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European nature conservation policy: challenges for local implementation in Germany

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Abstract

Due to limitations in the implementation process, policy programmes or plans often fail to develop their full effect on the landscape. In order to be successful, implementation strategies should meet the policy requirements and the interests and needs of the local people. Drawing on the local implementation of the European Habitats Directive in Germany this paper introduces conflict pattern analysis as a means to identify possible starting points for developing adapted implementation strategies. The results of ten socio-empirical case studies show the existence of typical conflicts within the actors' arena which render implementation difficult and require adequate coping strategies. It is argued that the effort of carrying out conflict pattern analysis is compensated for by the resulting optimization of the implementation process which reduces transaction costs overall.

Keywords: conflict pattern analysis; European Union; policy implementation; planning; Natura 2000

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Introduction

The implementation of common European policies is often difficult and lags behind designated implementation schemes and schedules (EC 2003). In particular, environmental directives are often subject to infringement procedures and non-compliance (Börzel 2003). For the European Union Knill and Lenschow (2000) refer to over 600 environmental complaints and infringement cases relating to environmental issues in 1996 alone.

The Habitats Directive (92/43/CEE) is one of those European directives with environmental concern whose implementation in the member states is noticeably behind schedule (Council of the European Communities 1992; EC 2004a; 2004b). It aims at the construction of a coherent network of conservation areas for natural habitats and wild animals and plants and can be seen as the core programme of European nature conservation policy (EC 2002). This 'Natura 2000' network includes also the sites protected according to the Birds Directive (79/409/CEE) and already covers 15 % of the mainland in the European Union (proposed sites in October 2004), with an expected further increase. Due to this spatial relevance it could have a major effect on the further development of the European landscape, but in many member states, including Germany, not even the selection of possible protection sites (targeted for 1998) has been completed yet.

Implementation research in public policy has not yet produced clear results on the crucial factors for success or failure in policy implementation (O'Toole 2000). In the context of European environmental policy some authors stress the significant role of the institutional adaptation a policy requires (Knill and Lenschow 2000; Börzel 2003). Supporting the misfit thesis, they assume that the larger the necessary changes in regulatory standards and institutional organization are, the more likely implementation problems will occur. That goes along with the expectation that the desired policy outcomes will result automatically as long as the legal and institutional implementation is successful (Knill and Lenschow 2000). This view is challenged by others, arguing for the importance of the actors' preferences, be they political parties (Treib 2003) or the clients and targets of the policy, respectively (Valve 2002; Barrett 2004), to reach the policy goals.

Experience in implementing national or regional nature-conservation policy in Germany – especially concerning protected areas – reveals the importance of the (local) actors to reach the desired effect on the landscape or the species under protection (Rentsch 1988; Hofinger 2001; Stoll-Kleemann and O' Riordan 2002). They have to carry out the necessary protection measures or at least have to tolerate them. The legal and institutional verification of a policy is the indispensable starting point, but alone cannot guarantee the maintenance of a protected area or species (Blab 2002; Böcher and Krott 2002; Burby 2003; Thomas 2003). Considering the long-term protection objectives of the Habitats Directive, I understand 'successful implementation' in this paper as a process, shaped to enable the efficient adoption of necessary protection measures. This requires permanent attention and long-term strategies since there is no achievable end-point – the 'final' conservation of the habitats and species in question can never be guaranteed.

Considering the aforementioned aspects, this chapter builds on the assumption that the implementation of the European Habitats Directive (and other policies and plans with spatial relevance) in Germany can only be successful if the implementation strategies are translated to fit the specific context at the local level (Knoepfel and Kissling-Näf 1993) and thus make it likely to influence the actors' behaviour in a way

favourable to the policy objective. Seen that Natura 2000 so far has caused great controversy among tenants, land-owners, nature conservationists and other societal and political actors (Neumann 1999; Frömel 2004; also Hiedanpää 2002 for Finland; and Alphanféry and Fortier 2001 for France), I focus on conflicts and acceptance as the central concepts to seize the actors' attitudes towards Natura 2000 and their interactions in the implementation arena.

In this paper I will analyse the conflicts between central actors in the implementation process of the Habitats Directive to derive starting points for the development of adapted implementation strategies. By studying ten qualitative socio-empirical case studies in Germany, I will show that typical conflict patterns exist and that their analysis could be a means to support successful strategies for the protection of Natura 2000. After giving an insight into the theoretical and methodological framework of the study I will present two particular cases and describe recurrent conflict patterns. In the conclusion I will come back to the question whether conflict pattern analysis could prevent implementation failure at local level and how it could facilitate inter-disciplinary research in the context of nature conservation and rural development.

Theoretical considerations regarding the analysis of acceptance and conflicts

Acceptance and conflicts – interrelated phenomena

What is acceptance and when do I speak of conflicts? And what variables of these 'phenomena' could be powerful enough to determine the success or the failure of an implementation process?

