EUROPEIZACE SPRÁVY VENKOVA: PŘÍPAD AGRO-ENVIRONMENTÁLNÍCH POLITIK

EUROPEANIZATION OF RURAL GOVERNANCE: THE CASE AGRI-ENVIRONMENTAL POLICIES

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Anotace:
V nedávné době věnovali zemědělští ekonomové a jiní výzkumní pracovníci v oblasti venkova mnoho pozornosti nové oblasti politiky především v kontextu probíhajícího hodnocení politik. Na základě rešerše předchozího výzkumu sleduje tento článek současnou debatu probíhající mezi zemědělskými ekonomy kolem agro-environmentální politiky EU. Důkazy ukazují, že institucionální uspořádání velice ovlivňuje proces navrhování programů a jejich realizaci. Tak také ovlivňuje jejich efektivnost. Dále je zřejmé, nedostatek efektivity a účinnosti může být úplně vyřešen v rámcích současné evropské agro-environmentální politiky. Každý politický rámec bude mít svá „bílá místa" vzhledem k transakčním nákladům a chování vyhledávajícímu rentu exisutjícími mezi aktéry.

Klíčová slova:
Agro-environmentální politiky, společná zemědělská politika, opatření rozvoje venkova, institucionální analýza.

Abstract:
In recent years, agricultural economists and other rural researchers have paid a lot of attention to the new policy area mostly in the context of ongoing policy evaluations. Based on the re-analysis of former research the paper questions major conceptions of the current academic debate of agricultural economists about the agri-environmental policies in the EU. It is argued that the institutional setting largely influences processes of programme design and implementation, and therewith its effectiveness. It is argued that it unlikely that the lack of effectiveness and efficiencies can be wiped out completely of the current European Agri-environmental Policy framework. Any policy framework will have certain blind spots due to transaction costs and rent-seeking activities involved.

Key words:
Agri-environmental policies, CAP, rural development regulation, institutional analysis.

INTRODUCTION

In recent years, agricultural economists and other rural researchers have paid a lot of attention to the new policy area mostly in the context of ongoing policy evaluations. Additionally, agri-environmental schemes have been subject to evaluation by EU organisations (e.g., Court of Auditors 2000) and policy actors (Dwyer et al. 2002). Although the general trajectory of shifting policy instruments has been welcomed by most academics the detailed analysis of agri-environmental schemes has given room for quite substantial criticism. The most striking observation has been the rather divers uptake of the opportunities offered in the former Regulation (EEC) 2078/92 as well as in the recent Rural Development Regulation (EC) 1257/99. This can be said for the relative share of agri-environmental spending as well as for the design of agri-environmental schemes. Since nation states seem to run rather different strategies towards agri-environmental issues the divers uptake cannot solely be explained by

different natural conditions and farm structures. In Germany, due to the fact that the federal states are in charge of the design and implementation of rural development policies, agri-environmental schemes vary widely within the country.
Although agricultural economists have not yet provided a comprehensive institutional analysis of the current bureaucratic agri-environmental regime in the framework of the CAP, literature still indicates various issues related to this question. The most common suggestion is that the lack of effectiveness can be traced back to the conflict of interest that is internal to agri-environmental schemes in the EU. The existence of two concurring objectives - farm income support and environmental improvements - make it inevitable that the environmental effectiveness suffers. This argument very much supports the "unwillingness hypothesis" described by Ahrens, Lippert and Rittershofer (2000).
It has also been suggested that lack of effectiveness results from the fact that the present agri-environmental schemes neither consider local environmental conditions nor local people's interest and their specific problems sufficiently (Deblitz 1999; Buller et al. 2000; Lowe and Baldock 2000). As a result, in some cases measures are developed that are poorly adapted to the local ecological, economic, and also cultural conditions. Therefore, the effectiveness as well as the cost-effectiveness of agri-environmental schemes varies widely (Wilhelm 2001; Marggraf 2003).
Regarding individual measures agricultural economists regularly stress that effectiveness as well as efficiency would increase, if result-oriented rather than action-oriented remuneration were applied (e.g., Hampicke 2001). Further, the lack of flexibility of requirements has regularly been criticised (Hampicke 2001; Jungcurt, Laschewski and Schleyer 2004). Until now, however, such recommendations have had little or no effect on the design of current agri-environmental schemes.
In this paper we argue that these problems addressed by agricultural economists are inherent to the current policy regime that is based on contracts between state agencies and farmers about the provision of environmental goods. Yet, not only the contract approach itself has to be critically examined, but also the institutional context in which contracts are applied. Some of the issues addressed here, such as the lack of flexibility, are specific to agri-environmental schemes in the EU and have been solved much more successfully in other institutional environments. In principal the restrictions of the policy regime are closely related to, often implicit, assumptions underlying conventional analysis such as neo-classical economics.

