process and accredit the Agri-environmental Scheme's contracts. Furthermore, it also includes distributing the payments, monitoring and controlling activities.

Due to the accession process Poland has transformed its agricultural policy to make it compatible with the CAP's objectives with reference to both Pillars. In the early post-accession period 2004-2006 the country had implemented the objectives of the market-price policy in conjunction with two programmes in regard to rural policy, with the AES incorporated in one of them (figure 6):

1. **Sectoral Operational Programme (Sektorowy Program Operacyjny (SPO)) „The restructuring and modernisation of the food sector and the development of rural areas”**, defined the strategy for developing agricultural and rural areas and the core issue was sustainable rural development. This programme was accompanied by the Rural Development Plan (Czubak, Hadynski and Pocztka, 2004).

2. **The Rural Development Plan (Plan Rozwoju Obszarów Wiejskich (RDP))** stated the goals, priorities and rules for sustainable rural development support. The plan was directed towards social and environmental aspects and was coherent with other structural programmes, especially with the Sectoral Operational Programme mentioned above (MRiRW, 2002).

The activities within the RDP and the SPO were complementary in accordance with the prior aim, namely rural development. Increasingly, they tended to improve the development of the

agricultural market and to encourage people to use the land for non-agricultural purposes. They were financed from the European Agricultural Guidance and Guarantee Fund. The RDP was financed from the Guarantee Section of the EAGGF, which aimed to support the restructuring process of agriculture together with rural areas development. The tasks of the RDP are also common with those of the strategic National Development Plan (Krajowy Plan Rozwoju (NDP)).<sup>141</sup> The Sectoral Operational Programme titled '*The restructuring and modernisation of the food sector and the development of rural areas*' had been financed from the structural funds. Within this programme, the Polish countryside got 1,8 billion euro, of which the EU would contribute 1,1 billion euro and a further 590 million euro would come from the national budget. The Agency for Restructuring and Modernisation of Agriculture was the payment institution for both programmes.

The National Agri-environmental Scheme was introduced within the confines of RDP in September 2004 and the amount of money assigned for this measure in the period 2004-2006 was 218,9 million euro (table 14) (Klisowska, 2006). The lack of accreditation of the ARMA constrained the administrative and payments activities. At the beginning the limit was set at 350 million euro, and the number of expected applications was 125 thousand for the period 2004-2006. Nevertheless, the number of submitted applications was much lower and the amount was reduced to 218 million euro. Moreover, from the beginning the assumption that:

*'the envisaged budget would not be used was widespread and some of the money was redirected to the following instruments: adoption to EU standards for the slurry storage equipment, as well as for payments under the SAPARD project'.*<sup>142</sup>

This issue demonstrates that the Ministry of Agriculture and Rural Development did not highly prioritise this measure. For this reason, even the scarce financial support that was

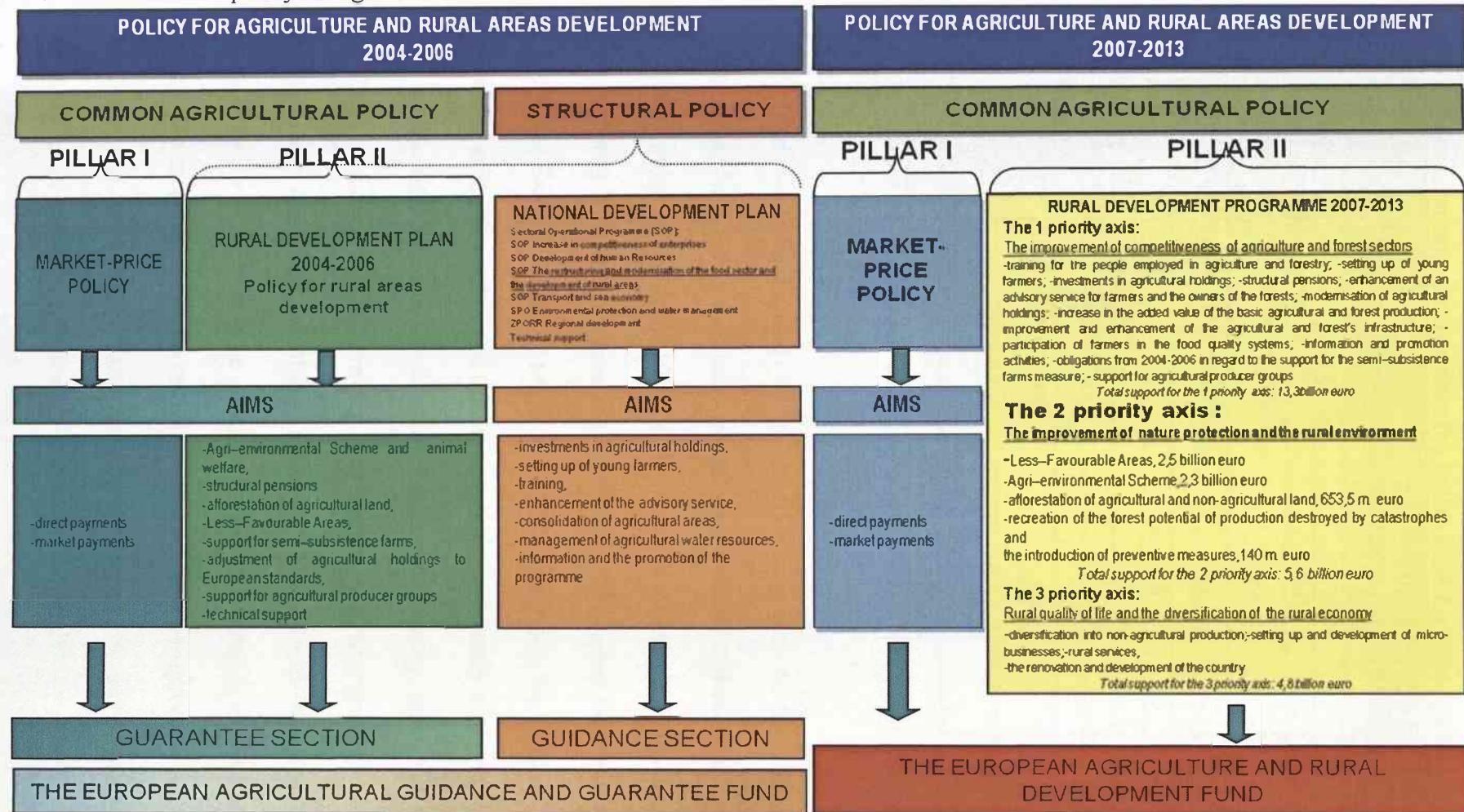
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<sup>141</sup> The main goals of the NDP were as follows: the improvement of competitiveness of the economy, based on knowledge and entrepreneurship, and the development and increase in the employment rate, leading to social and economic cohesion with the European Union at the regional and national level.

<sup>142</sup> Interview with a Specialist, Institute for Sustainable Development (Instytut Zrównoważonego Rozwoju), the author of the ex-ante analysis of the Polish Rural Development Plan 2004-2006, the Ministry of Agriculture and Rural Development's Advisor, 25 May 2006.

assigned to this measure was transferred for other goals. However, it needs to be highlighted that this measure was the most innovative measure within the RDP, which offers a partial explanation for such a situation (Dembek, Dobrzyńska and Liro, 2003; MRIRW, 2005c).

Figure 6 The structure of policy for agriculture and rural areas in Poland.



Source: own elaboration based on the MRIRW (2007). Program Rozwoju Obszarów Wiejskich na lata 2007-2013. Warszawa p:318, Czubak, W., Hadynski, J. and Pocztta, W., (2004). Polityka rozwoju obszarów wiejskich z uwzględnieniem wymiaru środowiskowego w rolnictwie w świetle reformy Wspólnej Polityki Rolnej. W: Pocztta, W., (ed) Krajowy Program Rolno-środowiskowy. Zasady uczestnictwa i wymogi produkcji rolniczej. Koszalin pp. 7-24.

Table 14 Financial arrangements within the Polish RDP for 2004-2006 in million euro

Activity	Public expenses in the programming period 2004-2006 million euro	
	Total	EAGGF
Structural pensions	534,88	427,90
Support for semi-substance farms	293,10	234,40
Support for the agricultural practises within Less Favourable Areas (LFA)	905,00	723,96
Support for agri-environmental activities and animal welfare	218,90	175,03
Afforestation	91,70	73,32
The adaptation of farms to EU standards	687,00	549,53
Support for agricultural producer groups	17,40	13,86
Technical support	22,0	17,50
Money Transfer from II pillar payments into direct payments (I pillar)	682,42	545,89
The Projects acknowledged within Council Regulation (EC) No 1268/1999	140,00	105,00
<b>Total RDP</b>	<b>3 592,40</b>	<b>2 886,40</b>

Source: The Agency for Restructuring and Modernisation of Agriculture ([www.arimr.gov.pl](http://www.arimr.gov.pl) downloaded on 12.01.2007).

As table 14 shows Poland spends 6% of the RDP resources on the AES. This leads to the conclusion that the Polish contribution towards this measure relates to countries such as Spain and Greece which spend only 10% of the rural development funds required by the EC (Konečný, 2004). This is in contrast to the countries, who spend the most on the AESs, such as Austria and Sweden (70%). It needs to be pointed out that the argument that Poland as a new member state still needs some time to develop in this matter cannot be facilitated as some of the accession countries, such as Slovakia and Hungary, gave this measure a higher priority and used opportunities deriving from the pre-accession funds as well as applying the AESs on a larger scale. A cause of such a situation is linked with the pre-accession conditions mentioned earlier on. It should be noted that a strong reluctance to implement the AES was replaced with acceptance. However, '*this measure is still not given a high priority. For both reasons the majority of administrative actors recognise it, but they are far from being optimistic and the awareness of farmers is still insufficient*'.<sup>143</sup>

<sup>143</sup> Interviews with: a Senior Specialist, the Ministry of Agriculture and Rural Development (Ministerstwo Rolnictwa i Rozwoju Obszarów Wiejskich), the Rural Development Plans' Planning Department (Dział

Moreover, the main premise of the National Agri-environmental Scheme was to strengthen sustainable agricultural economy patterns, particularly in the protected areas endangered by degradation. Furthermore, within the confines of agri-environmental activities the tasks for the protection of genetic resources of farm animals and the improvement of ecological awareness among the rural population together with the promotion of environmentally friendly production were set (Liro, 2004).

The detailed aims of the National Agri-environmental Scheme were (Dobrzyńska et al. 2004, p.4):

- the promotion of environmentally friendly farming production systems,
- the maintenance of biodiversity of semi-natural habitats, including genetic resources,
- the maintenance and restoration of cultural and environmentally valuable features of the landscape,
- the improvement of ecological awareness among the rural community.

It is crucial, though, to mention that special areas for the implementation of agri-environmental packages in the first period of the AES's 2004-2006 application have been designated and set by the regional government (figure 7). These are the Priority Zones (*Strefy Priorytetowe* (PZ), encompassing areas of high conservation and landscape values as well as those which are important in terms of water and soil protection<sup>144</sup> (Szemplińska and Jobda, 2004). The AES's packages: sustainable agriculture, the maintenance of extensive meadows and the maintenance of extensive pastures were restrained within the Priority Zones. Whereas packages such as: organic farming, the protection of soil and water resources, buffer zones and the

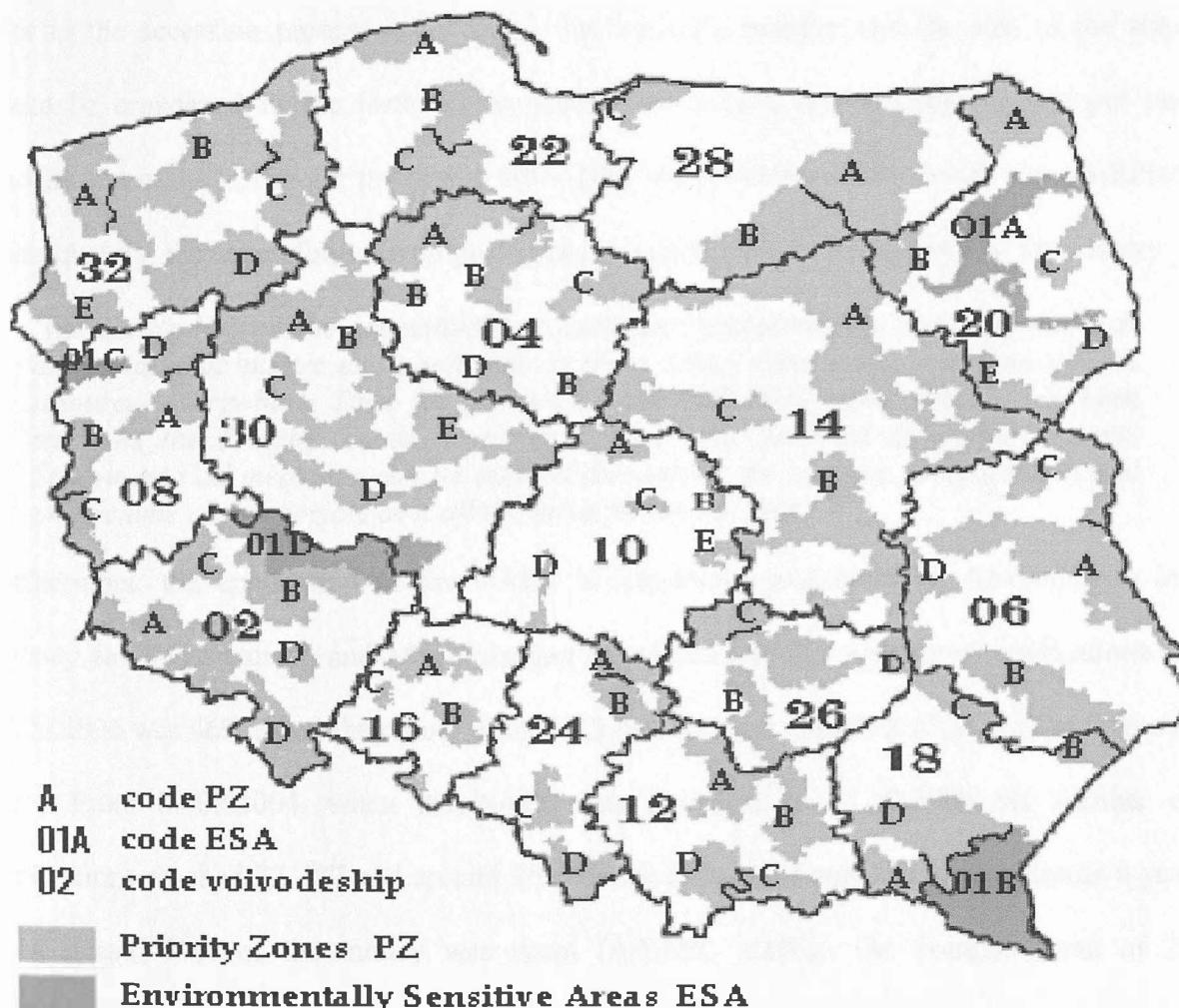
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Programowania Planów Rozwoju Obszarów Wiejskich), Chief of the Working Group for the Agri-environmental Scheme 2007-2013, 31 May 2006; the Director of the Nature Protectors' Club (Klub Przyrodników), the Ministry of Agriculture and Rural Development's Advisor, 06 September 2006.

<sup>144</sup> The specific criteria for the selection of priority zones are as follows: a high position in national and international systems of protected areas (national park, landscape park, network of Natura 2000) with reference to the threat of the abandonment of the land with a high nature conservation value, the threat of water and wind erosion, water pollution, set-aside areas, regional diversity in the mountainous and lowland areas with a preference towards traditional types of agricultural land, to counteract specialisation and the intensification of agricultural practise.

preservation of rare breeds were carried out throughout the country (Michalik, 2007). Hence, 69 Priority Zones occupied 32% of the area of the country (Dobrzańska et al., 2004, p.10, WWF 2004b). The average PZ's area was 160 thousand ha, of which 54.8% comprised of arable land (Poczta, 2004, p.22). *Environmentally Sensitive Areas* were embraced in the PZ and they are the most nature valuable areas in Poland.