Referring to Lucke (1995) I understand acceptance as the positive attitude of an actor towards an object, whereas this attitude has to be followed by action. Unlike acceptability – that is the social probability of getting acceptance – acceptance is no natural characteristic of an object, but results from a three-step process consisting of perception – normative judgment – action (Lucke 1995). Depending on the judgment and the intensity of action, I distinguish seven levels of (non-)acceptance ranging from active resistance – rejection – antagonism – indifference – sufferance – conditional acceptance – agreement to engagement (modified after Hofinger 2001).

Considering Glasl (Glasl 2002), who is speaking of systems, I define conflicts as interactions between two or more actors who pursue differing ways or goals in an action arena. Hence, conflicts do not necessarily have to "drift outside settled social mechanisms" (Hallström in Niemelä et al. in press, p. 2) but are rather ubiquitous social mechanisms (Spindler 2002) embedded in a social context, and thus can vary over time, escalate through the involvement of other parties or the way the dispute is conducted. This dynamic component brings about different types of conflicts which I distinguish in consideration of Rittberger and Zürn (1991) and Berkel (2002) into:

- Factual conflicts (F) have often an objective solution: the involved actors share the same goals, but due to information differentials they do not agree upon the way to achieve them.
- Conflicts of interests (I) are mostly perceived as zero-sum games: the involved actors compete for the same object, resource or position.
- Conflicts of values (V) cannot be objectively resolved: the involved actors do not share basic beliefs or norms and claim the 'right view' for themselves.
- Relational conflicts (R) occur mainly on the interpersonal level: the involved actors and their relation become more important than the initial conflict trigger.

In reality these conflict types rarely occur in a pure form, but are intertwined and can be seen as ‘layers’ of a conflict-laden interaction. A factual conflict about the best way to protect a species, for example, can escalate into a relational conflict if the parties do not respect basic interaction rules. As the driving factors vary across the conflict types, different coping strategies are required to handle them (Spindler 2002; Kunz 2002).

‘Conflicts’ and ‘acceptance’ are usually analysed separately and by different disciplines: conflict analysis is common in institutional sociology, psychology and international relations (see also Bonacker 2002), while acceptance analysis is often carried out in the context of new technologies and risk management, marketing and laws (see also Lucke 1995). However, there is a strong interrelation between these two phenomena:

- *Acceptance* describes the disposition of one actor (acceptance subject) to an object – hence analysis of acceptance focuses on the relationship between actor and object (Lucke 1995).
- *Conflict* describes the relationship between several actors usually operating around a more or less important (conflict) object. Conflict analysis focuses on the relationship between various actors, considering the object as one possible driving factor for conflicts (Glasl 2002).

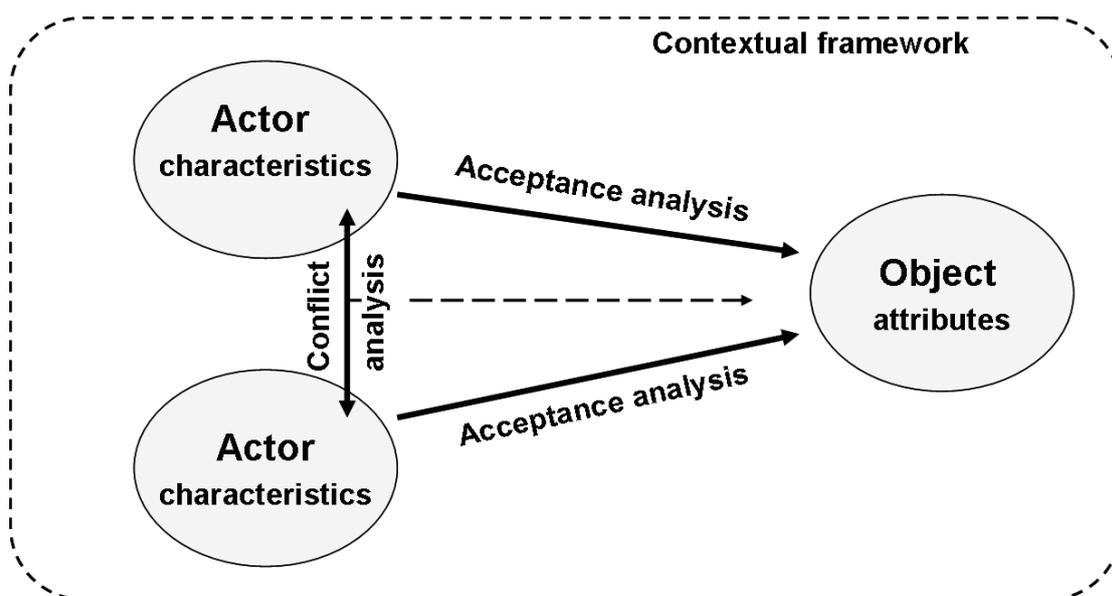


Figure 1. Analysis of conflicts and acceptance

The parallels in conflict analysis and acceptance analysis lie in the consideration of the actors, the contextual framework and the objects’ significance to the actors (Figure 1). These three factors can be seen as variables likely to affect the implementation success.