GOALS AN METHODS USES

The institutional analysis of agri-environmental policies in this Section is based on the results of *three different research projects* focussing on specific aspects and levels of agri-envrionmental policy implementation in the German federal state of Brandenburg.
First, in the context of the GRANO research project on "Approaches for Sustainable Agricultural Production in Northeast Germany" (1998-2002) so-called Agri-Environmental Forums (AEF) were established in two rural areas of the German federal state of Brandenburg. These forums are round tables that were initiated to seek for solutions to agri-environmental problems and to foster local co-operation (Arzt et al. 2002). Here, the participants of one of these AEF – in the north of Brandenburg - were successful in designing a local AES, however, attempts failed to integrate it in the Rural Development Plan in Brandenburg. Empirically, this this draws on participatory observations and notes taken at the AEF meetings, on interviews with local stakeholders, and, in particular, on meetings and interviews with representatives of the relevant Brandenburg ministries.
Second, in the course of the Mid-term-Review of the Rural Development Plan of the federal state of Brandenburg, the implementation of the Article 16 measures (see above) was evaluated. In two case study regions (Landkreise), where the vast amount of those measures

had already been applied, Laschewski and Schleyer (2003) collected environmental and economic data material and carried out semi-structured interviews with local actors, such as farmers, local representatives of farmers' unions, local environmental agencies, and the local agricultural administrations. Furthermore, representatives of different departments within the Brandenburg Ministry for Agriculture, Environmental Protection and Rural Development (MLUR) as well as regional experts who had been involved in a number of planning processes in the study regions were interviewed.
Third, a case study that set out to investigate land use conflicts, the role of various agri-environmental policies, the related interactions and communication processes between relevant stakeholders, and the procedures to solve the conflicts in the biosphere reserve "Spreewald" in Brandenburg. Empirically based on literature and document analysis; (Jungcurt, Laschewksi and Schleyer 2003).
The **federal state of Brandenburg** is located at the eastern German border surrounding the city of Berlin. Almost half of the land in Brandenburg is used for agricultural purposes of which more than three quarters is arable land. The landscape is characterised by a large number of lakes and rivers. Rainfall is comparatively limited, thus, in combination with light soils, we find a substantial proportion of land that suffers from a lack of water as well as fen lands. More than half of the meadows and pastures can be found on reclaimed fen land, and in most cases, they are only suitable for extensive grazing. Because of the combination of open waters, forests, and open land and the heterogeneity of natural conditions the countryside is characterised by a partly very high biodiversity. Of particular importance are birds in wet lands, but also dry meadows and certain pond areas. Large parts of the agricultural productive land can be characterised as marginal land, of which more than 75 % is classified as LFA. After 1990, a large number of Environmental Protection Areas (EPA), such as, National Parks, Biosphere Reserves, and Nature Parks, were designated covering a high share of Brandenburg's land cover. While restrictions on land use are comparatively low in Landscape Protection Areas (Landschaftsschutzgebiete; 32 % of total land cover), the requirements in Nature Protection Areas (Naturschutzgebiete; 5 % of total land cover) are much more substantial. Areas where any human interference is forbidden (total reserves) only account for a small fraction of this EPA.
The development of Brandenburg's agricultural structure has been marked by the economic and political transformation that followed the breakdown of the socialist regime in 1990. The agricultural co-operatives and state-owned farms were restructured and reorganised completely. The average farm size (about 194 ha) is still very large. Furthermore, farms with more than 100 ha manage more than 96 % of Brandenburg's agricultural land. There are also about 400 agricultural firms that are farming more than 1,000 ha. Organic farming plays an increasingly important role in Brandenburg. In 2000, about 6.5 % of the agricultural land was used organically. This is far beyond the national (German) average of about 2 %.