Figure 7 Designated Priority Zones and Environmentally Sensitive Areas in Poland



Source: own elaboration based on MRiRW (2004b). Krajowy Program Rolnośrodowiskowy instrument ekologizacji polskiego rolnictwa.

However, the restricted applicability of the packages for the maintenance of extensive meadows and pastures along with sustainable agriculture illustrates Poland's complex administrative structure. The central level executive, the MARD, determines the scope of the

AES with its sub-measures and predetermines the uptake for the regions. The regional administration (voivodship level) outlined a plan for the application of the pre-selected packages, although, additional eligibility confines occurred. Thus, the limited access to Priority Zones and the number of sub-measures, was noted (Hoffman, Nowakowski and Metera, 2004, p.14).

Moreover, the range of Environmentally Sensitive Areas was questionable and the MARD, prior to the accession process, proclaimed that both the number and the size of the areas would be broadened in the forthcoming years. Fortunately, this assumption was put into practise and in the NAES for the period 2007-2013 the restriction of the zones was abolished. Consequently, the accessibility to all packages is equal to everybody throughout the country.

*'The constraints on the accessibility of particular packages was not acceptable, as highly valuable nature exists not only in these zones. One should maintain natural resources everywhere. Thus, for the next period 2007-2013 some progress has been made as the Priority Zones were erased from the National Agri-environmental Scheme and all measures can be applied throughout the country. Only a horizontal programme is appropriate as it allows more farmers to join'.<sup>145</sup>*

Furthermore, the application of the NAES is improving progressively. According to the Agency for Restructuring and Modernisation of Agriculture the number of applications on 07.06.2006 was 46965 and the money spent 59,3 million euro, which is 27.3% of the financial limit. From 09.09.2004, when the NAES was launched to 31.12.2006 the number of applications reached 72 487 and around 35% of the financial limit was used, whereas a year later around 97% of the money was spent (ARiMR, 2007a). On average 1 out of 25 agricultural holdings applies to the AES. The number of accepted applications reaches nearly 100%, which means that the beneficiaries are well prepared in regard to the formal requirements that they have to meet. This also hints at the full engagement of agri-environmental advisors (MRiRW, 2007, p.142).

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<sup>145</sup> Interview with the former IUCN Expert, Chief of Bioekspert, Euronatur in Poland, Advisor to the Ministry of Agriculture and Rural Development, 27 May 2006.

According to the MARD, the AES is one of the most complicated and novel measures within the RDP 2004-2006.<sup>146</sup> The increasing interest in the uptake of this instrument was noticed at the end of the first application period. The current status of the NAES' application was achieved by means of educational activities. This brings us to the conclusion that the dissemination of information along with promotion actions are crucial in the advancement of this measure.

Although the number of applications increased gradually (around 72 thousand), it is still much lower than expected (125 thousand). Thus, the experts working with farmers have mentioned several reasons for this situation: the mentality of farmers, the lack of information, which is still not sufficiently disseminated and that the money offered is not adequate:

*'The Polish farmers are not used to signing long-term contracts, that is the first and quite important constraint, and the second is the deficiency of knowledge that farmers possess about the procedure of the implementation of the AES, it should be less complicated. The last issue that ought to be mentioned is the low attractiveness of the scale of payments. Most of the farmers have small farms and the money offered is not attractive to them.'*<sup>147</sup>

The most popular packages amongst farmers are the protection of soils and water resources (K01) along with the maintenance of extensive meadows (P01) and organic farming (S01) (table 15). It can be noted that the most common ones relate to an effortless procedure. The lowest uptake for the buffer zones was noticed, which was due to the low level of payments:

*'The funds available for the packages requiring a complicated procedure are not used as well as the ones which are provided for technical support.'*<sup>148</sup>

<sup>146</sup> Interview with a Senior Specialist, the Ministry of Agriculture and Rural Development (Ministerstwo Rolnictwa i Rozwoju Obszarów Wiejskich), the Rural Development Plans' Planning Department (Dział Programowania Planów Rozwoju Obszarów Wiejskich), Chief of the Working Group for the Agri-environmental Scheme 2007-2013, 31 May 2006.

<sup>147</sup> Interview with a Scientific Advisor, The Agricultural University of Warsaw (Szkoła Główna Gospodarstwa Wiejskiego), a Member of the Polish Ecological Club, 09 June 2006.

<sup>148</sup> Interview with a Scientific advisor, Economist, Expert in rural development and the agriculture sector, Poznan University of Life Sciences (Uniwersytet Przyrodniczy w Poznaniu), 10 January 2007.

Table 15 The amount of uptake for offered packages in regards to submitted applications

Codes	The name of the package	The number of applications
S01	Sustainable agriculture	1 764
S02	Organic farming	9 500
P01	The maintenance of extensive meadows	9 656
P02	The maintenance of extensive pastures	1 014
K01	The protection of soil and water resources	33 146
K02	Buffer zones	90
G01	The preservation of rare breeds	648

Source: Staniszewska, M. (2006) Opinia polskich organizacji pozarządowych o Krajowym Programie Rolno-środowiskowym na lata 2007-2013. Materiały konferencyjne: Rolnicy dla Środowiska. Doświadczenia pierwszych lat członkostwa w Unii Europejskiej i rekomendacje na przyszłość. Kraków 1-2 czerwca.

Currently, only the Rural Development Plan for 2007-2013 is applied and is co-financed by the European Agriculture and Rural Development Fund. However, this programme is extremely complex. The AES for 2007-2013 is included in it. The Rural Development Programme for 2007-2013 is compatible with the requirements of both Regulation (EC) 1698/2005 and the national level.

*The assessment of the changes undertaken in the scope of the Agri-Environmental Scheme for the period 2007-2013 in comparison with the previous period 2004-2006*

Table 16 demonstrates convincingly that the scope of the AES has changed, but is it a stepping stone?

Initially, the first attempts to establish the AES resulted in setting up a range of primary objectives that have not changed since. Nevertheless, significant alterations have been made in order to develop existing goals and make the measures accurate. Based on the experience acquired during the adoption of the NAES for 2004-2006, the scope of the National Agri-environmental Scheme for the period (2007-2013) has been widened and commonly accepted. Additionally, the enhancement of nature objectives has been undertaken. The following objectives are novel in the current scope: the protection of bird hatch places and high nature habitats in rural areas packages 4 and 5 and the protection of endangered birds and high nature habitats beyond as well as in NATURA 2000 areas. Hence, some improvements have

been made in the local breeds' package by adding new types of animals and plant species options.

Optimistic views prevail among governmental and socio-economic institutions. According to both the administrative body and non-governmental organisations the current range of instruments is much more compact and adequate than the previous one.<sup>149</sup> Although budget restrictions exist, the offer is more complex and further improvements are envisaged. The representatives of environmental NGOs acknowledge that positive changes occurred as:

*'the Priority Zones are removed and more species of rare breeds are included. The scope is broader and the fact that the learning process occurred is optimistic. Hence, from a long-term perspective it is a positive assessment, as each activity will allow for the improvement of the environment'*<sup>150</sup>

With regards to the political and institutional arrangements, the Agri-environmental Scheme for 2007-2013 has not required alterations. The current scope of the AES allows for the use of existing procedures and solutions. The designing process proceeded smoothly and hitherto national institutional structures and style were in line with European demands:

*'In administrative terms the system works better and farmers have learned a lot. The knowledge improves within the regions. The hardest objective was to start in 2004. Now it is much easier because from 2014 we can start thinking about regional schemes. Hence, ten years of experience should be sufficient and some preparation will be made to initiate this process'*<sup>151</sup>

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<sup>149</sup> Interviews with a Consultant at the Ministry of Agriculture and Rural Development, Representative of the Polish Ecological Club, 01 June 2006; Specialist, Institute for Sustainable Development, The Author of ex-ante analysis of Rural Development Plan for Poland, Advisor to the Ministry of Agriculture and Rural Development, 25 May 2006; Advisor to the Minister of Environment, Former Specialist of the Department of Pre-Accession and Structural Funds in the Ministry for Agriculture and Rural Development responsible for the elaboration of the Agri-environmental Scheme, 24 May 2006; Specialist, Ministry of Agriculture and Rural Development, Member of the working group for the Agri-environmental Scheme 2007-2013, 31 May 2006.

<sup>150</sup> Interview with the Advisor to the Ministry of Agriculture and Rural Development, Head of the Polish Nature Club, 06 September 2006.

<sup>151</sup> Interview with a Senior Specialist, the Ministry of Agriculture and Rural Development (Ministerstwo Rolnictwa i Rozwoju Obszarów Wiejskich), the Rural Development Plans' Planning Department (Dział Programowania Planów Rozwoju Obszarów Wiejskich), Chief of the Working Group for the Agri-environmental Scheme 2007-2013, 31 May 2006.

*An assessment of the changes undertaken in regard to the scope of agri-environmental incentives and market support*

Although positive changes towards the environmental dimension have been made within Polish agricultural policy, the financial priority is still given to market production. Additionally, '*the idea of the sustainable development of Polish rural areas is still questionable*'.<sup>152</sup> As Konečný (2004) pointed out, the accession process in the new member states would result in the development of Agri-environmental Schemes in Slovenia, but restructurisation and modernisation of the agricultural sector in Poland. The first years of the post-accession period show that his predictions were accurate. Whilst the First Pillar's Single Area Payments (SAP) took up 5,23 bn euro in the 2004-2006 period (in 2004 1,59 bn, in 2005 1,68 bn and in 2006 1,96 bn euro<sup>153</sup>) and around 1,5 million applications were submitted, the 71 thousand Agri-environmental applications (in the 2004-2006 period) and the 218 million euro spent (from the RDP's total 3,6 bn euro) are still not satisfactory results (ARIMR, 2007b).

However, some positive aspects should be noted such as an increase in organic farming as well as a high level of expenditure given to the adoption of EU standards' instruments as well as the fact that environmental standards were included within the investment aid. These actions allow farmers to provide their holdings with more environmentally friendly equipment, which is beneficial to the environment.

It has been shown above that the support for the First Pillar's payments is more widespread than the Second Pillar's payments. In comparison with other EU countries, Polish nature and

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<sup>152</sup> Interview with the Former Deputy Minister of the Environment, the Member of the Monitoring Committee for the National Rural Development Plan of the Ministry of Agriculture and Rural Development, the Head of the Ecological Association 'Eko-Unia', 08 January 2007.

<sup>153</sup> Currency from the National Polish Bank on 12.06.2006 – 1 Euro 3,9801 zl.

environment have an advantage of not being as damaged and polluted. From this perspective the direction undertaken at the moment by both the farmers and the Polish authorities relates to production measures, rather than to the protection of the environment. The situation is discouraging, but the fact that the obligation of keeping land in Good Agricultural and Environmental Condition within the scope of SAP has been set along with the completion of the application of cross-compliance (in 2009), would hopefully allow for the preservation of the environment. Not surprisingly, such a situation has attracted harsh criticism from environmental groups:

*'Poland is not using her chance. The country could avoid mistakes that the old EU countries made and save its environment, but it is not happening'.<sup>154</sup>*

Furthermore, much more effort should be put into control and monitoring systems as well as the dissemination of information among farmers otherwise all the new measures will have little positive environmental effect. Generally, the idea of sustainable development has occurred in the legislative and academic environment, but it is much harder to increase public awareness about this issue in practical terms (Adamowicz, 2004; Hadynska and Hadynski, 2005a).

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<sup>154</sup> Interview with a Scientific Advisor, The Agricultural University of Warsaw (Szkoła Główna Gospodarstwa Wiejskiego), Member of the Polish Ecological Club, 09 June 2006.

Table 16 The scope of the National Agri-environmental Scheme in Poland for 2004-2006 and 2007-2013 periods

Initial version	Final version of the National Agri-environmental Scheme elaborated for the 2004-2006 period	The scope of the National Agri-environmental Scheme for the period 2007-2013
<p>The guidelines for the National Agri-environmental Scheme was based on four basic schemes:</p> <p><b>Scheme I. The protection of rural biodiversity</b>-would have been implemented in Environmentally Sensitive Areas (ESA). The chief objective was to maintain the biodiversity of these high nature value landscapes. Furthermore, each of the designated areas possess specific natural and landscape features. Their conservation would require the maintenance of traditional farming practises. The selected areas consist of existing and planned protected areas as well as areas situated beyond the legal protection system if they present a prior biodiversity feature. It was expected that these areas would occupy 10 % of the country area</p> <p><b>Scheme II. Nature and landscape conservation</b> - would have been implemented throughout the country. The problems would be solved within the regions (voivodeship) adequately to the level of the threat for the local environment.</p> <p>Agri-environmental activities sought to maintain and to conserve biodiversity as well as to protect genetic resources including valuable plants and animal breeds. Tasks like shaping the structure of the landscape and to counteract erosion and to decrease natural water retention were also mentioned in this scheme.</p> <p><b>Scheme III. Organic farming</b>- this scheme would have been set throughout country (horizontal) and referred to ecological farming. Although spatial restraints did not exist, within the ESA the environmental requirements included in their packages would be mandatory.</p> <p><b>Scheme IV. The protection of genetic resources</b>- this programme would also have been a horizontal one. The aims were to preserve the genetic resources of seeds of the traditional cultivation, horticultural plants together with animal breeds.</p> <p>It was stated that agricultural producers might participate only in one agri-environmental scheme, even though; various packages might be used within it.</p>	<p>Seven packages have been accepted that consist of 40 various options:</p> <ol style="list-style-type: none"> <li>1. <b>Sustainable agriculture</b> (code: S01) – relies on the reduction of the use of fertilisers, improved application and timing. This package is not divided into options and will be adopted within the Priority Areas.</li> <li>2. <b>Organic farming</b> (code: S02) – is based on the use of organic farming practises in accordance to ecological legislation (The act of ecological farming 20 April 2004 r. Dz.U. Nr 93, poz. 897 together with Council Regulations (EC) 2092/91 i 1804/99). The ecological farming package is horizontal and will be adopted throughout country.</li> <li>3. <b>The maintenance of extensive meadows (code: P01)</b></li> <li>4. <b>The maintenance of extensive pastures (code: P02)</b> these packages will be implemented in permanent grasslands that are characterized by their high nature and landscape value. They are meaningful in terms of the conservation of wild flora and fauna -European network NATURA 2000, designed with regards to the Habitats and Birds Directives.</li> <li>5. <b>The protection of soil and water resources (code: K01)</b> – based on the reduction of entrants and keeping the green cover on the fields in order to reduce leaching of NPK to groundwater resources</li> <li>6. <b>Buffer zones (code: K02)</b> – it is based on the creation of 2- or 5- meters of green layers between the cultivation area and surface water resources (mainly along drainage ditches and streams that have water for at least nine months of the year) in order to alleviate the negative effects of the intensification of water resources</li> <li>7. <b>The preservation of rare breeds (code: G01)</b> -The main aim is to conserve genetic diversity by the maintenance of local breeds on the farm. This is also a horizontal measure.</li> </ol>	<p>Nine packages have been accepted that consist of 41 various options:</p> <ol style="list-style-type: none"> <li>1. <b>Sustainable agriculture</b></li> <li>2. <b>Organic farming</b></li> <li>3. <b>Extensive permanent grassland</b>–this package joins previous extensified meadows and extensified pastures options</li> <li>4. <b>The protection of endangered birds and high nature habitats beyond NATURA 2000 areas</b></li> <li>5. <b>The protection of endangered birds and high nature habitats in NATURA 2000 areas</b> this package similarly to the previous one relates to the protection of bird hatch places and high nature habitats in rural areas</li> <li>6. <b>The preservation of local plants</b></li> <li>7. <b>The preservation of local breeds</b></li> <li>8. <b>The protection of soil and water resources</b></li> <li>9. <b>Buffer zones</b></li> </ol>

Sources: own elaboration based on <http://www.rolnictwo.ukie.gov.pl/r.nsf/xml/09ECFB65AFC2E84EC1256C98004DD1CF?Open...>; downloaded on 11.08.2003, MRiRW (2004a). Plan Rozwoju Obszarów Wiejskich Dla Polski na Lata 2004-2006, Warszawa; WWF (2004a). Program rolnośrodowiskowy czyli rolnik strażnikiem przyrody; MRiRW (2007) Program Rozwoju Obszarów Wiejskich Dla Polski na Lata 2007-2013.