Object and context

The Habitats Directive has the same wording in all member states of the EU but its transformation into legal documents, institutions or standard operating procedures differs (slightly) on national, regional and local level. Its general structure – and thus the identity of the acceptance / conflict object under consideration in this paper – is a regulatory policy (Lowi 1964) with European-wide time management for

implementation and clearly defined aspired outcomes. Leeway is included in Article 6 of the Habitats Directive, which leaves the choice to reach the protection goals either by planning instruments, administrative, contractual or statutory measures. The directive aims at the restoration or preservation of a favourable conservation status of the habitats and species, leaving only little space for further (natural) development. Since change is more easily perceived than the maintenance of the status quo, successful implementation will not be particularly visible to the public eye. Acceptance therefore will rather be given or refused to the policies' impact on the actors than on the (reached) policy goal.

The implementation of the Habitats Directive is not an independent process but meets a pre-existing context. This context differs from site to site and from state to state. Nevertheless, the prevailing land-use form and property rights (Luz 1994), the economic situation (Stoll-Kleemann and O' Riordan 2002) and the legal and institutional organization of nature conservation (Heiland 1999) can be seen as variables of importance for the success of a nature conservation policy with spatial relevance.

Actors and their characteristics

In this paper actors are understood as individuals or groups of persons (corporative actors) who dispose of (common) resources and (shared) rules and who are able to carry out goal-orientated (collective) action (Patzelt 2003; Ostrom 1999). This component of collective action distinguishes corporative actors from 'quasi groups' like families or loose coalitions who share certain attributes or motivation but lack a joint conduct (Mayntz and Scharpf 1995). In contrast to stakeholders who can have unarticulated interests, actors by definition are actively involved in the implementation process.

Their importance to the implementation success and their ability to shape the process depends on their influence and power potential, their resources, their values and norms and their knowledge-processing and communicative abilities (Mayntz and Scharpf 1995; Ostrom 1999; Patzelt 2003). According to their degree of institutionalization and their (formal) legitimization they can be divided into individual actors, private or public corporate actors and political representatives. All actors involved in the implementation process generate the actor arena that is restricted by the simple question: "are the activities of the particular actor influencing the implementation process in the area under examination?". Corresponding with the triangle of environmental-policy interests of Prittwitz (Von Prittwitz 1990) the actor arena consists of

- *Responsible authorities* who are in charge of the implementation process. These 'implementers' are corporative actors and usually members of the nature conservation administration. Their operational codes are partly determined by the Habitats Directive and the resulting regulations and they can be seen as direct target group of the Directive.
- *Affected actors* who are usually individual actors, more rarely corporative actors, whose interests or properties could be affected by the implementation of the directive. As land-owners, farmers, fishermen or entrepreneurs their actions could have a direct impact on the protected habitats and species.
- *External actors* who are not necessarily involved in the implementation process, but taking part as interests groups, associations and politicians. They act usually on behalf of their organization, party or clients and are mainly corporative actors.

In general, these three types are equally important to the implementation process, though key actors within these groups play a significant role. Key actors are actors whose influence as supporters, contradictors or multipliers could have a crucial effect on the success or failure of the implementation process (Brendle 1999). They enjoy an especially high social prestige and recognition within their community, have a recognized competence and above-average influence (Heiland 1999). They dispose of high social capital and feel the urgency to invest it in the implementation process.

Methods

Analytical framework

As I showed in the introduction, an entire theory that could explain the implementation of the EU nature conservation policy at local level and the role of the actors and their interactions herein is missing. ‘Theory-informed’ qualitative social research is useful to explore new research fields and develop possible explanation models for observed phenomena without starting from scratch (Kelle and Kluge 1999).

I build mainly on actor-centred institutionalism (Mayntz and Scharpf 1995) and the Institutional analysis development framework (Ostrom 1999) to organize the analytical units for the empirical research: the actors’ attributes (influence, resources, orientation and knowledge-processing and communicative abilities), the action situation (participants and their positions, coordination of interaction, goals and outcomes) extended for the object’s attributes as trigger for action and the context (institutional setting, material world). Nevertheless, the caveats of these frameworks for conflict analysis lie in the limited emphasis on cognitive aspects (Kunz 2002). To put a stronger emphasis upon them, I used the idea of figurative concepts (“Imagekonzepte” – Beck 2001). ‘Imagekonzepte’ are figurative concepts in the language that reveal the attitude of a speaker towards objects or other actors. They can have positive or negative shades and indicate the degree of activation of the speaker – her or his willingness to change the situation, to act. While figurative concepts that reveal criticism or the approach towards an object or a person express a higher degree of activation, those that express support or avoidance indicate the stabilization of a given situation (see Figure 2). Hence they support the analysis of conflict types and acceptance degrees.