THEORETICAL BACKGROUND

Agri-environmental schemes within the CAP are based on the idea that they are complementary to other policy measures and also in addition to the basic compliance of farmers with legal minimum standards ("good farming practice"). The basic difference between "application of more restrictive legislation" or "payments for the provision of environmental goods" is understood as a question of allocation of property rights (Scheele 2001). As long as farmers are considered to have the right to pollute society must compensate. However, in particular with respect to biodiversity, many extensive forms of farming, that are perceived to be environmentally very effective, are, under current economic conditions, economically not feasible (Hampicke 2001). Here, payments to farmers may be given even if they do not have the rights to the respective nature components. Even though we also see the

crucial importance of understanding property rights, we argue that the way it is conceptualised is insufficient. Therefore, "conventional analysis (…) makes assumptions that tend to exclude possible policy options from consideration" (Hodge 2001: 103), and appears to be blind to its limitations. The concept itself is starting from a set of very restrictive propositions:

Availability of consensus about environmental objectives: This assumption puts the focus especially on the issue of implementation rather than decision-making. Thus, in the research and evaluation practice agricultural economists tend to draw on environmental experts' statements. Those experts seem to know what is good or bad. This does not necessarily comply with the economists' own view that consumers' willingness to pay does not necessarily go along with environmental scarcity. It is a well-known fact that some symbolic species may attract much more public attention than others. In consumers' perception aesthetic aspects may also play a more important role than detailed materialistic accounts, which are favoured by natural scientists. So far, European agri-environmental policies appear to follow a very science-based approach to nature. But even the assumption of a given, unchallenged objective position of natural sciences is unrealistic. Scientific knowledge about the environment is characterised by tremendous uncertainties. At the same time, scientists are rarely in the position to define independently what an environmental problem is. The effectiveness of agri-environmental schemes, therefore, may differ depending on the existence of shared perceptions of stakeholders about environmental objectives. Hence, evaluation of environmental instruments has to take the objectives of the actors into account (e.g., Mickwitz 2003).

Availability of knowledge and information: With regard to the actual situation the mainstream discourse either implicitly assumes the availability of knowledge about linkages of farming practices with environmental outcomes, the availability of practical solutions to environmental problems and of relevant process information to all actors, or it simply ignores this question. Accordingly, the process of invention, design and adaptation of schemes as well as their implementation would not cause any - at least no significant - transaction costs. In the assessment of agri-environmental schemes this is usually reflected in the fact that administration costs are not taken into consideration at all. However, as Falconer and Whitby (1999) have shown, transaction costs of policy implementation are not identical to administrative cost. For example, farmers may be confronted with significant transaction costs, too. Due to the nature of many agri-environmental issues, such as complexity and system dynamics, and because of the uneven distribution of information about behaviour patterns and outcomes between farmers, environmental experts and different administrations transaction costs involved may be considerable. In fact, regions at a sub-national level have deplored increasing administrative costs related to agri-environmental scheme implementation (e.g., Osterburg 2002). Therefore, we conclude that in many circumstances those institutional arrangements that pay more attention to communication processes and to the exchange of knowledge and information are more suitable to solve agri-environmental problems.

State and market: Derived from neo-classical theory the conceptualisation of current agri-environmental schemes is also based on a misleading dichotomy of state and market. Markets are somehow referred to as entities that exist outside the state, whereas the state is sometimes referred to as one big bureaucracy. The existence of market failures (external effects) is the main argument for the provision of agri-environmental schemes by the state. "But the notion of a 'free' market without or prior to the state is an ideological abstraction. No market is possible without a society to provide it with moral, legal, political and administrative foundations." (Bell and Lowe 2000: 286). Similarly, the concept of the state as a bureaucratic monolith does not reflect the reality adequately. In Europe, the state may be separated into sets of organisations at different levels (Europe, Nation State, Region, Municipalities).