Summing up this section, one becomes aware that in the framework of policy content the influence of Europeanisation is apparent. Polish agricultural policy has been transformed into the agricultural and rural policy, which is comparable with the CAP's aims and legislation. It is now possible to provide an answer to one of the research questions concerning the extent to which EU Rural Development Regulations affect domestic policy-making arenas. In this regard, European policy requirements have been placed at the heart of the national policy agenda which led to a change.

Looking from a broader perspective one can point to some similarities with Brandenburg's case. In spite of its complex origins, the Polish AES policy developed gradually.

It is now necessary to examine the Agri-environmental Scheme's administrative development.

### **5.4.3 The administrative structure of the AES**

#### **5.4.3.1 Administrative and Institutional Arrangements of the AES**

As the Agri-environmental Scheme is complex to administer and to implement, it is important to mention the Polish administrative structure (figure 8) whilst discussing this matter. The competency of the AES' implementation lies in the agricultural authority, which by means of environmental institutions, sets up the arrangements. The centralised system provides the national Ministry of Agriculture and Rural Development with an opportunity to design the Agri-environmental Schemes and to define prerequisites for their adaptation to the regions. In addition, the administration body on the regional level (voivodship), the Regional Agencies for Restructuring and Modernisation of Agriculture, are responsible for setting up a strategy for the application of chosen packages.

#### **5.4.3.2**

#### **The structure of interactions and communication**

Vertical and horizontal interactions between administrative levels are presented in figure 8.

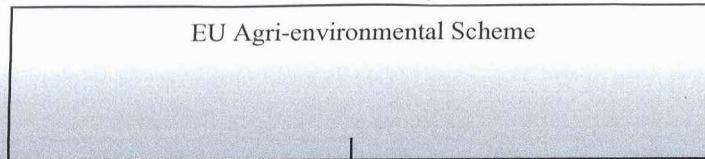
The first type of relations includes the Polish Ministry of Agriculture and Rural Development since this is the managing authority for the Agri-environmental Schemes, which cooperates closely with the Payment Agency during all stages of the implementation process. The ARMA is an implementing institution. For this reason, the office at the national level provides the ministry with feedback on the feasibility of the introduction, implementation and monitoring of particular measures, whereas the Agricultural Advisory Centres offer the advisory statistics.

Hence, the ARMA is supported by the regional agencies and their views on each region because at this level the AES's applications are accepted and processed. However, farmers receive information about the nature status of their farm through the regional authorities (nature conservation departments). They may also be given some advice by the ARMA's and AAC's local (powiaty) institutions.

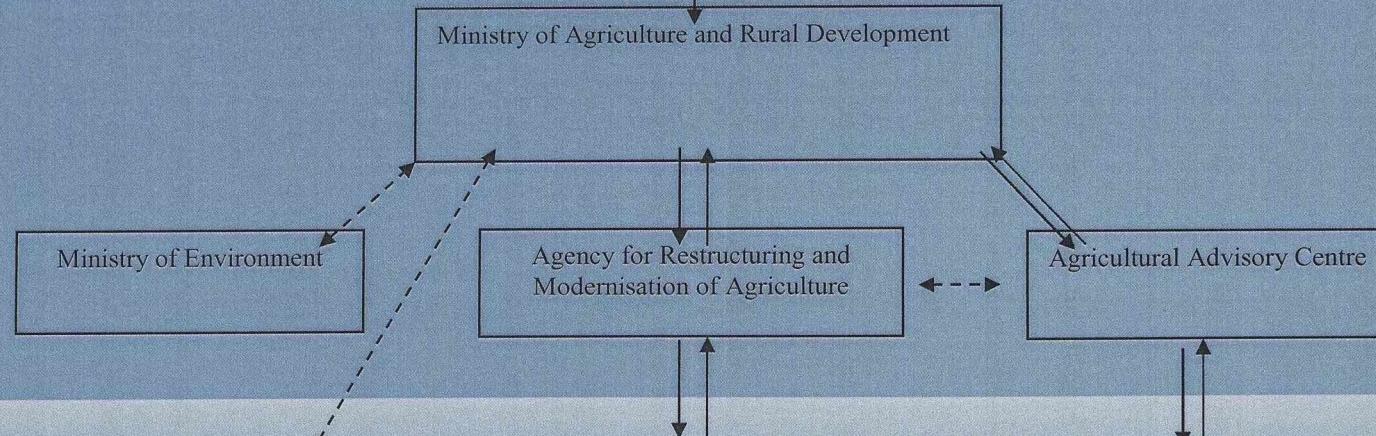
The second category of interactions comprise of the Ministry of Environment, which supports the MARD during the work on the scope of the AES and the Agricultural Advisory Centres which help farmers with the preparation for the application of the AES by elaborating individual plans for each farm.

Figure 8 The AES' administrative structure in Poland.

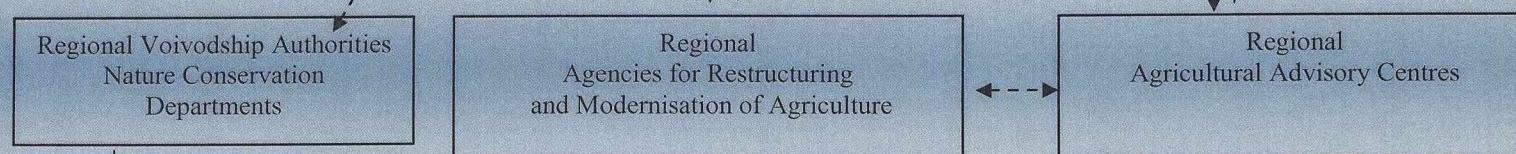
**International level**



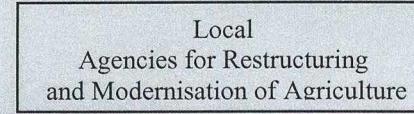
**National level**



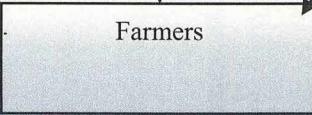
**Regional level**



**Local level**



**Farm level**



Source: own elaboration

### **5.4.3.3            Administrative actors and socio-economic partners**

#### *The Polish Ministry of Agriculture and Rural Development*

The Polish Ministry of Agriculture and Rural Development (MARD) is the managing authority for Rural Development Plans including the Agri-environmental Scheme's programming, monitoring and evaluation. Within the MARD it is the Department of Rural Development that carries out the tasks. In the area of the absorption of the EU funds allocated to the member states for agricultural and rural sectors' development, this is vested in the Minister. Furthermore, the Department of Programming and Analysis was established to set up the Rural Development Plans, and within this section the Rural Development Plan Unit in particular is responsible for the elaboration of the Agri-environmental Scheme.

In regards to the structure, the new AES policy called for completely different objectives from the ones already established. As previously mentioned, the MARD had to be reorganised and new departments with qualified personnel had to be set up. Also cooperation with the Ministry of Environment and socio-economic partners had to be established. These changes have been made to respond to EU legislation demands. Thus, the process of accession resulted in Europeanisation. Owing to external pressure, the administrative structures altered and developed a new capacity to act.

Prior to the accession process the lack of human capacity existed. Only two people within the MARD were engaged in the elaboration of the AES. However, in the early post-accession period a much more integrated institutional framework has been applied. The administrative capacity has been broadened significantly. Although the financial assets for the AES for the next budgetary period 2007-2013 are still kept at the lowest level required by the EU, namely 10% of the Rural Development Plan's budget, the Ministry of Agriculture and Rural

Development set up a separate department which deals with this issue. Additional highly qualified personnel have been appointed. Thus, the administrative capacity has been expanded which affects the setting up of the Agri-environmental Scheme in a positive way. In this regard, priorities shifted mainly due to the accession process, but also due to a constructive attitude of the people from the Department of Rural Development in the MARD.<sup>155</sup>

#### *The Ministry of the Environment*

The Ministry of the Environment (ME) was established in 1999.<sup>156</sup> Within the administrative structure of the ME two departments may be mentioned: The Independent Division for the Protection of NATURA 2000 Sites and National Parks, and the Department of Forestry Nature Conservation and Landscape Protection. These two units deal with issues related to the implementation of environmental incentives in rural areas such as NATURA 2000 sites and the Habitat and Wild Birds Directives. Nevertheless, the consultation on the Agri-environmental Scheme is not mentioned. However, a lot of support and knowledge has been shared owing to the personal commitment of one of the ME's staff, who was previously engaged in the elaboration of the AES under the SAPARD. For this reason, the consultation between the MARD and the ME regarding the AES exists due to this personal engagement. As has been mentioned by Karaczun (2000), the department dealing particularly with rural areas and agriculture has not been set-up yet.

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<sup>155</sup> Interview with a Senior Specialist, the Ministry of Agriculture and Rural Development (Ministerstwo Rolnictwa i Rozwoju Obszarów Wiejskich), the Rural Development Plans' Planning Department (Dział Programowania Planów Rozwoju Obszarów Wiejskich), Chief of the Working Group for the Agri-environmental Scheme 2007-2013, 31 May 2006.

<sup>156</sup> Regulation of the Council of Ministers of 26 October 1999 that entered into force on 10 November 1999 (Official Journal of 1999, No. 91, Item 1017).

## The Agency for Restructuring and Modernisation of Agriculture

The Agency for Restructuring and Modernisation of Agriculture is a governmental body established in 1994. The ARMA is headed by a President appointed by the Prime Minister of the Republic of Poland upon the proposal of the Minister of Agriculture and Rural Development as well as the Minister of Finance. The structure of the institution includes three levels: the Headquarters, 16 Regional Offices and 314 District Offices. Its mission is to support agricultural and rural development. The Agency supports Polish farmers, entrepreneurs operating in the processing industry and rural areas inhabitants, mainly through subsidies, involving placing interest on banking working capital and investment credits, along with co-financing rural infrastructure and measures aimed at training and education ([www.arimr.gov.pl](http://www.arimr.gov.pl); downloaded on 18.01.2007).

Increasingly, after the accreditation by the Minister of Public Finances, the ARMA adopts the role of the Payment Agency accountable for spending the money from the Guarantee Section of the EAGGF, currently within the European Agriculture and Rural Development Fund. It became the second<sup>157</sup> payment agency for the CAP and the structural policy's mechanism in agriculture in 2004. Hence, the Agency has been the paying and implementing institution of the instruments under the CAP (i.e. the Rural Development Plan including the Agri-environmental Scheme) and Structural Funds (i.e. the Sectoral Operational Programmes '*Restructuring and Modernisation of the Food Sector and Rural Development 2004-2006*' '*Fisheries and Fish Processing 2004-2006*') plus it distributes financial support from both European as well as national funds.<sup>158</sup>

With regards to the Agri-environmental Scheme the PA is responsible for giving financial support, mainly to accept, process and accreditate the AES's contracts. It also includes

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<sup>157</sup> Besides the Agricultural Property Agency.

<sup>158</sup> Within the framework of national assistance, the Agency provides interest rates support for bank credits and grants guarantees, securities and loans.

distributing the payments, monitoring and controlling implementation (Poczta and Hadyński, 2005).

The Agency for Restructuring and Modernisation of Agriculture is the implementation body responsible for the application, control and monitoring of the applied instruments. The Government of the Republic of Poland has appointed ARMA and it is the Minister of Agriculture and Rural Development, who supervises the activities of the agency. The Agency for Restructuring and Modernisation of Agriculture as the implementation body has the power to significantly affect the policy-making process. As Palumbo and Calista (1990, p.10) state the implementers' '*influence over setting agendas also extends to the budget request that shape program directions. They can determine what will get onto the policy agenda and how an issue or problem will be defined. They do this by making the policy issue highly technical and unintelligible to the uninitiated and thereby erecting barriers to participation by outsiders, or by defining the problem to suit their interests*'. This study concurs with the issue mentioned above, as the administrative body in the MARD consider the ARMA to be a constraining institution:

*'the Agency for Restructuring and Modernisation of Agriculture is active at each level of the AES elaboration process. In regards to the previous scope of the NAES for 2004-2006 the first draft proposed by the ministry was quite broad, but the proposal was cut because of procedural constraints, as it was not possible for the ARMA to apply them'*<sup>159</sup>

Hence, some of the ideas and measures offered by the policy initiators were rejected after consulting with the Agency for Restructuring and Modernisation of Agriculture, which stated that their application would not be feasible.

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<sup>159</sup> Interview with a Senior Specialist, the Ministry of Agriculture and Rural Development (Ministerstwo Rolnictwa i Rozwoju Obszarów Wiejskich), the Rural Development Plans' Planning Department (Dział Programowania Planów Rozwoju Obszarów Wiejskich), Chief of the Working Group for the Agri-environmental Scheme 2007-2013, 31 May 2006.

## The Agricultural Advisory Centres (Ośrodki Doradztwa Rolniczego)

The Agricultural Advisory Centres provide advisory services and training for farmers.

### **5.4.3.4 Building administrative capacity**

It has been mentioned in the previous sections that in the case of Regulation (EC) 1257/1999, Poland's response to the Agri-environmental Scheme's requirements demanded building up new administrative structures as well as establishing new competences along with the mechanism of their co-ordination. Hence, comprehensive changes within institutional practises were needed as they were in contradiction to prevailing national traditions. In spite of the political and administrative bodies' reluctance, new structures were finally developed. As Brinkerhoff and Crosby (2002, p.29) indicate it is '*easier and politically more feasible to create new structures rather than overhaul older ones. Creating a new organization has the benefit of beginning with a (more or less) "clean slate" and supportive actors, but often it takes time for the new entity to begin to be effective*'. Nevertheless, Regulation (EC) 1698/2005 allowed for the use of existing institutional structures and solutions.

### **5.4.4 Organisational culture**

#### *Political and Organisational Cultures*

In regards to policy style, the interventionist style subsisted within the agricultural as well as the environmental sectors, with a hierarchical 'command and control' approach. Hence, regulatory procedures were developed from a 'top-down' perspective. Therefore, it is not hard to predict that the requirements deriving from the European Agri-environment Scheme were in direct contradiction to political instruments and practises already in use. This also holds true in view of the type of interest intermediation, namely the relationship between administrative and societal actors.

For this reason, it is no surprise that the bottom up way of setting up the policy, deriving from Regulations (EC) 1257/1999 and 1698/2005, is a novel one. An open process of policy elaboration is not characteristic of the Polish policy style. A tradition of consensual policy-making that would help in overcoming the decisional barrier does not exist. Whilst designing the AEP it was the EU that imposed the broad consultation with the public, encompassing social and economic partners. The idea of cooperation between the agricultural and the environmental departments was new, but the necessity for citizen participation during the setting up of the AES process was even more innovative. Environmental lobbying groups used this opportunity and increased their influence significantly. It should be underlined that the NGOs have played a noteworthy role in the AES adoption process. Due to their activities the knowledge about this issue improved among the authorities as well as farmers.

Additionally, the need for building a consensus as well as a cooperative decision-making culture was called for. The Department for Agriculture had to be transformed in order to replace the hierarchical and control model with a cooperative one, which included socio-economic partners' participation. It is apparent that such a policy change would be accompanied by strong reluctance from the administration, as it necessitated alterations in internal and external arrangements. Under the new Agri-environmental Scheme the Ministry of Agriculture and Rural Development, which used to function independently, was forced to interact with the Ministry of Environment, the Agency for Restructuring and Modernisation of Agriculture, regional conservation authorities, environmental non-governmental organisations and academic scholars.

The development of new tasks deriving from the policy reform is likely to cause modifications in applying organisations. As Brinkerhoff and Crosby (2002) noted, organisational design and modification pose several problems related with existing procedures

and routines as well as with entrenched actors' coalitions and interests. There may be opposition towards changing the mandate and the structure of the existing organisation. In the Polish case, the resistance derived from both. The majority of the agricultural administrative body was not committed to becoming familiar with the issues of the AES and was opposed to it for a long time.

#### *Building a consensual corporatist decision-making culture*

The obstacle to implementing the AES because of the lack of cooperation among the administrative sectors as well as the non-governmental organisations was noticed a long time prior to Poland's accession. In 2000 Karaczun (2000, p.7) had noted that the weakest point of Poland's institutional capacity was the division between agricultural and environmental issues and the implementation of separate programmes. The author envisaged that deficiency in the integration of agricultural and environmental policies would result in the lack of improvements in rural areas and the hampering of the implementation of EU requirements:

*'The lack of cooperation between institutions responsible for environmental protection and those which coordinate the implementation of agrarian policy means that environmental requirements are only empty declarations in written agrarian strategies and usually are not realized in reality'* (Karaczun, 2003c, p.2).