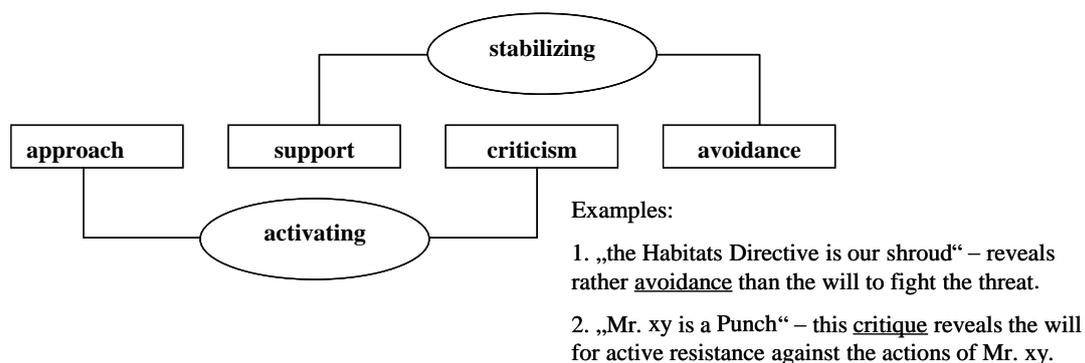


Figure 2. Classification of figurative concepts, considering the positive/negative judgment and the degree of activation

Case-study approach

The empirical work was organized as a multi-case study because this allows the in-depth analysis of actors and their interactions in their specific context and at the same time enables to draw conclusions with a broader validity than the analysis of one single case study would. I selected ten cases by qualitative sampling (Kelle and Kluge 1999), organizing the sample as heterogeneous as possible but omitting extreme cases that would not have any explanatory power beyond the particular case. Such an extreme case would be the Natura 2000 site Mühlenberger Loch near Hamburg where a new Airbus production plant was built after long discussions and with high impact of resources, great involvement of political actors and several law suits. As these particularities are not reproducible in other cases, an analysis would reveal only few aspects that could be generalized and applied to other cases. Criteria for the case selection were six variables of analytical and practical relevance, feasible to screen the more than 3,500 proposed Natura 2000 sites in Germany (see Table 1).

Table 1 . Case-study selection variables

<p>Variables concerning the object / action situation:</p> <ul style="list-style-type: none"> • Occurrence of priority habitats and species (Annex I+II): yes/no • Degree of ‘participation’ during site-selection process: informal, formal hearing of public bodies, formal hearing of every citizen who is interested • (Planned) management measures: sanctuary, planning instruments, contract
<p>Variables concerning the context:</p> <ul style="list-style-type: none"> • Federal State – former GDR: yes/no • Area already under legal protection? yes/no • Land-use-type: farming, forestry, tourism, fishery, development, extraction

The case selection was based on expert interviews by telephone and the analysis of documents, mainly information brochures, newspapers and official decrees regarding the Habitats Directive. As experts I considered staff of nature conservation authorities on State level who are responsible for the implementation of the Habitats Directive. These telephone interviews in all 16 federal states aimed to identify the institutional and legal implementation context, important key actors and proposed Natura 2000 sites that would fit into the selection categories. With the final case selection an equal coverage of the selection variables was reached.

The main data consist of sixty-four interviews with key actors at local and regional level, including for example land-owners, farmers, foresters, mayors, political representatives, administration agents and entrepreneurs. The interviews were partially standardized, with open-ended questions including extended narrative parts. Every interview had six sections (see Table 2) that were stimulated by impulse questions unless the interviewees did not start to tell the ‘whole story’ by themselves. To guarantee the completeness of every interview a checklist covered all analytical units that should be addressed. Standardized questions regarding the degree of acceptance were asked in every interview to get a comparable data set. After a pre-test in one case study, the concept was slightly changed (the impulse questions had to be less determining); the interviews were conducted alternately by three project members from September 2002 till June 2003. We chose the interviewees by snow-ball system, asking for actors with particular impact on the process, either as supporters or

contradictors. A case study was seen as completed when new interviews did not bring about noticeably new aspects.

Table 2. Interview structure

Section	Content
1 Introduction	Introduction, process and meaning of interview, anonymity guaranteed
2 Site selection process	Organization and process, key actors and activities, role of interviewee, relation to other actors
3 History of nature conservation	Experience in nature conservation, 'traditional' conflicts, 'traditional' alliances
4 Actual situation	Actors, conflict types, degree of acceptance, alliances
5a Site management process in action	Organization and process, key actors and activities, role of interviewee, relation to other actors
5b Planned strategies for site management process	Goals, expectation and wishes
6 Closure of interview	Other key actors, further information, documents

Analysis

The analysis of the material followed a complete transcription of the taped interviews, with annotations of important moments such as laughing, shouting or long pauses. The data were processed with software for qualitative data analysis (MaxQDA), allowing the codification and retrieval of text sections.