Arising from this observation, one important issue has been the question of allocation of competencies to lower levels of the political decision-making process (devolution or regionalisation). Based on the concept of fiscal federalism some authors tried to identify appropriate levels for a number of environmental issues (e.g. Robert Bosch Stiftung 2000) However, Hagedorn (2001) showed that this approach was insufficient. He also suggested that, from a theoretical point of view, the issue of regionalisation should be considered as subordinate to the development of a more profound understanding of the nature of the respective environmental problems at hand. The concept of the monolithic state may also be questioned from a different perspective. If we consider the provision of public goods as a core function of governmental institutions, we observe the tendency of states to make use of a wide range of institutional arrangements, such as governmental and quasi-governmental, but also intermediary organisations (chambers, associations, etc.) and private businesses. These very divers and often hybrid forms of governance are necessary because the provision of public goods regularly requires inputs that are not under full control of a single public sector principal. Elinor Ostrom, therefore, suggests that the provision of public goods is a *co-production*, i.e., as a "process through which inputs are used to produce a good or services are contributed by individuals, who are not 'in' the same organisation." (Ostrom 1996: 1073) This may require the active involvement of co-producers, e.g., farmers, as well as the recipients in the production and decision-making processes.

Environmental goods as products of individual farmers: In agri-environmental schemes, state agencies are contracting with individual farmers. This implies that individual farmers on individual plots *can* provide environmental goods. Yet, many environmental goods (or bads) to be produced (or not), such as cultural landscapes and nitrogen surplus in a watershed, are collective goods. They often require co-ordinated activities among farmers and/or with planning authorities. In this light, the assessment of agri-environmental schemes without considering complementary measures and planning activities, as it is the current practice of evaluating agri-environmental schemes, appears to be a futile undertaking.

Further points of criticism are the very restrictive (implicit or explicit) behavioural assumptions most agricultural economists employ (Hodge 2001). Here, farmers are described as short-term, single (income) preference optimising calculators. Although we also consider farm income as a very important objective to understand farmers' behaviour, we argue that farmers may show high preferences for environmental protection, too. Under certain circumstances, they even have a self- serving interest to manage their (own) productive environmental resources sustainable. Finally, although statistics indicate that in the context of agrarian restructuring less and less the farmers themselves own agriculturally productive land, little attention has been paid to this question. Farmers are conceptually treated as landowners; an assumption that is not supported by reality anymore.

Taking the discussion above into account, we can assume neither that market solutions in general may be considered as optimal for agri-environmental issues, nor that the current agri-environmental policy in the EU does provide the only or at least most important solution. Instead, various institutional arrangements may emerge and need to be designed in a way that reflects divers environmental as well as social conditions.

RESULTS AND DISCUSSION

The re-analysis of the three research projects brings three (interrelated) important issues to the forefront, which are under-conceptualised in the current theorizing about agri-environmental policies in the European Union. These are:

The policy process of agri-environmental programme design and the centrality of the national/regional executive within this process.

In our case studies we found the process of designing agri-environmental schemes in Germany can be conceptualised as a rather complex negotiation process at the federal state level. The institutional settings in which this negotiation process takes place shape the possible outcomes and, thus, the design of the schemes. The most important and in most analysis neglected aspect is the strategic behaviour of the regional administration. In our case study, its most important concern was to link political goals with given budgetary constraints. The consequence was the reshuffling of funds between schemes funded by different sources, where budget maximisation and, thus, the acquisition of as much external funds as possible played an important role. In order to achieve that goal, the administration applied a rather pragmatic approach accepting even potentially restrictive or unspecific regulations, in particular in the by-laws of protected areas. Assessing the full impact of the implementation of agri-environmental schemes, therefore, has to take a wider perspective that also considers potential impacts of the substantial re-organisation of the portfolio of agri-environmental and related measures, but that also takes changes in environmental restrictions into account.