Furthermore, the experience gained during the pre-accession process showed that the lack of capacity to deal with the presented challenges existed, which resulted in the failure to implement the AES under SAPARD. It is hardly surprising '*as decades of experience with institutional strengthening have demonstrated, retooling organizations is difficult. New ideas, structures or methods may be ignored or modified to adapt to systems already in place. Simply ignoring the new directive for change is a classic response*' (Brinkerhoff and Crosby, 2002, p.29).

Moreover, Poland is not an exception, as Hoffman, Nowakowski and Metera (2004, p.7) believe that '*a common culture of open consultation and information-sharing between government organisation and NGOs in most CEE countries is yet to be developed. In some cases, even preliminary conditions for collaboration, the timely exchange of up-to-date information, is still to be reached. Working out a better understanding of each other's roles and allowing constructive criticism on both sides will eventually lead to greater benefits for people and nature in rural areas*'.

Changes that have been finally undertaken in relation to AES' adoption included not only legislative and administrative structures alteration, but also modifications in policy style. Since the tradition to confer with stakeholders on agri-environmental issues did not exist in Poland, both the state authorities and NGOs were not experienced in dealing with issues such as sharing information and consultation.

However, 'the holistic approach towards rural problems cannot be under the power of only one department' (Mielniczuk, 2003, p.1). In this regard, both the Environment and the Agriculture and Rural Development Ministries understood the need for co-operation by signing an agreement concerning this matter on 30<sup>th</sup> May 2003 in Lublin. They committed to common activities concerning the sustainable development of rural areas: '*Together we will support organic agriculture and the production of high quality food, promote agri-environmental programs and other activities concerning the environmental aspects of the development of rural areas as well as the pro-environmental modernization of the agri-food industry*' (Mielniczuk, 2003, p.2).

In the pre-accession period, the process of the elaboration of the Rural Development Plan for 2004-2006 was accompanied by meetings and seminars in which outlines and information regarding the plan were given. However, the Ministry Office did not disseminate the

information broadly enough. Although some stakeholders took part in these gatherings, their consulting role was not made clear. It should be noted though that the Ministry of Agriculture and Rural Development cooperated with the Agency for Restructuring and Modernisation of Agriculture on the Rural Development Plan's arrangements. The National Advisory Center for Agriculture and Rural Development (the main advisory institution) together with the Foundation of Assistance Programmes for Agriculture and research organisations took part in the designation process contrary to the NGOs, which were not invited (Hoffman, 2004, p.9). The only action undertaken by the Ministry to disseminate the information about the RDP was placing it on the website. Neither basic nor detailed information on the consultation process was given. Therefore, it was also not clear where and to whom comments and queries should be addressed. In spite of the fact that the document was finally sent to several organisations, the time that they were given to respond was not sufficient. Nevertheless, some comments on the Agri-environmental Scheme were given. This particular instrument was broadly discussed and changed significantly in each stage of the RDP designing process. It should be borne in mind that in 2003 some environmental NGOs became aware that the scope of the Agri-environmental Scheme was to be reduced from 14 to 5 measures. They arranged a protest and lobbying activities to force the ministry to change this decision and include four of the most important packages for biodiversity protection. Hence, more than 40 organisations participated in the complaint, which together with support from the European Commission and other international organisations influenced the MARD. Thus, some of the formerly deleted schemes were reintroduced (Hoffman, Nowakowski and Metera, 2004, p.9).

Furthermore, the level of open consultation and information sharing among administrative authorities and NGOs is still not sufficient. Hence, a common culture for collaboration needs to be developed by reaching an understanding of the roles of specific actors and by consenting to constructive criticism that will allow greater benefits to be gained for agri-environmental

issues in rural areas (Hoffman, Nowakowski and Metera, 2004, p.7). In most of the CEE countries cooperation between the Agriculture and Environment Ministries is not yet institutionalised enough. Moreover, government authorities ought to set a precise timeframe in relation to their actions and communicate more. Thus, the recognition of the role of NGOs by ministries would enhance common co-operation. Farm advisory services may strengthen cooperation, but in most cases agronomists are the people who advise. For this reason, it is crucial for environmental NGOs and experts to provide training to assure sufficient ecological knowledge (Hoffman, Nowakowski and Metera, 2004, p.8). The empirical results of this study show that Hoffman, Nowakowski and Metera's assumptions with reference to the public consultation are only partially acknowledged within the NAES scope for 2007-2013. Based on the experience acquired, the scope of the National Agri-environmental Scheme has changed significantly in the current period. At the present time the scale of consultation and cooperation has been extended and the NGOs believe that they have a 'voice' in the discussion. The number of people engaged in the designing process has increased. The scientific bodies and non-governmental organisations took part in several meetings organised by the MARD and were free to give their comments and participate in a more active way than previously.

The Ministry of Agriculture and Rural Development, whilst working on this issue, invited some of the representatives of the NGOs to join the working group as well as disseminating the NAEP's proposal on the Ministry's website in advance and encouraging all interested groups to give comments. However, there is still a disparity between the Ministry's influence and that of NGOs. The smaller number of the latter decreases their influence:

*'it is a positive aspect of this process that NGOs are invited and may provide their comments. The issue of their consideration differs from case to case, but*

*environmental groups have the impression that they have a voice in the discussion'.<sup>160</sup>*

The process of elaboration is open and developed in a consultative way. However, it is the MARD that decides the final version and the Minister for Agriculture in particular. Thus, '*it is still consultation rather than cooperation'*.<sup>161</sup> Although there have been attempts to broaden the scope of the NAEP by the administrative body involved in the elaboration of the AES, the lack of support and political will to undertake and consider this issue in a more serious manner still exists among the politicians and the MARD (Staniszewska, 2006).

Summing up, the Polish case offered contrasting results to the Land Brandenburg's example in which administrative structures and a corporatist policy-making process was well established. The second case study has shown that the lack of administrative reform capacity constituted a burden. Establishing new institutional structures and policy style was accompanied by a strong administrative body's opportunistic approach and numerous procedural constraints. Even so, the necessity of the adoption of the European model in this policy area forced changes.

The previous sections have contributed significantly to this research. Hence, the notion of the superiority of EU legislation has been proved. Knowing that institutional structures and styles are not easy to change (Chapter 2), one could expect that these aspects would illustrate a reluctance to change and may even show that change is prevented from taking place altogether. The former statement has proven to be true, but the latter brought about reverse results. The transformation process took place and provided evidence for the power of EU pressure. This also relates to the institution-based institutionalism which highlights that external shocks are able to alter both administrative structures and styles. Consequently,

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<sup>160</sup> Interview with a Representative of the Polish Ecological Club (Polski Klub Ekologiczny), the Ministry of Agriculture and Rural Development's Consultant, 05 June 2006.

<sup>161</sup> Interview with the Former Deputy Minister of Environment, a Member of the Monitoring Committee for the National Rural Development Plan of the Ministry of Agriculture and Rural Development, Head of the Ecological Association 'Eko-Unia', 08 January 2007.

institutions comprise actors which interact and affect the domestic response. However, to what extent are they able to do this? The following sections will provide the answer.

#### **5.4.5 The Empowerment of actors**

The Agri-environmental Scheme's instrument provides environmental interest groups with power and resources, whereas the importance of agricultural matters is weakened. Hence, there is a necessity to elaborate the scope of supported activities for farmers, which includes environmental incentives. Nevertheless, the responsibility for the design and setting up process rests in the Agricultural Department, and for this reason the influence of agricultural interests remains strong. As there is a lack of personnel engaged in the AES's elaboration in comparison with the rest of the department, it is hard to put this issue at the top of the agenda. Thus, a minimalist approach is undertaken. The following section will further discuss this issue by scrutinising the influence of opposing and facilitating actors.

#### **5.4.6 The Policy preferences of key actors (multiple veto points and existing facilitating institutions)**

##### **5.4.6.1 Veto points**

Having discussed the origins and development of the AES, one needs to focus upon the factors held responsible for the delayed and inefficient implementation of agri-environmental incentives. As previously mentioned, the lack of administrative capacity for reform is one of the factors. However, it is argued in this study that the main obstacles to the setting up process derived from the high number of institutional veto points as well as the lack of knowledge about the instrument among the politicians, agricultural administrative body, farmers as well as environmental non-governmental organisations. The latter, acquired the necessary

knowledge and soon started to lobby for the AES but the majority of the administrative body remained reluctant for a long time.

In order to present the complete picture one needs to trace the actors' attitudes in the pre-accession period, when there were a greater number of opportunistic actors. During the elaboration of the SAPARD programme, the AES measure was deleted from its scope. According to the then Minister of Agriculture Kalinowski it was more appropriate to pay greater attention to the processing sector. The succeeding Minister, Olejniczak, also failed to show the necessary political willingness to implement the Agri-environmental Scheme, which was perceived as useless. Hence, it was obvious that nobody, except the personnel working on this issue within the MARD, wanted it. The difficulties that occurred during the setting up of the AES process prior to Poland's accession and during the early post-accession period derived mainly from a high number of institutional veto points.

In July 2004 the Minister of Agriculture–Olejniczak informed the MARD that the elaborated scope of the National Agri-environmental Scheme had to be simplified. As organic farming was the only instrument well prepared at that time, he announced that only this instrument should remain, and the rest should be withdrawn. A petition signed by forty-nine environmental NGOs to keep all the measures was addressed to him:

*'Minister Olejniczak was not aware of the AES issue at the time, but according to him if the measure is unknown and little knowledge about this instrument exists, it was not worth keeping. For this reason, only organic farming was upheld. This situation lasted until September and then in a very quiet manner some of the measures were put back onto the agenda, but the scope was not sufficient'.<sup>162</sup>*

The Polish case shows that in spite of the necessity to adjust and transform, a low level of change occurred whilst a high number of formal veto points prevailed in the political decision-making process. This argument is in line with Héritier (2001a, p.54), who further

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<sup>162</sup> Interview with the Former IUCN Expert, Chief of Bioekspert, Euronatur in Poland, the Ministry of Agriculture and Rural Development's Advisor, 27 May 2006.

supports these findings adding that this type of situation may happen especially when '*key decision makers have short-term office perspectives, and the government has little credibility for maintaining commitments to the losers of the reforms*'. Furthermore, the advancement in the adoption of the AES had been slowed down by the opposition of the agricultural sector.

However, some progress has been made in the perception of the AES among the administrative body. Since this instrument was put into practice its acceptance has slowly increased. This does not mean that the measure has been given much attention within the agricultural sector, but the number of veto points decreased significantly and the Ministers of Agriculture are not opposed to the concept of the AES any more:

*'Ministers are good pragmatists and they acknowledge the programme, which is a good approach. They perceive this instrument as additional money for farmers who do not have to do much but who get sufficient payments'*.<sup>163</sup>

Hence, achieving the policy objectives is no longer hampered.

Nevertheless, one needs to be aware that some resistance within the agricultural department still exists as attempts were undertaken to include some of the agricultural issues within the current scope of the NAES (i.e. treating nutria as a local breed) that would have negative environmental effects. Fortunately, '*active opposition from the environmental NGOs prevented such a situation*'.<sup>164</sup> Veto points still exist among administrative actors:

*'There was and still is very little political will. From 2000 nothing has changed. There is weak support in the agricultural department starting from the head of department, through to the secretary of state and finally the Minister himself. The awareness of the issue increased, but this measure is still only an additional one. In this regard, the budget is small and the number of beneficiaries is small'*.<sup>165</sup>

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<sup>163</sup> Interview with the Director of the Regional Office of the National Community of Birdlife International (Ogólnopolskie Towarzystwo Ochrony Ptaków), Advisor to the Ministry for Agriculture and Rural Development, 01 September 2006.

<sup>164</sup> Interview with the Director of the Nature Protectors Club (Klub Przyrodników), Advisor to the Ministry of Agriculture and Rural Development, 06 September 2006.

<sup>165</sup> Interview with a Senior Specialist, the Ministry of Agriculture and Rural Development (Ministerstwo Rolnictwa i Rozwoju Obszarów Wiejskich), the Rural Development Plans' Planning Department (Dział Programowania Planów Rozwoju Obszarów Wiejskich), Chief of the Working Group for the Agri-environmental Scheme 2007-2013, 31 May 2006.

This case study has illustrated convincingly the role of veto points in the decision-making process. This indicates another dissimilarity with the Land Brandenburg, where the meaning of facilitating factors was highlighted.

#### **5.4.6.2 Facilitating Institutions**

In spite of the general resistance of the administrative body within the agriculture sector, the people responsible for the elaboration of the Rural Development Plan, in which the Agri-environmental measure is integrated, in the Ministry of Agriculture and Rural Development are well qualified and fully engaged in the issue. An effort has been made to increase the number of people involved in the designing process and a working group for the AES has been set up. These actors have attempted to incorporate a broad range of views within the AES and to extend the consultation process. Due to these actions, the scope of the AES has improved. Within the MARD, the number of personnel increased, which has contributed to the positive changes that have been made. Although environmental interest groups are very active in this field, this in itself would not result in any alterations if not for the openness of the AES working group within the MARD. Academic scholars and their contribution should also be mentioned as they provide professional knowledge.

Whilst discussing the matter of facilitating institutions, the crucial role of environmental NGOs is noteworthy. Since 1989 the number of non-governmental organisations declaring an interest in environmental protection increased significantly. Some of them focus upon agriculture, organic farming in particular (Karaczun, 2000). However, Zellei, Gorton and Lowe (2005) noted that NGOs had no power to affect the agri-environmental policy-making process at that time: *'the Polish case identified the drawbacks of very weak co-operation between organisations, whether governmental or non-governmental. One consequence is that organisations responsible for agricultural policy and those responsible for environmental'*

*protection create their own programmes, in isolation from each other'* (Zellei, Gorton and Lowe, 2005, p.5).

Currently, the environmental NGOs act under the Coalition for the Development of Organic Farming in order to present a common opinion. The coalition was established on 28 May 1998 and its main focus is on the development of organic farming and its products by undertaking education and lobbying activities. The partnership comprises of the Polish Ecological Club (Polski Klub Ekologiczny), the Polish Association for the Protection of Birds (Ogólnopolskie Towarzystwo Ochrony Ptaków (OTOP)), and the Institute for Sustainable Development (Instytut Zrównoważonego Rozwoju) and the Association of Advisors (Agri-Advisor). Additionally, the Eco-Union Association (Eko-Unia) and the Polish Nature Club (Polski Klub Przyrodników) with the Save Wetlands Association (Stowarzyszenie na rzecz Ochrony Mokradeł) should also be mentioned. The Polish sections of the World Conservation Union (IUCN) and the World Wildlife Fund (WWF) were very active in the pre-accession period. These organisations want the AES to be applied broadly. They stand for one vision; some details may vary, but generally they have a 'common voice' and provide the MARD with professional remarks ([www.pkegliwice.pl](http://www.pkegliwice.pl), 2006). This finding is dissimilar with the Land Brandenburg's example, in which division and many separated views were found.

The NGOs communicate with the authorities both directly and indirectly in order to establish co-operation and to improve consultation. During the pre-accession period, the IUCN and WWF Offices in Poland, ABC Poland Consultancy and the Farm and Wildlife Advisory Group, by means of foreign partners,<sup>166</sup> were the first organisations involved and were assisted by their foreign partners. They worked on the issue of the dissemination of information in order to convince both the farmers and the authorities that the Agri-

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<sup>166</sup> Oy Scanagri Finland Ab, Avalon Foundation and the Institute for the European Environmental Policy.

environmental Scheme was very important and definitely worth attention (Wójcik, 2000, 2003; Metera, 2003, p.2). Their aim was to activate rural development. They played an active role in lobbying for the implementation of the Pilot Agri-environmental Scheme as well as for ensuring that the scope of the National Agri-environmental Scheme was sufficient. As previously mentioned, 49 organisations joined together to prevent the removal of the AES from the SAPARD. They addressed a letter to the Minister of Agriculture and Rural Development in which they asked for the extension of the NAES's scope. They opposed the removal of some of the measures (i.e. extensive pastures, transformation of the arable land into permanent grassland, buffer zones) from its range (FAOW, 2003a).