In a first step the interviews were codified line by line assigning them to the main analytical units. In a second and third round I built up a refined classification scheme developing the categories out of the material (in vivo codes, Kuckartz 1999), asking specific questions to the text. Examples relevant to this paper are: "what are driving factors for non-acceptance?", "which actors had direct interaction?" or "which figurative expressions used the interviewed key actor to describe other actors?". This process was documented in memo notes, making it comprehensible to others. The categorization scheme was applied to all interviews and considered complete as the entire material could be assigned to the categories.

In addition to this cross-analysis over all case studies, I analysed the specific situation in every case study separately. Case-study reports include the actors involved, the formal organization of the implementation process, the socio-economic background, the conflicts arisen and (un)successful conflict-resolution strategies already applied. By contrasting these reports, common aspects and case-particularities could be distinguished and general patterns and trends extracted. This proceeding guarantees a broad validity for the case-selection variables covered, though obviously no statistical validity can be asked for on the basis of the analysis of ten out of more than 3,500 possible cases.

Results

Driving factors for conflicts

A number of conflict-favouring factors occurred similarly in all ten case studies and hence can be seen as the skeleton of typical implementation conflicts of the Habitats Directive on local level. They could be clustered into six categories:

- *Material aspects* encompass quantifiable and (at least theoretically) verifiable aspects such as juridical, financial and technical questions.
- *Processes* refer to the spatio-temporal aspects of the implementation process that caused conflicts.
- *Institutional organization* describes the formal organizational aspects, such as the hierarchical levels and their activities.
- *Communication* collects the shortcomings of the communication strategies, such as the form and content of information and its effect on the addressees.
- *Self-interests* cover the actors' striving after power, discretion or resources; these interests are mostly independent from the issue in question.
- *Values* are moral or professional standards that influence the actors' perception and valuation of specific situations; for example, the differing understanding of 'justice', 'property rights' or 'the value of nature' can cause conflicts.

It seems that the first four factors can be directly and promptly addressed by adapted implementation strategies, while the latter two have to be seen as non-changeable contexts. *Self-interests* and *values* are persistent individual normative beliefs or 'deep core beliefs' (Sabatier 1993) that cannot be changed by short- or medium-term strategies. Even though deduced from the process of the implementation of the Habitats Directive, this classification scheme could serve in other contexts as well; especially as the analysis of conflicts in the single case studies exposed a strong interrelation between these factors and the prevailing conflict types (see Figure 3).

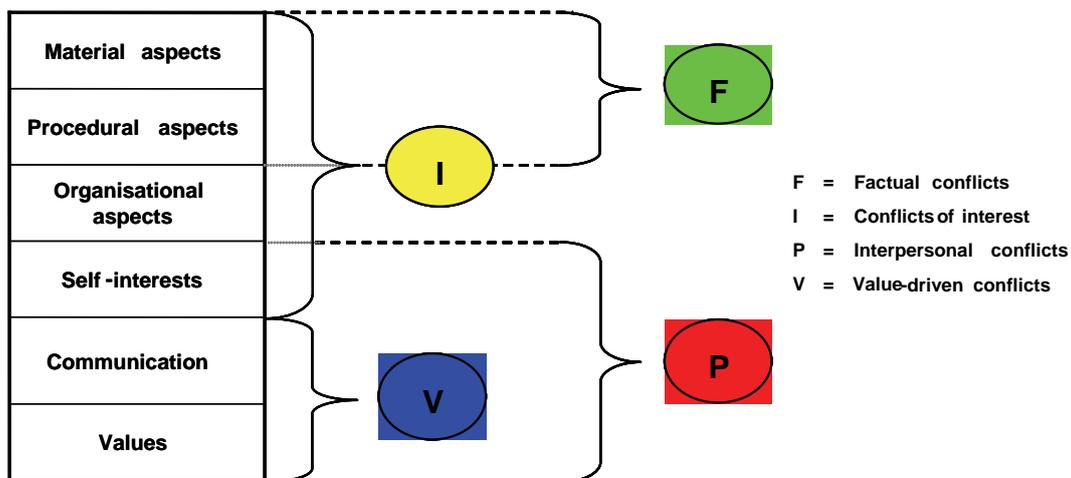


Figure 3. Relation between conflict-driving factors and the emergence of conflict types (modified after Sauer et al. in press)

I will highlight this connection considering as example conflicts in which the affected actors were involved: Purely *factual conflicts* (*F*) revolved around questions like whether a species, for example the Hermit beetle (*Osmoderma eremita*) is actually present in the proposed site, or if a hearing was during the harvest when farmers did not have time to participate. If in addition to this material and procedural aspects organizational aspects and self-interests of the actors became more important, the evolution of a *conflict of interest* (*I*) was very likely. A typical trigger in this context was the feared loss of autonomy and control over the own property. *Interpersonal conflicts* (*P*) occurred for example when the affected actors did not feel sufficiently appreciated with their experience and knowledge and lost confidence.