Another aspect is related to the Europeanization of Environmental Policies, in particular agri-environmental measures. In the case presented, European regulations are enforcing administrative procedures that do influence the design of agri-environmental schemes. Here, these impacts are not necessarily positive with respect to the environmental effectiveness of the schemes.

Therefore, we suggest that the ineffectiveness and inefficiencies are inherent to the way agri-environmental schemes are currently institutionalised in the framework of European agricultural policies. Paradoxically, this may even lead to outcomes. which the EU itself did not intend in the first place.

The relevance of programme administration and administrative capacities and costs.

Administrative concerns are important in the process of programme design as well as during programme implementation. An increased variety of measures might complicate the administration of agri-environmental schemes and, thus, causes increased administration costs. In particular, in our field research officials were worried about new measures that might be more difficult to monitor or might entail more complicated - and labour-intensive - application processes. In fact, a major consequence appeared to be a kind of streamlining of standards and measures due to administrative reasons. For instance, in Brandenburg so-called Article 16 measures of the RDR 1257/99 were adapted from the already existing agri-environmental schemes of the RDP, and they were only slightly modified to match the specific rules of Article 16. As a consequence, Article 16 measures in Brandenburg have their (almost) identical counterparts in the 'classic' agri-environmental schemes. The arguments for that were threefold. First, there has been a concern to keep the number of measures 'administrable'. Second, regarding the process of getting Brandenburg's Rural Development Plan accepted by the European Commission it was considered to be easier to get through well established rather than newly designed measures. Finally, in many cases farmers that were due to sign up to Article 16 measures had already taken part in similar agri-environmental schemes on a voluntary basis before. An immediate consequence of this strategy is that environmental restrictions laid down in many EPA by-laws often do not match the limited set of restrictions that are eligible to be compensated by Article 16. In some cases it was also considered to adjust given by-laws to the new measures in order to make financial support applicable to more farmers. Another consequence is that 'tailoring' of EPA by-laws takes place in those areas that are currently in the process of installation

Local requirements to integrate environmental policies into integrative strategies for the development of the rural economy.

Our Spreewald case study highlights a fundamental problem of the current institutionalisation of agri-environmental policies in the European Union. The agricultural as well as the

environmental political-administrative system suffer from a perception deficit with regard to the complex local and diversified local, social as well as economic, conditions. Agricultural policy evaluates farmers' income interests and tends to underestimate the costs of environmental damages cause by agricultural production. Environmental policy has a high preference for the environment and tends to underestimate income effects for the producers. However, both systems largely ignore the role and potentials of the wider rural economy. Because of the rationale of both political systems there is a high preference to pay compensatory payments in order to maintain a certain type of production and o maintain farmes' incomes. Yet, little attention is paid to the development of new economic activities, which are related to sustainable agricultural practices.

In addition, the linkage of EU subsidies to the land increases the competition between agricultural production and nature protection, since it sets an incentive to farmers to keep land in production. Therefore, nature protection schemes, which aim to take agricultural land out of production tend to have a particularly high potential for conflict.

CONCLUSION

Up today there has been a substantial debate about the effectiveness of the European agri-environmental policies. Despite a broad support for the general trajectory to set incentives for farmers' to apply or maintain environmental friendly forms of farming, agricultural economists have been rather critical about the effectiveness of current agri-environmental schemes. However, surprisingly in the analysis little has been said about the institutional setting, in which agr-environmental policy measures are created and implemented. Agricultural economists usually refer to a simplified understanding of public policy, and therefore underestimate or even neglect questions, which we consider to be crucial for success in this policy field. Taking the discussion above into account, we can assume neither that market solutions in general may be considered as optimal for agri-environmental issues, nor that the current agri-environmental policy in the EU does provide the only or at least most important solution. Instead, various institutional arrangements may emerge and need to be designed in a way that reflects divers environmental as well as social conditions. It is unlikely that the lack of effectiveness and efficiencies can be wiped out completely of the current European Agri-environmental Policy framework. Any policy framework will have certain blind spots due to transaction costs and rent-seeking activities involved. Therefore, we also should alter the questions into: "What kind of problems actually can be solved within the given framework" and "Which alternative policies are required to cope with the weaknesses of the current system?"

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