*'They were and still are dynamic in providing domestic political pressure by lobbying for change. The most common activities undertaken by NGOs are: sending petitions and letters to the Ministries as well as the Prime Minister and organising educational activities including workshops, trainings and leaflets'.<sup>167</sup>*

Hence, as it was predicted by Karaczun (2003c, p.3) that non-governmental organisations would turn out to be European Community associates, as they were capable of establishing and carrying out education agendas: *'it is important to remember that the administration in CEE countries is very weak, with a very low level of environmental awareness. Therefore, non-governmental organizations should become the respected partners for the Community, as they are able to create and implement long term strategies and programmes'.*

Summing up, the way in which environmental NGOs have developed internal and external communication as well as significantly increasing their influence in the national arena is considerable. They used additional power deriving from European law, which enhanced the pressure for change considerably. Hence, their role in the development of the NAES should be recognised and one believes that the discussion above proves the point.

The Polish case draws attention to the significance of veto players as well as facilitating

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<sup>167</sup> Interview with a Specialist, World Wildlife Found Germany, 18 April 2006.

institutions, whereas the Land Brandenburg case only highlighted the latter. Even though the meaning of both factors differs in each case study, they offered a confirmation of the rational institutionalist perspective. These factors can facilitate or constrain Europeanisation to a great extent.

#### **5.4.7 Participatory issues-social learning**

The pre-accession process was characterised by the lack of information among politicians, the administration, advisory officers and finally farmers: *'The ecological education of farmers does not exist in practice and in the instances where it does exist, it is insufficient and undertaken mostly by non-governmental organizations not by the public institutions. A low environmental awareness of society as well as politicians is the reason why there are only a few who defend destroyed nature'* (Karaczun, 2003c, p.3). Poor environmental awareness existed partially owing to the shortage of knowledge. Additionally, instruments that could solve this matter were not available (Karaczun, 2003a). For this reason, there was a strong need for educational activities: *'Due to the lack of farmers' and local advisors' knowledge regarding the possibilities of the implementation and benefits of agri-environmental programmes, an extensive education scheme as well as the provision of training is necessary'* (Metera, 2003, p.2).

However, a learning process started in the late 1990s as EU support was made available to the CEE countries:

*'whilst elaborating the AES in the pre-accession period, the administration learned a lot from the experience of other EU countries, France, Germany and the UK. They endeavoured to use PHARE projects to gain experience. PHARE had a positive influence also on farmers, because they got to know the idea of the agri-environmental incentive and its constructive aspects'.<sup>168</sup>*

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<sup>168</sup> Interview with a Specialist, Institute for Sustainable Development (Instytut Zrównoważonego Rozwoju), the author of the ex-ante analysis of the Polish Rural Development Plan 2004-2006, Advisor to the Ministry of Agriculture and Rural Development, 25 May 2006.

Additionally, disappointment occurred after the AES was abandoned in the SAPARD and it is still time consuming to regain farmers' trust. As Hoffman, Nowakowski and Metera (2004, p.11) point out; the multiple obstacles to the implementation of environmental incentives within rural plans could be solved by the enhancement of the learning process. Insufficient knowledge about institutional, ecological and socio-economic factors prevents the comprehensive integration of nature within rural development matters. However, as the level of information and consultation exchange between administrations, academics and NGOs' communities improves, sufficient integration may be obtained.

For this reason, educational activities were and still are crucial to improving the knowledge about the environment and the Agri-environmental Scheme in particular. The role of environmental NGOs is vital in this matter, as they were the first to use the opportunity to gain experience and did their best to convince the political and administrative body about the benefits that the AES brings. The environmental NGOs have been engaged in the process of the dissemination of agri-environmental issues from its early days. Workshops for farmers and the administration body, leaflets and training materials were undertaken by means of the Advisory Agriculture Offices.

As the pilot project under the SAPARD was not introduced, the first period of the application of the NAES for 2004-2006 is considered as a preliminary experience. Hence, its scope still needs to be improved and it is used as a learning process, rather than a permanent set of measures:

*'The idea of agri-environment support was completely new in Poland and the administration had to get used to managing this issue along with farmers that had to become familiar with the idea that they could be paid for such activities'*<sup>169</sup>

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<sup>169</sup> Interview with an Advisor to the Minister of Environment, The Ministry of Environment (Ministerstwo Środowiska), Former Specialist of the Department of Pre-Accession and Structural Funds in the Ministry of Agriculture and Rural Development responsible for the elaboration of the Agri-environmental Scheme, 24 May 2006.

Currently, the actions have been carried out by the MARD with the aim of contributing to the learning process, which includes the use of other countries' knowledge deriving from advisors and invited experts, providing internet access through a systematic information exchange via the website, direct meetings, social consultations, training for the administration and NGOs, as well as the dissemination of information through the use of leaflets.

According to the MARD the experience gained during the implementation of the AES 2004-2006 facilitated change in the rural community's attitude towards the environment and increased ecological awareness. Moreover, by means of agri-environmental advisors, more farmers are conscious of the threats that they can cause to nature (MRiRW, 2007, p.144).

However:

*'the dissemination of information is still unsatisfactory and more effort should be put into it. For this reason, educational activities are still needed'*.<sup>170</sup>

This section has shown that the learning process has been gradual and the need for its development is essential. It becomes apparent that this finding is in line with that of the Land Brandenburg. Having discussed the issue of compliance with the theoretical premises on which this thesis is based, one can finally indicate the level of change that has occurred, as a result of the AES application.

#### **5.4.8 Domestic change**

##### COMPLIANCE DERIVING FROM RESISTED TRANSFORMATION

A detailed analysis of the Polish implementation of the Agri-Environmental Scheme's regulations has disclosed that political and institutional transformation occurs if high European pressure as well as the support of an alliance of domestic actors capable of

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<sup>170</sup> Interviews with: a Senior Specialist, the Ministry of Agriculture and Rural Development (Ministerstwo Rolnictwa i Rozwoju Obszarów Wiejskich), Member of the working group for the Agri-environmental Scheme 2007-2013, 31May 2006; Specialist, the Ministry of Agriculture and Rural Development (Ministerstwo Rolnictwa i Rozwoju Obszarów Wiejskich), the Member of the working group for the Agri-environmental Scheme 2007-2013, 31May 2006

challenging existing arrangements, are present. In regards to the first condition, the AES requirements demanded far-reaching sectoral changes that exceeded the core of national traditions.

The second condition points to a high level of transformation, which took place due to domestic actors who, using new opportunities deriving from European legislation, sought to overcome existing institutional constraints and initiate alteration. As previously highlighted, the particular actor constellations and accompanying interest intermediation resisted and delayed the adoption of Articles 22-24 of Regulation (EC) 1257/1999, but accepted compliance in the case of Article 39 of Regulation (EC) 1698/2005. In terms of the latter, changes to the administrative structure were not required, as the regulation allows for the use of existing procedures and solutions.

However, as the pre-accession process demonstrates, there was a lack of capacity to deal with the challenges, which resulted in the failure to implement the AES under the SAPARD. There was a sharp ‘mismatch’ (section 5.3) between Polish established policy practises and European administrative structures. Reforms were needed to originate and develop agri-environmental incentives, since they generated substantial changes in political and administrative arrangements, that is, innovation occurred.

Sections 5.4.6.1 and 5.4.6.2 highlighted the role of veto points and facilitating institutions in forcing change to take place. Hence, the main hindrance to the implementation of the Pilot AES was the reluctance of key political and administrative actors. Simultaneously, environmental NGOs and civil society groups influenced the process in the opposite way. In this regard, the relevance of the second supplementary hypothesis, which sought to highlight the function of domestic factors that can facilitate or constrain change, was acknowledged.

Furthermore, the AES has been given more attention since the idea of agri-environment instruments was developed. At the beginning of the pre-accession process, the lack of knowledge and an opportunistic approach among the administrative body and politicians existed, but it has changed and currently the idea of getting financial support for the application of agri-environmental activities has been accepted. Whilst adapting to EU requirements and transforming Polish agriculture to meet the requirements of the CAP, a belief arose that support, primarily for large-scale farms, would be provided. This was very common not only among farmers, but also the Polish authorities. It took some time before the idea of giving support to small farmers by providing agri-environmental instruments was accepted by both. Though support towards market oriented measures is still more feasible, the conflict between agricultural and environmental issues prevails. For this reason, the application of the Agri-environmental Scheme was preceded by strong reluctance among policy-makers. The lack of enthusiasm is still present, as this measure is not given a high priority in terms of both the political meaning and the budget allocation. Even now only the minimum requirements forced by the EU are fulfilled by the Polish authorities.

It must be noted, though, that significant progress has been made as a result of the implementation of the CAP legislation imposed by the accession process along with strong pressure from environmentally oriented non-governmental organisations. As such, none of the current activities would have been undertaken if not for the pressure arising from these two aspects.

## **5.5 Conclusions**

The previous two chapters presented the ways in which Germany and Poland acted in accordance with the same European policy implications. Having discussed the theoretical and empirical findings, the following closing chapter focuses upon comparing the German and Polish cases with the intention of generalising and drawing final conclusions.

Detailed analyses of both cases allowed for the clarification of the process of change along with the factors affecting the designation and implementation procedures at the domestic level. It is the intention of the next section to evaluate to what extent general or diversified implementation patterns prevail. The case studies provided the empirical details that can be used to verify the existing driving forces and barriers behind the AES's set up processes. It is clear that the core and two supplementary hypotheses were validated. Thus, Europeanisation affects the national agendas substantially. Despite this, domestic authorities are able to provide opportunities for further improvement or they can restrain the process.

These findings enable one to develop this research and move to the last overarching point, which aims to present the differences and similarities between the Land Brandenburg's and Poland's strategic approaches towards the AES. This will allow one to test the last supplementary hypothesis that has not yet been scrutinised, namely: *General adaptation patterns cannot be established as the implementation depends on the uniqueness of national opportunity structures and results in various levels of undertaken changes.*

# **CONCLUSIONS**

## **6 Comparative analyses: the explanatory value of the dynamics of Europeanisation**

### **6.1 Introductory remarks**

Comparative analyses are at the heart of this final chapter with the purpose of complementing the conceptual and practical reflections highlighted in the preceding chapters. These will enable one to reiterate the research assumptions and to validate the hypotheses. It will then be possible to gain an understanding as to how European influence and pressure can be exerted on the domestic policy-making arenas. To what extent have national actors used new opportunities deriving from the European level, to advance their influence in the domestic arena? This chapter starts by addressing the central object of this research, namely to what extent does the EU exercise its power on the national agenda and guide the level of change? The follow up section then presents a comparative debate, in which the level of generalisation of domestic outcomes will be pointed out.

The results of the comprehensive accounts of the AES adaptation patterns have offered a noteworthy contribution towards research exploring the dynamics of Europeanisation. It has been shown so far that the Europeanisation of the Agri-environmental Policy takes place and results in differentiated domestic change. The European level affects national arenas noticeably and influences national outcomes. It is clear that the application of the Agri-environmental Policy can be explained by the framework of Europeanisation, which has been able to capture the complexity of the domestic policy-making processes and give a detailed understanding of national reactions. It has been verified that the new-institutionalist theories offer an explanation for the behaviour of actors along with the role of institutions. For this reason, having analysed the national AES' policy-making circumstances one knows what type of change and behaviour can be expected.

Chapters 4 and 5 have demonstrated that the combination of actor centered and institution-based institutionalist approaches is convincing in supporting the picture of the authority exerted by the EU on domestic agendas. Both case studies have offered an explanation of the level of change based on these theoretical considerations. The Land Brandenburg example underlines the role of path dependency, stability and continuity of institutional arrangements in regards to policy outcomes, which points to the institution-based perspective. As previously indicated, this approach refers to the incremental adaptation to changing institutional conditions, whilst discussing the issue of Europeanisation.

By contrast, the Polish case emphasises the meaning of veto points in the explanation of change. These findings support the actor-based institutionalist research suggestion that European pressure, deriving from the incompatibility between European policy requirements and domestic policies, is required as a precondition for change. Hence, the differences in national responses depend upon the way in which institutional veto points, existing within domestic structures, are conquered.

Increasingly, actor-based institutionalism highlights that all types of change, from rapid to gradual may arise. Furthermore, the prevalence of existing domestic patterns may occur and it is hard to foresee beforehand, which of these options will be undertaken in particular cases. This is due to the fact that results hinge on the domestic response deriving from a particular set of internal actors and their courses of actions. This assumption is relevant to the Polish example as the preliminary experience of the AES' implementation was not gained due to the above mentioned veto points. However, this case also illustrated the fundamental level of change which took place due to Poland's accession to EU structures. This then points to European power which forced adjustments and to the institution-based explanation of such a

phenomenon, which takes into consideration external shocks that force transformation. An assessment of the legitimacy of NI in explaining change is further supported in each section of this chapter.

Therefore, new institutionalism has linked both the mechanism of the policy-making process leading to change and its results. The empirical evidence is detailed enough to sustain these arguments. The scrutiny of each case study validated these assertions in regards to the Agri-environmental Scheme's implementation in the Land Brandenburg and Poland. These approaches completed the empirical 'puzzle'. Additionally, a comparative examination of the two cases will allow for the further clarification of these matters.

Moreover, this research has argued convincingly that domestic factors have the ability to shape the response to Europeanisation. Within the context of the empirical findings, it becomes clear that neither of the countries under examination plays a passive role in the AES' adaptation process. It is the interaction between European and domestic preferences that may facilitate change as the German case has demonstrated or constrain change as the Polish case has illustrated. This study has shown that a detailed examination of specific domestic policy-making conditions should be at the heart of Europeanisation analyses whilst scrutinising the separate policy themes. These essentially mean that both European and domestic arrangements affect the way countries respond to the Agri-environmental Scheme's instrument. As the two cases have indicated, the overall pattern of use is diverse not only among the countries, but also within regions (the German *Länder*). The findings presented so far suggest that divergence among the case studies can be clarified by the various political and institutional states of affairs. The adaptation model in each case study is explained by a different mixture of interrelated domestic factors and the significance of them. What becomes clear is that in the German case, the long-term AES implementation resulted in a high

political compatibility. This was assisted by the role of sufficient institutional reform capacity as well as the existence of facilitating actors and policy learning. Conversely, the Polish example highlighted the meaning of the empowerment of actors and the ways in which they were able to use additional resources to build or constrain institutional reform capacity. Additionally, a combination of particular factors influences adaptation strategies in the analysed policy-making arenas. The scrutiny of these circumstances enabled one to uncover the formal and informal aspects leading to such a state. Thus, this research adds to the assumption that differential domestic policy conditions result in diversified adaptation. In broad terms, the variety of possible approaches can be equal to the number of countries analysed. For this reason, this study has further supported Cowles Green et al's (2001, p.1) statement that Europeanisation leads to '*domestic adaptation with national colours*'. Along these lines, the main notion of this thesis that Europeanisation unifies European and domestic circumstances was supported.

Another argument for delineating the nature of Europeanisation, which has become increasingly important, is a longitudinal study of the policy process. Hence, it has been shown that domestic preferences and their importance have changed over time. As the Polish case has demonstrated, a high number of veto points constituted a significant burden in the initial AES implementation stage, whereas the reverse trend can be seen in the subsequent policy-making phase. In regards to the Land Brandenburg, the long-term scrutiny of the AES adaptation procedure allowed for the tracing of its development which brought a much more composed policy-making process.

Additionally, this section focuses upon the types of changes that have taken place in each case and assesses if they are equivalent to each other. It should also be possible to compare the rationale behind the domestic motives for change. By providing a comparative understanding

of the striking similarities and differences between the two case studies, this section will allow for the further advancement of these findings. This chapter begins with the origins of the AES and concludes the comparative analyses with the learning process. The sequence of the issues raised is maintained from the empirical chapters. Finally, attention will be drawn to future research possibilities.