Then the ‘hard facts’ became less important than communication, values and self-interests. *Value-driven* conflicts (V) finally had their origin in differing values like the appreciation of certain species (snakes!) or the European Union in general, but also in differing views on the right ‘manners’ in communication.

Conflict patterns – two examples from the case studies

Every case study showed a heterogeneous picture of involved actors and their conflicts. By comparing these specific case patterns typical conflict patterns were recognizable. These conflict patterns consist of the key actors involved, the prevailing conflict types (encompassing the major conflict-provoking factors occurred) and the conflict directions. For the analysis of the implementation of the Habitats Directive, the hierarchical levels, the differing task fields and the actor types were chosen as determining variables to qualify the actors. The conflict direction is determined by the perception of the involved actors. For example, one actor might ‘feel’ a strong interpersonal conflict while her or his counterpart just feels involved in a conflict of interests. In such a case, the identification of the conflict direction (perceived from one actor to another) is important to show how different attitudes and feelings can lead to an escalation of a conflict even if there is no ‘logical’ reason for this.

For a graphical representation the key actors were assigned into a two-dimensional grid (every circle stands for one key actor) and the respective conflict types and directions were added. With such a graphical representation of the specific case patterns it is possible to grasp relevant aspects at one glance: the patterns show whether there are differing perceptions of conflicts or if there are central actors that are often subject to conflicts. Relatively unaffected actors who could serve as mediator personalities can also be identified. Considering the prevailing conflict types the first conclusions about possible coping strategies can be drawn. To illustrate this potential two examples from the case studies are shown in Figure 4.

It represents two different situations: the first case (Figure 4a) is a sea-shore area with agriculture and tourism as prevailing land-use forms. The situation is highly escalated with one central actor – the agent of the nature conservation administration at State level – who is involved in several inter-personal value- and relationship-driven conflicts. The conservationists’ association is also subject to inter-personal conflicts with farmers and conflicts of interest with the administration as well. Hence, in this case they could not act as integrative personalities. This role could probably be adopted by the farming association, after settling disagreements with the administration; in the long run they could become strategic partners. Another solution strategy might be the substitution of the agent in charge.

Without going too deep into detail, the second case (Figure 4b), a river alley with intense farming, represents a diverse situation. It is comparatively free from conflict and the only actor seen as counterpart of ‘merely’ factual disagreements and conflicts of interest is the agent of the nature conservation administration at district level. However, this actor does not feel involved in any conflict. This could be a misinterpretation of the situation with the threat of a further escalation because the problems that exist are not addressed at a sufficiently early stage.