## **6.2 The state of affairs of agriculture and rural areas in regards to the environment**

This opening section aims to introduce the background knowledge in regards to the role of agriculture in the case studies' economies. It will emphasise the priorities which were allocated to the agricultural policy and some preconditions for the meaning that has been assigned to the AEP's development. Generally speaking, both regions are classified as Objective 1 areas, which translates into similar socio-economic conditions. The Land Brandenburg lies next to Poland and further resemblances were found regarding their previous common experience of the communist system, a high biodiversity level as well as a high percentage of forest area and Less Favourable Areas. The similarity between the geographical circumstances resulted in similar soil fertility problems and climate conditions that affect the type and the productivity level of agricultural production. These preliminary findings further justified the choice of the case studies.

Differences, however, were found in relation to the area, namely 3 million ha in the Land Brandenburg and 18 million ha in Poland. High unemployment rates can be identified in both cases but rural depopulation is characteristic in the former, whereas there is a high rural population percentage in the latter. Furthermore, various agricultural structures exist with large scale farms in the Land Brandenburg and small scale units in Poland. Therefore, it becomes clear that agriculture is politically significant in Poland. Due to the high population

density in rural areas plus the high unemployment rate it comes as no surprise that the development of the agricultural policy represents a sensitive issue, whereas the Land Brandenburg's case indicates contrasting observations.

Even though the results allowed for a better understanding of the political goals, they did not provide an explanation for the causes of policy alteration. The circumstances in which the AESs were elaborated upon were still missing. The background analysis of the constellation of opposing interests, namely the disputes between agricultural and environmental representatives, accompanying the setting up process had yet to be developed. For this reason, attention was given to the institutional and socio-economic arrangements to look for the rationale behind the change.

### **6.3 Origins and importance of environmental issues**

Chapters 4 and 5 illustrated when and why the Land Brandenburg and Poland adapted the Agri-environmental Schemes. The assessment of the AES' origins along with the policy content objectives highlighted disparities. Such analyses emphasised the development of this particular policy instrument over time. In the Land Brandenburg the beginning of the AES can be traced back to initial Regulation (EEC) 2078/1992, since the first AES equivalent to European requirements was introduced in 1994. In comparison, the primary experience in the AES' implementation in Poland started a decade later.

In light of this, greater stability in addition to well established practises were to be expected in the former and much more inconsistency was anticipated in the latter. Contrary to the Polish case, the investigation into the Land Brandenburg's case resulted in the perception of a high level of consistency deriving from broad transparency and legitimacy. It needs to be clearly stated, though, that a decade's experience constitutes a key advantage and the measure is

highly recognised. Since its commencement the group of measures has remained unchanged. Additionally, cooperation and a consensual decision-making style have prevailed among administrative bodies. For this reason, rather incremental changes were performed in the designing process in 1999, whereas in the last period in 2006 only small improvements fitting neatly to the main core of the AES's scope were carried out. These stand out as being highly path dependent.

Furthermore, the examination of the Polish case disclosed a great deal of scepticism which resulted in the failure to gain preliminary experience by not setting the AES under the SAPARD. It was shown that ignorance of this matter derived mainly from the lack of knowledge and political will. Owing to the accession process which forced the implementation of the AES, this reluctance has been overcome. Hence, gradually the level of information has improved and the acceptance of the AES has occurred. Therefore, Europeanisation has taken place. Moreover, the deficiency in domestic political support constituted a significant constraint. Nonetheless, the EU overrode domestic objections and the transformation occurred.

Although the comparative analyses of this section identified key differences among the countries, they pointed out similar conclusions. Firstly, the adoption of European legislation was unavoidable. Secondly, significant differences in regards to the adjustment process occurred depending on the uniqueness of the individual domestic political and administrative situations. Thirdly, path-dependency facilitates the process over time. At this early stage of examination it is possible to partially test the core hypothesis of this PhD study:

THE EUROPEANISATION OF THE AGRI-ENVIRONMENTAL POLICY ALTERS NATIONAL POLITICAL STRUCTURES AND STYLES BUT INTERACTIVE DOMESTIC FACTORS AFFECT ADAPTATION PATTERNS.

CONSEQUENTLY, ONE NEEDS TO FOCUS UPON THE EXISTENCE OF FORMAL AND INFORMAL STRATEGIES AND POLICY-MAKING PATTERNS TRIGGERED BY THE DYNAMICS OF DIVERSITY  
IN ORDER TO ASSESS THE CAUSES AND THE LEVEL OF CHANGES UNDERTAKEN IN THE LAND  
BRANDENBURG AND POLAND.

The opening part of this hypothesis has turned out to be true, as in both cases the European level has produced pressure for change. The analyses of these two case studies have shown that Europeanisation in regards to the Agri-environmental Schemes constitutes a crucial issue and leads to alterations. Additionally, the Polish case found evidence for the noteworthy role of domestic factors, which can hamper adaptation. Notwithstanding the partial results of the investigation, one was able to validate the assumption that Europeanisation matters. However, the closing part of the above mentioned proposition has yet to be tested because the underlying principles behind the change are still unexplained. Hence, to understand the motives of the different levels of adjustment, the dynamics of the diversified policy-making patterns needs to be recognised. Nonetheless, the issue of incompatibility between European demands and domestic arrangements was analysed first to highlight the existing gaps and the level of pressure exerted.

#### **6.4 Legal capacity ‘goodness of fit’**

In Chapters 4 and 5 the sections on the goodness of fit provided an answer to the first research question: *(i) How do EU Regulations 1257/1999 (Art. 22-24), and 1698/2005 (Art. 39), in which the Agri-environmental Schemes are stipulated, affect domestic institutional and political decision-making in the Land Brandenburg and Poland?*

Whilst discussing the legislative compatibility issue a substantial difference between the two case studies has been noted. The comprehensive fit in regards to the AESs under both

Regulations (EC) 1257/1999 and 1698/2005 was found in the Land Brandenburg. In Poland though, the matter appeared to be dissimilar (table 17).

Not surprisingly, Poland's accession to the EU in 2004 was the main driving force for the AES' implementation. Prior to this, none of the equivalent instruments existed. Therefore, the policy process relating to the elaboration of the AES constituted a real challenge for the Polish administration, as the structures, the policy content and the policy style were novel. Hence, the most remarkable transformation that has been shown here is that the Polish Agri-environmental Policy is strictly rooted in the principles and political aims of the EU. Additionally, EU membership and the implementation of the CAP's objectives within the domestic arena forced the changes.

In the case of the Land Brandenburg, the organisational patterns of the administrative procedures and structure are stable and changes are made within the pre-existing domestic core. The AES was adopted much earlier than in Poland. Based upon its history the EU's influence is not as explicit, as well established ways of solving this matter allow for the greater influence of domestic factors. However, one cannot forget that the development of the AES had taken place because of the enforcement by the Commission in the first place. The examination of the origins of the AES in the Land Brandenburg has shown that the adaptation of it occurred much earlier than in Poland. For this reason, no great changes were revealed within the period under study as a high level of convergence was noted.

The first case exemplified a great congruence between EU requirements and existing domestic circumstances, so only minor changes occurred. The second case however, pointed to a complete innovative adjustment relating to the development of the policy, the institutional structure and the political culture. Nevertheless, domestic adaptation to Europeanisation was strictly bound up with EU membership. Following the accession process as well as a number

of considerable constraints and delays the AES was implemented. It comes as no surprise that the perception of European pressure in this case is much higher than in the Land Brandenburg.

Table 17 A comparison of the need for domestic response in regards to EU requirements

Analysed issues	Land Brandenburg	Poland
	the level of compatibility with EU requirements	
Misfit	High	Low
Origins of the AES	High/path dependence	Low
Administrative Capacity	High	Low
Policy content	High	Low
Empowerment of actors		
Veto points	High	Low
Facilitating institutions	High	High
Organisational culture	High	Low
Policy learning	High	Low
Domestic change	High	Low

Source: Own elaboration

In connection with the broader picture of this research, the first supplementary hypothesis was confirmed here:

**H1 THE INCOMPATIBILITY BETWEEN EU REQUIREMENTS AND DOMESTIC ARRANGEMENTS IS AN INSUFFICIENT EXPLANATORY VALUE TO OFFER A COMPREHENSIVE UNDERSTANDING OF CHANGE, AS THE MEDIATING FACTORS ENCOMPASSED IN THE DOMESTIC POLITICAL ARENAS ARE IN A POSITION TO FACILITATE OR CONSTRAIN THE PROCESS.**

Thus, this section has not provided one with the complete answer as to the level of change which has been undertaken. However, some preconditions can be made based on the theoretical discussion mentioned earlier on in this study (Chapter 2). Firstly, the Polish example validated the statement that existing institutional structures and routines hold back straightforward adaptation to exogenous pressure, partially because of the ‘misfit’ between European and national procedures.

Secondly, the Land Brandenburg's case certifies the institution-based postulation that accounts for the logic of appropriateness of existing institutional rules as an explanatory factor. Consequently, change may be expected if European requirements are in line with the ideas and beliefs in the national system. If, however, a disparity between these issues occurs, the adaptation is difficult to achieve. The opportunity for fundamental change still occurs in the case of 'external shocks'. In this regard, Poland constitutes a good example.

Thirdly, it was underlined that the complete misfit in the Polish example called for innovation, as policy-makers were placed under enormous pressure to undertake the required changes. Due to the accession process the country has undergone a complete transformation, which adds to the institution-based framework.

However, this issue is not sufficient to explain the process. The previous chapters have illustrated that the active engagement of domestic actors can indeed constrain change. It is apparent that failing to include the interactions between actors would result in offering a partial picture of the dynamics of change, in the Polish case in particular. One would be unaware of the role of opposing and facilitating interests in influencing the process.

Therefore, policy-making conditions are compared in the following sections with the intention of pointing out not only the dissimilarities between the countries, but also the various ways in which each country's policy-makers perceive and react to European pressure.

## **6.5 Policy content**

Detailed analyses of both case studies allowed for a clarification of the priority assigned to the AES measure in each state. An examination of factors such as the policy content and financial allowance shows some differences. The AES in the Land Brandenburg accounts for 33% of the RDP 2007-2013 budget, whereas in Poland it is only 10%. The outcome of this reflection

is that greater importance is given to the issue in the Land Brandenburg. Each region encountered financial restraints and for this reason bigger funds points in the direction of stronger political beliefs. In the Land Brandenburg, long term experience in dealing with the AES instrument resulted in a high acceptance of this measure among all politicians, the administration and finally farmers. In Poland initial scepticism has gradually been replaced with a more affirmative attitude. Nonetheless, an understanding of the adoption of the Agri-environmental Scheme still needs to be developed. Hitherto, the issue is considered with suspicion by many representatives of the agricultural administrative sector who are worried that it might take up a share of farmers' market support income. It is clear though that financial domestic compliance constitutes a matter of concern to the administrative bodies in both cases.

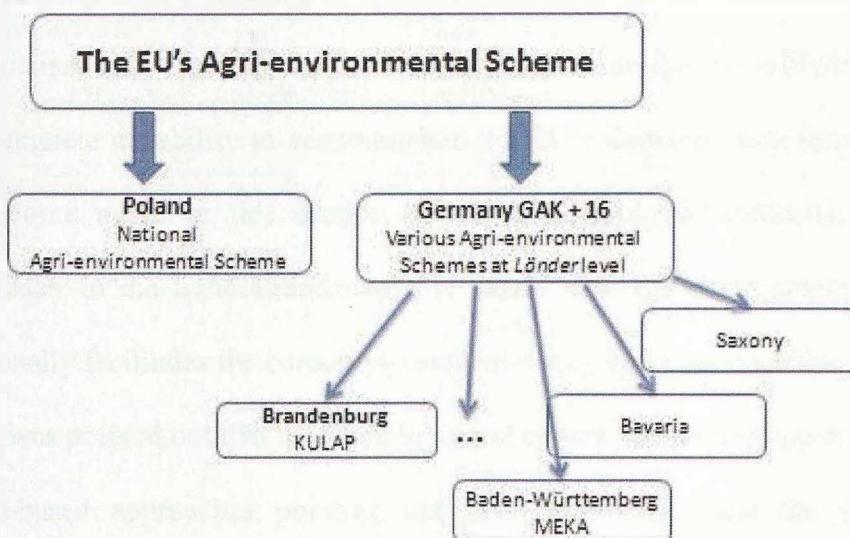
In regards to the Land Brandenburg the scope of the AES is highly path dependent, as a group of persistent measures subsisted from the beginning. Therefore, the improvements to a great extent derive from the pre-existing domestic policy structures, styles and contents. Moreover, the stability in national circumstances affects how far change takes place and thus which option is undertaken. In this instance, the current situation does not point to the occurrence of any significant changes in the next AES application period, mainly because of a high level of convergence with EU requirements as well as financial constraints.

This section has pointed out the differences between the political priorities assigned to the AES measure, but it has not outlined the ways in which such outcomes occurred. An examination of the policy-making arenas was needed to answer why and in which way reform capacities have been built and produced these results.

## 6.6 Administrative arrangements

The evaluation of the empirical findings allowed for a closer look at the administrative capacities and their preconditions for change. The differences in the arrangement of this matter has been illustrated from the beginning (figure 9). Germany manages the Agri-environmental Scheme at the national and sub-national level, whereas Poland only manages it on a national scale.

Figure 9 The structure of the AES in Germany and Poland



Source: own elaboration.

In Chapters 4 and 5 the sections on administrative issues offered further evidence for EU legislative power, as an important driver for change. On the one hand, the restructuring of the core administrative arrangements including the structure, style and capacity building took place in Poland. On the other hand, in the Land Brandenburg the administrative conditions

were well-matched with EU requirements and for this reason the core of the AEP was found to be highly stable.

Not surprisingly, the German case has shown a comprehensive capacity to manage the AES' implementation. The longitudinal experience in the application of this instrument resulted in stability within the agricultural administrative system as a high number of civil servants have stayed in the MLUV for a long period of time. Therefore, the AES example shows that there is continuity in the employment of personnel working on this issue, which contributes to the advancement of knowledge as well as constancy in the procedural decision-making process. The human and organisational capacities are sufficient. The long term implementation of the AES instrument allows such a situation to arise. In this sense, the perception that the level of human and organisational capacity in terms of the AES' design is sufficient, has been illustrated. A complete capability to accommodate the EU's demands was found. The most outstanding outcome noted in this section, is that the managing authority, namely the agricultural ministry in the Land Brandenburg is united with the environment department. This fact additionally facilitates the consensus oriented policy style but may also lead to some constraints as it was pointed out that the 'lock in' effect occurs. These findings are well in line with institution-based approaches pointing out path dependence and the continuity of institutional settings as explanatory values for change.

In the case of Regulation (EC) 1257/1999, Poland's response to the Agri-environmental Scheme's requirements demanded the development of new administrative structures as well as the establishment of new competences along with the improvement of the mechanism for their co-ordination. Contrary to the Land Brandenburg's conditions, there is generally a high staff turnover in the Polish administrative body. This was to be predicted though, as the accession process brought about the necessity for the transformation of the administrative

structures and the expansion of administrative capacity in particular, which resulted in a highly unstable situation. The Polish case study has shown that institutions can successfully oppose alteration, but encountering the inevitability of change they can transform comprehensively. Due to the merger with the EU's structures, the administrative capacity has been broadened significantly. The Ministry of Agriculture and Rural Development set up a separate department for the Rural Development Plans, with highly qualified personnel engaged in the AES. These contribute to the AES' designing process. The priorities shifted partially owing to the accession process, and partially to domestic affirmative attitudes among the Department of Rural Development's personnel. Finally, substantial cooperation with the Ministry of the Environment has been launched in connection with this issue because of a personal commitment of one of the ME's staff, who was previously engaged in the elaboration of the AES under the SAPARD.

The Agri-environmental Scheme called for fundamental changes within the existing institutional structure. Hence, if not for the unification process, none of the changes embracing new institutions, management and monitoring systems would have been undertaken in Poland. This constitutes evidence for the assumption that changes within political and institutional structures are likely to occur only if a crisis situation takes place. Thus, this finding substantiates the institution-based claims.

Contrary to the results presented above, Brandenburg's case also highlights the role of domestic circumstances since some organisational and administrative structure alterations were made independently of the European level. Additionally, this outcome would further support the actor-based perspective. Hence, the application of both the institution and actor based approaches have been validated.