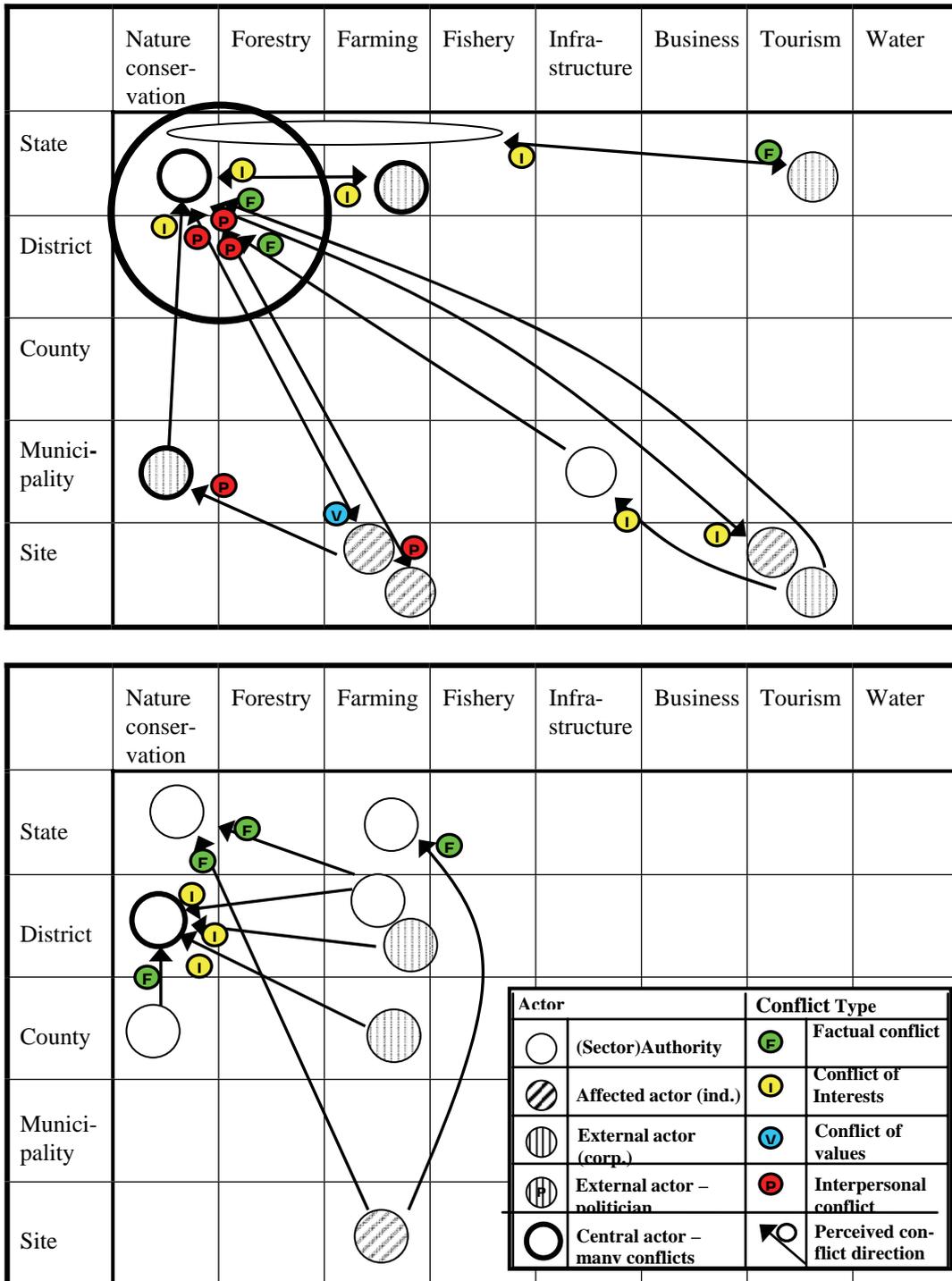


Figure 4a (top) and b (bottom). Conflict patterns of two different cases

Recurrent conflict patterns

To find practical, adapted solution strategies, it would require a much deeper analysis of the specific cases than is feasible within this paper. At this point I will concentrate on the use of conflict pattern analysis as a means to develop intermediate-level policy strategies to support the implementation of the Habitats Directive at regional and local level; four different recurrent patterns could be identified:

- *Conflicts within the responsible administration:* It turned out that the conflicts between the various levels of one agency are mostly perceived as being due to the discretion that is given to the individual agents. Although these conflicts were ignored by higher policy levels, at times they had an even stronger impact on delaying the implementation than the resistance of the affected local actors (like farmers or foresters). The accountability for the process was passed from one administrative level to another and often no consistent implementation strategy was developed. As a consequence, the objectives and requirements of Natura 2000 remained unclear and could not be communicated to other actors. The resulting uncertainty again promoted an escalation of conflicts between the authorities and the land-users; this highlights the need for a strategy to address administrative issues as well when settling 'classical' land-use conflicts.
- *Conflicts between nature conservation administration and other authorities:* Authorities dealing with spatial issues, like the nature conservation administration but also the farming, road-building or economic departments often act not only on behalf of public concerns but also as advocate for their clients, trying to minimize unfavourable effects of Natura 2000 for enterprises or associations. Given the spatial relevance of Natura 2000 they compete not only for resources, but also for the competence to set up site management plans or to carry out assessments pursuant to Article 6 of the Habitats Directive. This struggle for influence and the defence of the proper turf (Thomas 2003) lead to a further time delay, heterogeneity of site management strategies and an ongoing uncertainty for the affected actors again, as no definite contact authority existed.
- *Conflicts between responsible authorities and affected actors:* These classical nature conservation conflicts resulted not only from differing factual interests and the aforementioned uncertainty, but also from the difficulties of corporative administrative actors dealing with individuals. So-called participatory processes during the site selection failed, because the implicit goal of the administration was to gain further knowledge about habitats and species. The affected actors on the contrary expected the consideration of their economic concerns. Both parties had totally differing expectations about the meaning and outcome of the 'participation' process and were disappointed as the conflicts rather escalated than calmed down. This example highlights that both actor types often operate on different time scales and communication channels and that they claim different degrees of flexibility and steadiness at the same time. Moreover, the conflicts are supported by the power differential between these actors groups, since the administration has the right to shape the implementation process while the affected actors could rather react than act. To avoid this forced passiveness, they were very willing to collaborate with interest groups to organize early strategic resistance.
- *Conflicts between responsible administration and interest groups:* Diverse interest groups like nature conservationists, farmers' associations and chambers of commerce tried to increase their general influence by playing an important role in the Natura 2000 implementation process. They organized strategic resistance against Natura 2000 either by lobbying at high policy levels or with the support of local demonstrations and resistance. They used their influence by providing argumentation strategies, financial support for law suits and technical support in formal hearings. This highly visible resistance forced the reaction (or fraternization) of political actors and increased the displeasure of the responsible administration to look after this 'unpopular' European policy.