## **6.7 Organisational culture**

The scrutiny of the policy-making style has driven this research to the following conclusions. The key finding that derives from the case studies is that the historical bases of organisational cultures, such as the hierarchical culture in Poland and the co-operatative consensus oriented approach in the Land Brandenburg affect the current decision-making style. It has been demonstrated that the political leaders' (mainly former agricultural ministers) and administrative actors' scepticism and reluctance towards the measure, were held responsible for the belated introduction of the AES in Poland. Additionally, an over-politicisation of the Pilot AES' policy designing process occurred in the pre-accession period.

In both cases it is the influence of the agricultural sector of the administration that is of utmost importance whilst elaborating the AES but still some disparities exist. As regards the Land Brandenburg, since its origins this instrument was set up in a consultative and co-operative manner. Despite the fact that initially the AES measure had been used from the farmers' support angle rather than from the nature conservation perspective, the resistance to change was not noted in the Land Brandenburg. However, it does not mean that European legislative pressure has not affected this issue. On the contrary, the need for a bottom-up policy-making approach by means of the incorporation of the broad scope of socio-economic actors including environmental and agricultural interest group representatives derived from Regulation (EC) 1257/1999. Therefore, progress in relation to this matter has soon been made. The environmental NGOs were included in the elaboration of the AES for the period 2000-2006. The procedure was further extended in the last Agri-environmental Scheme's designing process as a larger number of environmental representatives along with stakeholders took part. The academics' role in supporting the ministerial body was also noted.

Thus, by carrying out evaluations of the AES' implementation and by providing opinions they improved existing knowledge of the AES.

The assessment of the Polish case study revealed a strongly disapproving approach which prevented the implementation of the Pilot AES under SAPARD, disclosing not only the lack of knowledge about the issue but also the deficiency in political will. It must be remembered that European requirements necessitated institutional as well as policy-making style transformation. Hence, a bottom-up approach was demanded. Therefore, the reform capacity was to be developed. Additionally, institution-based propositions that institutions are not easily changed unless external shocks take place forcing the domestic capacity to create new arrangements, is salient to the explanation.

Within the context of these arguments, it was to be predicted that opposition to the introduction of the Agri-environmental Policy's objectives would occur. It is clear though that the AES' existence relies on EU interference. Despite the fact that the country at the outset reacted extremely sceptically to the AES, this disapproving approach has gradually been replaced with a more optimistic one.

Moreover, the perceived superior role of European requirements was an important factor in the substitution of the top-down for the bottom-up policy-making process in the early post-accession period in Poland. The introduction of a broad consultation process including socio-economic actors was a novel activity, which was strictly rooted in EU regulatory demands. Therefore, the process of building a consensual corporatist decision-making culture took place.

A comparison of the organisational culture pointed out the specificities of each case study. It indicates that domestic policy-making styles affected the process in its initial stage but EU

supremacy over domestic arrangements was noted. Hence, knowing that in the case of Poland the AES' organisational culture was contradictory to the existing national core, one can better understand the reasons for the hampered introduction of this measure. Conversely the Land Brandenburg example shows that if the subsisting culture is compatible with EU demands an effortless adaptation occurs. This, however, can still be problematic as the 'lock in' effect was found here. In this regard, the assertion made in the theoretical discussion (see Chapter 2) that institutional cultures play a vital role in shaping actors' behaviour has been validated. The existence of the lock in effect revealed in the Land Brandenburg's case, highlights that institutional culture can limit actors' behaviour.

In light of these findings one could add an explanation to the second research question: *(ii) To what extent have existing national policies diverged from European Agri-environmental Policy demands, and to what degree are the two cases able to congregate the institutional reform capacity to undertake the required changes to comply with the exigencies?*

Looking at a broader view, the two sections above have indicated strongly that institutions and their arrangements do matter and that they are in a position to offer a sufficient explanation for the patterns of domestic response. The lack of institutional reform capacity in Poland has emphasised the superiority of European pressure. Yet, one would be unable to fully understand the existing reasons for such adaptation patterns if these factors were not scrutinised. Therefore, an understanding of the process would only be partially exposed.

The concluding remark here is that capturing the dynamics of the analysed policy change requires consideration of domestic organisational structures and cultures. While they have the power to facilitate (the Land Brandenburg) and constrain (Poland) change as these case studies demonstrated, the institution-based perspectives are suitable when discussing the empirical variance.

Additionally, in order to further understand the behaviour of the analysed domestic factors, it is necessary to undertake a comparison regarding the empowerment of actors, which provides the last missing component in relation to this matter.

## **6.8 The empowerment of actors**

Having explained the administrative capacities this study focused on their internal circumstances in order to answer the following research question *(iii) What are the most significant factors and interactions between them which affect the process?*

In relation to the broader picture of this thesis, two assumptions made in the introductory chapters have been validated here. Firstly, the European level alters national arenas by providing both prospects and pitfalls to domestic actors. Thus, it relates to the differential empowerment of actors, according to which domestic change is perceived as a process in which resources are redistributed. Indeed, Europeanisation is observed as a political opportunity structure, which benefits some actors (additional resources), but constrains others. Domestic actors employ Europeanisation as an opportunity to advance their objectives. The Polish NGOs' example proves a point.

Secondly, domestic actors are in a position to facilitate or limit change. The European Agri-environmental Scheme's legislation empowered environmental interests and administrative and socio-economic actors but it depends upon their capacity to exploit the situation as to whether one could expect change. Although the Europeanisation of the AES has facilitated environmental interest groups with additional legitimate power, this research presents various results in regards to its use. In the Land Brandenburg's case it is clear that the NGOs have not used this opportunity comprehensively, whereas the opposite is true in regards to the Polish case.

### **6.8.1 Veto points**

The empirical findings are in line with the research explaining change from a rational institutionalist perspective. In relation to RI assumptions that the process of change is assisted by powerful actors at the domestic level as well as being hindered by the opposing bodies, one can predict the domestic outcomes. Therefore, the interactive process of change hinges substantially on the number of veto players and the ability of policy-makers to overcome these difficulties.

Following these considerations, it can be stated that veto points have not subsisted in the case of the Land Brandenburg, whereas in Poland they have. In regards to the Polish case, the AES measure was novel, which gave grounds to dynamic debates as the unification of agricultural and environmental matters was contradictory in many member states. The fact that the authority to manage the instrument lies in the agricultural department adds to this issue. Therefore, during the initial stages of the AES' development, a high number of opposing attitudes were identified at both the political and administrative levels. The Polish case shows that in spite of the necessity to adjust and transform, change has not occurred whilst a high number of formal veto points prevailed in the political decision-making process. Not surprisingly, these resulted in the missed opportunity to gain preliminary experience in its application. If not for European adaptation pressure, this measure would have been abandoned. Since its implementation was obligatory, veto points were overcome and managing procedures were initiated. Currently, a diminishing number of opposing views prevail. While some of the agricultural oriented actors still remain sceptical about the usefulness of the AES, the majority of the political and administrative bodies have accepted the measure. These lead to the explanation that RI presumptions, in regards to the expected level of change, were not only easily applicable but also held to be true with reference to the

analyses of the AES' designing process. Consequently, the above findings have shown that domestic opposing actors can hinder the transformation process.

Conversely, the lack of veto points facilitated the process in the case of the Land Brandenburg. Having discussed the origins of the Agri-environmental Scheme's application it has been possible to predict such results. Due to the long-term experience in implementing the AES, which resulted in set codes of practise, the absence of opposing actors was to be expected. Nonetheless, the fact that a common understanding developed between the agricultural and the environmental NGOs was still a big surprise.

Relating to the broader agenda, the issue of veto points needs to be given much attention whilst analysing the process of change driven by Europeanisation. What derives from this part is that the power and significance of domestic actors can result in limiting outcomes. However, this example has also advanced an understanding regarding the superiority of European adaptational pressure, as existing veto points within the political and administrative structure were able only to slow down rather than obstruct change.

### **6.8.2 Facilitating Institutions**

Contrary to the Land Brandenburg, the AESs have belatedly gained influence in Poland. Even so, environmental interest groups have strongly supported and lobbied for this matter since the early years of the AES's implementation. These organisations were the only advocating forces at the time and yet they have engaged positively and have exerted pressure to change Poland's approach towards the AES. However, a lack of the above mentioned political and administrative support for the AES' introduction restrained the process significantly for a few years. Hence, strongly opposing interests represented by the agricultural, political and administrative bodies in addition to farmers were overcome once the accession process had

been finalised. The findings show not only the power of EU pressure, which forced the implementation but also highlighted the active role of the environmental associations which have built the dynamics of political change to a great extent. Therefore, the fact that the coalition of environmental NGOs has been initiated and has undertaken such an active role in lobbying for its' policy preferences, leads to the conclusion that this alliance constitutes a powerful actor in the AES' policy-making.

In comparison, the German case has shown that this matter is dissimilar. Even though the environmental groups joined together and developed a common opinion, the low consistency and the disparity of interests resulted in their lack of ability to exert significant pressure. Hence, the environmental NGOs do not represent a powerful lobby in regards to the AES instrument in the Land Brandenburg.

These cases outline the fact that the factor mentioned above can sufficiently facilitate the process of domestic change. Nevertheless, the extent to which this power is exploited strictly relies on the domestic arrangements of a particular country. Generally speaking, the evaluation of the interest groups, which aimed to activate the additional power deriving from the European level, should be taken into consideration.

Furthermore, the empirical findings indicate that there is a substantial difference between the Land Brandenburg and Poland in regards to the administrative bodies' perception of the AES and European pressure. In the case of the Land Brandenburg, most of them underline the opportunities deriving from the Agri-environmental instruments, highlighting the issue of co-financing as the most important advantage that should be used. It is apparent that such an attitude smoothes the progress of change.

In contrast, in Poland the awareness of this objective exists but the way in which it is used is still innovative. It was to be foreseen though, as the Polish experience is still scarce and both the authorities and the farmers have not yet found their own sufficient way of adapting the AES. Additionally, European demands in regards to the AESs are perceived among the administrative actors as both a driver of, as well as an obstacle to the schemes' adoption. A positive role can be seen in regards to additional opportunities to increase farmers' incomes for meeting environmental incentives, whereas administrative costs and costly procedures constitute a burden.

In spite of the pressure to obey EU requirements, the first case study shows that positive attitudes towards the matter subsist, whereas the second case study considers EU demands to be highly obligatory which still represents a problem.

The issues concerning the empowerment of actors including veto points and facilitating institutions are crucial for this thesis. Hence, both factors considerably affect the domestic capacity for reform. It has previously been mentioned that rational institutionalist beliefs hold true with reference to these findings, as this approach provided a sufficient understanding of the possible outcomes. Therefore, it depends on the influence of the existing facilitating and opposing interests, as to how far they can foster or constrain change. Drawing on the issues mentioned above, the empirical considerations have illustrated that a variety of outcomes are to be expected.

## **6.9 Policy learning**

The cases themselves point to the knowledge which has been acquired during the implementation of the AES. In the case of the Land Brandenburg the learning process has taken place and is based on 13 years of implementation experience as well as two evaluations.

The knowledge gained whilst applying the previous KULAPs is used to improve both the organisational aspects and the content of the Agri-environmental Scheme.

In this regard, Poland has only had nearly four years of practise and does not have an evaluation at its disposal. Nevertheless, these are not the only issues which highlight that Poland is in a worse position in terms of the AESs' application. The delayed implementation of the AES underlines that only a gradual learning process has taken place. This indicates that the enforcement of legal obligations to assure the implementation of the policy instruments was needed.

The results of this research have shown that the policy learning process has occurred. The increase in information flow regarding the AESs guided the policy learning process at both the administrative and socio-economic levels. Cooperation between the agricultural and environmental administration and non-governmental organisations was launched along with the establishment of the coalition of interest groups in order to represent common opinions. In view of these facts it is apparent that the knowledge regarding the AES has broadened. However, the influence of the learning process is not as direct as in the case of European pressure or the empowerment of actors. Yet, it exists and facilitates the process of change in both case studies.

#### *How have domestic factors facilitated or impinged on Europeanisation?*

Having elaborated on the domestic policy-making patterns including factors such as the administrative structure, policy content, the empowerment of actors (veto points, facilitating institutions) and finally policy learning, this study assessed the validity of the next analytical assumption.

**H2 DIFFERENCES IN NATIONAL POLITICAL AND INSTITUTIONAL ARRANGEMENTS MATTER**

**DURING THE ADAPTATION OF THE EU'S AGRI-ENVIRONMENTAL SCHEMES AND HELP TO**

**EXPLAIN THE RESPONSES OF MEMBER STATE GOVERNMENTS.**

The illustrated case studies provided empirical evidence for diversified domestic change. Thus far it has been possible to ascertain *how national policy-making factors influence adoption strategies for establishing and implementing the Agri-environmental Scheme's policy in the Land Brandenburg and Poland and which approaches are the most significant*. These analyses have demonstrated that the issue of the goodness of fit is indeed not adequate in explaining the rationale behind the domestic response. However, it is influential and therefore its meaning cannot be neglected. The examination of the domestic factors outlined the role of veto players and facilitating institutions that, except for European pressure, have a significant influence on the implementation of the Agri-environmental Scheme. By acting in favour they may provoke rapid change, but strong opposing positions may have a preventative effect. In spite of the fact that the factors mentioned above offer a lucid explanation of the dynamics accompanying the domestic response, it has also been illustrated that the lack of required institutional capacity can hamper the process to a great extent. Therefore, issues such as political decision-making style and policy learning can facilitate the process of change. On the one hand, their constraining influence is exerted in a less direct manner than veto players. On the other hand, agonistic views have been partially driven by the lack of awareness of this measure.

These findings underline the supposition that differences in the adoption of EU legislation derives from various political and administrative arrangements at the domestic level. For this reason, a great variety of results can be obtained as specific domestic conditions have to be taken into consideration whilst discussing the effects of European integration on the domestic level. Furthermore, as each Land has the legislative power to set out and manage the AES, it

comes as no surprise that great diversification is found at both the domestic and sub-national levels.

Following these considerations, it needs to be highlighted that the circumstances presented here are characteristic only for policy-making regarding the AES in Poland and the Land Brandenburg. Analyses of different case studies would result in a dissimilar picture. Thus, the meanings of the particular factors may vary considerably. For this reason, the level and the way in which domestic pressure is put forth would differ.

In order to complete this research the last section reflects on the implications of these findings for the level of change, which draws heavily on the change taxonomy demonstrated in the theoretical propositions (Chapter 2).

### **6.10 Domestic change**

This final section relates to the last research questions: *(iv) Can general AES' adaptation patterns be established or has implementation depended on the uniqueness of national opportunity structures? (v) Do similarities between Land Brandenburg and Polish adaptation approaches exist?*

The observations mentioned above, along with a detailed scrutiny of each case study, indicate that Europeanisation occurred and led to various levels of domestic change. What is clear, however, is that the process is complex and differentiated.

It has been shown that most of the applied environmental objectives would not have been introduced if not for the necessity for their implementation deriving from the European level. The recognition that the EU has advocated change by forcing the states to implement measures, which they would not have adopted otherwise is common in both countries. In this

regard, both case studies demonstrate the need for European pressure, suggesting the modification of existing institutional arrangements. Hence, Europeanisation is taking place.

However, it is patently obvious that the diverse conditions encountered in each country contributed to the adoption of different types of change. The empirical and theoretical considerations pinpointed accommodation in the Land Brandenburg and transformation in Poland in the first phase, whereas an examination of the second policy-making process, outlined that absorption had occurred in both cases (table 18).

The Land Brandenburg, because of its conformity with European policy demands, did not have to undertake significant changes in regards to the Agri-environmental Policy's objectives in terms of the Agri-environmental Schemes. It has been demonstrated that this is due to the fact that it exhibited corporatist consensual decision-making and had long-term experience deriving from the implementation of Regulation (EEC) 2078/1992. The Land Brandenburg has perceived the AESs under both Regulations (EC) (1257/1999, 1698/2005) as an opportunity to further support existing measures and thus moderate changes were needed.

In contrast, there was a sharp 'mismatch' between the Polish established policy practises and administrative structures. For this reason the reforms, which were imposed by the European level, were needed to originate and develop the agri-environmental incentives. The reforms generated substantial changes in policy and administrative arrangements and therefore innovation occurred. The Polish example illustrated the transformation of the macro-institutional core of the national administrative arrangements, as the change occurred within the policy structure and style. These factors are fixed and not easily transformed. Consequently, strong domestic resistance to change occurred. However, as it was pointed out in the theoretical considerations, the state of inertia (Chapter 2) can lead to a crisis which then provokes change. In the case of Poland the accession process forced the authorities to

undertake alterations. In spite of the reluctance of key political and administrative actors, the transformation process finally took place.

Table 18 The level of change

The AESs under (EC) Regulations	Land Brandenburg		Poland	
	Adaptational pressure	Domestic change	Adaptational pressure	Domestic change
Articles 22-24 1257/1999	fit	accommodation	misfit	transformation
Article 39 1698/2005	fit	absorption	fit	absorption

Source: Own elaboration

An assessment of the validity of the analytical assumptions has been presented along with the level of change in each case study. Finally, it is necessary to illustrate the convergence between the two case studies (table 19). It has already been noted that a great disparity occurred. Therefore, this study offers a better understanding of the causes of such a diversification.

Table 19 The level of convergence between the analysed factors in both countries

Analysed issues	Similarities	Dissimilarities/Specificities
Misfit		✓
Origins of the AES		✓
Legislative Capacity		✓
Policy content	✓	
Empowerment of actors		✓
Veto points		✓
Facilitating institutions		✓
Organisational culture		✓
Policy learning	✓	
Domestic change		✓

Source: Own elaboration

This section has examined the usefulness of the concluding hypothesis:

**H3 GENERAL ADAPTATION PATTERNS CANNOT BE ESTABLISHED AS THE IMPLEMENTATION DEPENDS ON THE UNIQUENESS OF NATIONAL OPPORTUNITY STRUCTURES AND RESULTS IN VARIOUS LEVELS OF UNDERTAKEN CHANGES.**

This study has indicated strongly that the Europeanisation mechanism, supported by institutional approaches, is able to offer a comprehensive understanding of the various responses to the AES in the two analysed cases. While the concept of Europeanisation outlined European and domestic factors and predicted the interaction between them, the new institutionalist theories highlighted the ways in which they can perform, which then allowed for the tracing of the process of domestic change. In light of these accounts, such a combination of these explanatory values enabled one to test the research hypotheses and questions in order to uncover the reasons behind domestic changes.

One could argue though that using only institution-based approaches would be sufficient for the explanation of these empirical findings. Thus, the Land Brandenburg illustrated that incremental changes derived from path-dependency, whereas the Polish case demonstrated that change was driven by external shocks, which took place following Poland's accession to the EU. This study disagrees by highlighting the meaning of veto points and facilitating institutions that play a vital role in the explanation of these circumstances. For this reason, indicating only institution-based approaches is not adequate as actor-based patterns add significantly to the understanding of the dynamics behind the AES designing process and how change occurs.

What becomes clear is that both the European and domestic arenas affect the adaptation dynamics. In view of the arguments mentioned above, Europeanisation has many '*faces*' depending on the issues that are to be implemented and the individual domestic circumstances. Accordingly, various national conditions help to explain the underlying principles behind the member states' responses. Only by knowing the lively debates accompanying the policy-making process, can one become aware of the domestic influence on the AES elaboration process.

## **6.11 Suggestions for future research possibilities**

The theoretical and empirical findings in this PhD thesis have outlined the proposition that the level of change is characterised by diversity, which is dependent on the country studied.

This indicates that supplementary investigations will advance the current picture on the impact of the European level on domestic policies. The narrow focus of this study can be expanded by providing other member state perspectives. In regards to this study one may argue that the provision of different *Länder* perspectives will be of use. Moreover, old and new member state examples and inner and cross-national contrasts will bring attention-grabbing results. Additionally, comparative analyses between CEE countries and old member states are still under-developed. Thus, this leaves room for further contributions that would allow one to understand the process in which the Europeanisation of the AES affects domestic arenas. A comparison between the CEE countries and to then compare the results with the EU 15 member states would constitute a valuable contribution. The theoretical framework used here can be effectively applied in such cases and offer interesting conclusions. These would result in a better understanding of the impact of the European level on domestic policies.

Moreover, the typology applied in this thesis can effortlessly be employed to the mechanism of other policy instruments. As previously indicated, the scarcity of Europeanisation analyses of the CAP points to a further need for research in this policy field. This would allow one to strengthen the existing research by such a novel theoretical and empirical dimension. There is an opportunity to consider measures from both the agricultural legislation and the Agri-environmental Policy. Based on this study it becomes clear that a broad range of outcomes can be obtained whilst examining other Agri-environmental Policy issues. The shortage of analyses leads to the conclusion that adding a further perspective such as the Natura 2000 measure would advance existing knowledge.

In this regard, the Polish perspective can readily be enriched by the use of the objectives related to climate change. The deficiency of research analysing this issue in general still exists. For this reason, analyses of the instruments relating to this matter are called for. Additionally, bearing in mind the recent Health Check of the CAP and the fact that the objective of the effects of agriculture on climate alteration has been introduced to this policy area, such a scope of analysis would constitute a valuable contribution. For this reason, the expansion of this research towards a larger number of studies is apparent.

Finally, the bottom-up perspective of Europeanisation could offer an additional perspective on the AEP which could include the specific factors and circumstances surrounding the development of this policy area. In this regard, the employment of both the bottom-up and top-down perspectives to the AEP instrument will add to the current picture.

The expansion of the research areas mentioned above would result in the development of new theoretical and empirical ideas on the dynamics of Europeanisation. These will allow one to address the current research gaps on the Europeanisation of the CAP.

## **6.12      Conclusions**

This thesis has implications for research exploring both the Agri-environmental Policy and Europeanisation mechanisms. The debates have been enriched through the use of the Polish and the German perspectives. Therefore, these findings offer the following contributions. Firstly, this study has examined to a great extent the empirical use of the concept of Europeanisation. Hence, the issue of European pressure has provided in depth analyses which validate its significant role in the process of change driven by European integration. Secondly, this study presented the causes of the key differences regarding the ways in which the AES was applied, by outlining domestic facilitating and constraining conditions. Thirdly, this

research improved the understanding of the interactive process of Europeanisation and national change. Finally, the examination of the Agri-environmental Policy allowed for the broadening of one's knowledge about the complexity of this policy field.

One final point is to demonstrate that this PhD thesis has responded to the lacuna in the Europeanisation of the AES domestic policy-making analyses by providing:

- A novel focus on the adaptation of the Agri-environmental Scheme in regards to the Land Brandenburg and Poland.
- The benefits and pitfalls of these processes in each case study have been presented. A great diversity of these circumstances was found, which resulted in different levels of change.
- An assessment of the Agri-environmental Scheme from a member state perspective offered an understanding of how opportunities are used and how difficulties are overcome. Each case study embodies specific conditions and ways of dealing with this matter. Thus, a variety of domestic outcomes have been identified.
- A focus on an old and a new member state within a comparative framework made this analysis interesting.
- An evaluation of the dynamics of change based on empirical considerations pointed out differences between the case studies and indicated that the need for analyses of policy adaptation processes is ever present.

The main innovation of this research is that it broadened the empirical evidence of the European Agri-environmental Policy through the lens of domestic politics.

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Ustawa z dnia 28 listopada 2003 r. o wspieraniu rozwoju obszarów wiejskich ze środków pochodzących z Sekcji Gwarancji Europejskiego Funduszu Orientacji i Gwarancji Rolnej. Dz.U.Nr 229, poz.2273 z późn. zm: DZ.U.z 2004 r. Nr 42, poz.386; Nr.148, poz.1551 i Nr162, poz.1709 oraz z 2005 r. Nr 10, poz.64.

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**The primary institutions supporting the development of AES**

No	Official <b>Germany</b>	Date of Interview	Place
<b>BUND level</b>			
1.	Specialist Legal Advisor, the Federal Ministry of Food, Agriculture and Consumer Protection ( <i>Bundesministerium für Ernährung, Landwirtschaft und Verbraucherschutz</i> ), Unit 526 Ecological Agriculture, Extensive Land Management Procedures	05 May 2006	Berlin
2.	Former Secretary of State, Coordinator; Chairman of Planning Subcommittee ( <i>Unterausschuss des Planungsausschusses</i> )	27 April 2006	Berlin
3.	Representative of the German Farmers' Association, ( <i>Deutscher Bauernverband</i> ) Department of Environmental Policy, Genetic, Fertilisers and Plant Protection Funds	06 April 2006	Berlin
4.	Representative of the German Farmers' Association ( <i>Deutscher Bauernverband</i> ), the Department of the Environment and Energy Policies	06 April 2006	Berlin
5.	Representative of the German Society for Nature Conservation ( <i>Naturschutzbund Deutschland</i> )	11 April 2006	Berlin
6.	Director of the German Association for the Landscape Protection ( <i>Deutscher Verband für Landschaftspflege</i> )	24 April 2006	Berlin
7.	Director of the German Office, World Wildlife Found, WWF Section Berlin EU Policy	18 April 2006	Berlin
8.	Specialist, the World Wildlife Found	18 April 2006	Berlin
9.	Representative of the Federal Agricultural Research Centre ( <i>Bundesforschungsanstalt für Landwirtschaft</i> ) scientist working on the CAP, AESs in particular	02 May 2006	Braunschweig
<b>LÄNDER level</b>			
10.	Representative of the Ministry of Rural Development, Environment and Consumer Protection of Brandenburg ( <i>Ministeriums für Ländliche Entwicklung, Umwelt und Verbraucherschutz des Landes Brandenburg</i> ), Rural	02 March 2006	Potsdam

	Development and Agriculture Department, Referat 22 Direct payments, Areable-Plants and Horticulture, Plants protection, Agri-environmental Measures		
11.	Director of Forest and Nature Protection Department, The Ministry of Rural Development, Environment and Consumer Protection of Brandenburg ( <i>Ministeriums für Ländliche Entwicklung, Umwelt und Verbraucherschutz des Landes Brandenburg</i> ), Referat 47	24 March 2006	Potsdam
12.	Director of Agricultural Economics Department, the Land Authority for Consumer Protection, Agriculture and Land Consolidation ( <i>Landesamt für Verbraucherschutz, Landwirtschaft und Flurneuordnung</i> ), Referat 41	08 March 2006	Ruhlsdorf
13.	Director of the Farmers' Association of Brandenburg ( <i>Landes Bauernverband</i> )	21 March 2006	Teltow
14.	Specialist, the Farmers' Association of Brandenburg, Department of Agricultural Politics ( <i>Landes Bauernverband</i> )	21 March 2006	Teltow
15.	Director of <i>Agro-Öko-Consult GmbH</i>	29 March 2006	Berlin
16.	Director of the German Association for the Landscape Protection for the Land Brandenburg ( <i>Deutscher Verband für Landschaftspflege</i> )	05 April 2006	Angermünde
17.	Director of Grassland Association for the Land Brandenburg ( <i>Grünland Verband</i> ),	21 April 2006	Berlin
18.	Representative of Leibniz-Centre of Agricultural Landscape Research (ZALF), scientific advisor working on the Mid-term evaluation of the Rural Development Plan 2000-2006 of the Land Brandenburg	20 February 2006	Müncheberg
19.	Representative of Leibniz-Centre of Agricultural Landscape Research (ZALF), scientific advisor working on agriculture and rural development issues	20 February 2006	Müncheberg
20.	Representative of Leibniz-Centre of Agricultural Landscape Research (ZALF), Evaluator of the Rural Development Plan 2000-2006 of the Land Brandenburg, Scientific Advisor	04 May 2006	Müncheberg
21.	Former Scientific Advisor for the European Commission,	27 June 2006	Berlin

	Researcher of the Agri-environmental Schemes, Agricultural Economist, Humboldt University of Berlin		
22.	Scientific advisor working on the CAP issues, Humboldt University of Berlin, Division of Resource Economics ( <i>Fachgebiet Ressourcenökonomie</i> )	23 April 2008	Berlin
23.	Representative of the Ministry of Rural Development, Environment and Consumer Protection of Brandenburg ( <i>Ministerium für Ländliche Entwicklung, Umwelt und Verbraucherschutz des Landes Brandenburg</i> ), Rural Development and Agriculture Department, Referat 22 Direct payments, Areable-Plants and Horticulture, Plants protection, Agri-environmental Measures	10 October 2008	Potsdam
<b>Poland</b>			
24.	Director of the Rural Development Plans' Planning Department, the Ministry of Agriculture and Rural Development ( <i>Ministerstwo Rolnictwa i Rozwoju Obszarów Wiejskich</i> )	31 May 2006	Warsaw
25.	Senior specialist, the Ministry of Agriculture and Rural Development ( <i>Ministerstwo Rolnictwa i Rozwoju Obszarów Wiejskich</i> ), the Rural Development Plans' Planning Department (Dział Programowania Planów Rozwoju Obszarów Wiejskich), Chief of the Working Group for the Agri-environmental Scheme 2007-2013	31 May 2006	Warsaw
26.	Senior specialist, the Ministry of Agriculture and Rural Development ( <i>Ministerstwo Rolnictwa i Rozwoju Obszarów Wiejskich</i> ), Member of the working group for the Agri-environmental Scheme 2007-2013	31 May 2006	Warsaw
27.	Specialist, the Ministry of Agriculture and Rural Development ( <i>Ministerstwo Rolnictwa i Rozwoju Obszarów Wiejskich</i> ), Member of the working group for the Agri-environmental Scheme 2007-2013	31 May 2006	Warsaw
28.	Minister of Environment's Advisor, The Ministry of Environment ( <i>Ministerstwo Środowiska</i> ),	24 May 2006	Warsaw

	Former Specialist of the Department of Pre-Accession and Structural Funds in the Ministry for Agriculture and Rural Development responsible for the elaboration of the Agri-environmental Scheme		
29.	Representative of the Agency for Restructuring and Modernisation of Agriculture ( <i>Agencja Restrukturyzacji i Modernizacji Rolnictwa</i> ), Training Department	29 May 2006	Warsaw
30.	Member of the Monitoring Committee for National Rural Development Plan of the Ministry of Agriculture and Rural Development, Head of Ecological Association: Eco-union ( <i>Eko-Unia</i> ), Former Deputy Minister of Environment	08 January 2007	Wrocław
31.	Specialist, Institute for Sustainable Development ( <i>Instytut Zrównoważonego Rozwoju</i> ), The Author of ex-ante analysis of the Polish Rural Development Plan 2004-2006, the Ministry of Agriculture and Rural Development's Advisor	25 May 2006	Warsaw
32.	Former IUCN Expert, Chief of Bioekspert, Euronatur in Poland, the Ministry of Agriculture and Rural Development's Advisor	27 May 2006	Warsaw
33.	Representative of the Polish Ecological Club ( <i>Polski Klub Ekologiczny</i> ), the Ministry of Agriculture and Rural Development's Consultant	05 June 2006	Kraków
34.	Specialist, Former Representative of the World Wildlife Found Poland	31 May 2006	Warsaw
35.	Director of the Regional Office of National Community of Birdlife International ( <i>Ogólnopolskie Towarzystwo Ochrony Ptaków</i> ), Ministry for Agriculture and Rural Development's Advisor	01 September 2006	Gdańsk
36.	Director of the Nature Protectors Club ( <i>Klub Przyrodników</i> ), the Ministry of Agriculture and Rural Development's Advisor	06 September 2006	Świebodzin
37.	Scientific Advisor, The Agricultural University of Warsaw ( <i>Szkoła Główna Gospodarstwa Wiejskiego</i> ), Member of the Polish Ecological Club	09 June 2006	Warsaw
38.	Scientific advisor, Agricultural Economist, Expert in rural	18 August	Poznań

	development and agriculture sector, carried out RDP analyses and training activities, Poznan University of Life Sciences ( <i>Uniwersytet Przyrodniczy w Poznaniu</i> )	2006	
39.	Scientific advisor, Economist, Expert in rural development and agriculture sector, Poznan University of Life Sciences ( <i>Uniwersytet Przyrodniczy w Poznaniu</i> )	10 January 2007	Poznań
40.	Scientific advisor, Expert in soil and plant cultivation, Poznan University of Life Sciences ( <i>Uniwersytet Przyrodniczy w Poznaniu</i> ), the Ministry of Agriculture and Rural Development's Advisor	15 January 2007	Poznań
41.	Representative of the Polish Animal Protection Union	17 January 2007	Warsaw