Discussion

The analysis of conflicts that occurred during the implementation of the Habitats Directive on local and regional level indicates the existence of recurrent conflict patterns. These patterns show a typical composition of involved parties, prevailing conflict triggers and effects on other actors. It turned out that institutional factors like the administrative organization, the resources at disposal and the (mis)fit of the chosen conservation instruments to already known operating procedures are equally important as the personal interests and values of the key actors, be they farmers, administration agents or associations. Addressing both those pillars could be the key to implementation success.

Can conflict pattern analysis lead to adapted implementation strategies?

Spatial conflicts are often perceived as a zero-sum game (Fürst 1999) in which one party is supposed to 'win' (that is, gaining the total control over a certain piece of land) while the other party 'loses' all its claims. Starting from a broader understanding of conflicts, it becomes clear that they are usually not just bilateral situations but include a variety of actors with often multifaceted interests in various thematic fields (Glasl 2002). This view is supported by the study that showed the complexity of conflicts within single Natura 2000 sites, but also in the bigger context of the German-wide implementation of this European policy.

I argued in the introduction that successful implementation, as it is understood in this paper, requires the minimum support of the involved actors. The analysis of conflict patterns helps to gain a deeper understanding of the specific conditions under which this support could be obtained and what the hindering factors might be. Starting from this knowledge, implementation strategies can be developed at local level (see Brendle (1999) and Luz (1994) in the general context of nature conservation projects) and on intermediary level, considering key actors and their interests. Furthermore, the 'reasons behind the reasons', which are the conflict-provoking factors hidden behind the reasonable arguments the actors advance, could be clarified with the understanding of the most important conflict patterns. This could support the development of incentives that render Natura 2000 more attractive; the commission of responsibility to the affected actors, for example, could help to increase their importance and influence and thus their willingness to support Natura 2000.

Furthermore, the comparison of similar cases allows the compilation of an incremental stock of experience that could lead to more professionalism in dealing with local conflicts. An important outcome of the study in this context is the fact that Natura 2000 conflicts are either perceived as personal failure or as force majeure deriving from the European Union. Horizontal and vertical cooperation within the administration is relatively poor and a lack of exchange in experience on the best practices in Natura 2000 site management could be observed. One option to overcome this problem could be to commission 'implementation consultants' for certain regions, who are not bound to institutional loyalties and have sufficient experience to carry out the necessary analyses and judgments to inform the responsible decision makers (they could provide a parallel approach at the local level to policy community mediators at higher level, Coleman and Perl 1999). Overall, this may save time and resources by optimizing the implementation process.

Methodological considerations and further issues for research

The empirical foundation of this paper is the analysis of ten qualitative case studies; a limited number in statistical terms, but with sufficient explanatory power for the underlying sample, aiming at Natura 2000 sites in rural areas with no high urban development pressure. Limitations are due to the dynamics of the implementation process, since the case studies cover mainly the termination of the site selection process and the first steps in site management. Hence the results represent the situation as it was at the time of the data-collection period from September 2002 till June 2003. A repetition of the study and a transfer to other European policy requirements, for example deriving from the Water Framework Directive, would be helpful to promote the further development of an implementation theory that integrates structural-institutional and actor-centred views on implementing (spatial) European policy.

The analysis of conflicts, as one important facet of understanding spatial implementation processes, would benefit from the integration of various disciplines. Organizational sociologists, psychologists, political scientists, planners and other disciplines working on the human-spatial interface are dealing directly or indirectly with conflicts as explanatory concept, but using different theories and models to approach this topic (Bonacker 2002). Cooperation between these disciplines could be fruitful to encompass the complexity of conflicts that derives from the actor types and their differing ideologies and epistemic backgrounds, the conflict object in consideration and the specific context parameters (political, societal or physical). The development of a common framework on conflicts in the context of competing land-use forms could help to provide a common terminology and understanding of central categories and hence enable further incremental knowledge gaining on this topic, be it in integrated study designs or in independent parallel research on the same topic (Tress, Tress and Fry 2005).

Actor-centred views in implementation theory will become more and more important (O'Toole 2000; Barrett 2004) as 'participation' has reached a prominent position on the political agenda. Current policies often prescribe participation in the hope to render implementation more efficient. However, the implementation of Natura 2000 showed that conflict prevention requires more than formal hearings without feedback possibilities. Hence, further research on the role of participation and conflicts in the implementation of regulatory policies is needed and could help to increase the efficiency and success of European public policies in the long run.

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