

## The Netherlands, the Environment, and European Integration in the Early 1970s

Marc DORPEMA

As the Seventh Environment Action Programme (EAP), rather modestly titled “Living well, within the limits of our planet”, draws to its close in 2020, the time is ripe to home in on certain frequently neglected aspects of how these programmes came to life almost half a century ago.<sup>1</sup> For while the environment is now “one of the primary policy interests of the EU”, and “one of the only four policy areas that must be considered in the development of all EU policy”, its beginnings were difficult and legally precarious.<sup>2</sup> Only in 1986, fifteen years after the European Commission’s “Erste Mitteilung über die Politik der Gemeinschaft auf dem Gebiet des Umweltschutzes” (First Communication on the Community’s policy in the field of environmental protection) did the environment receive legal guarantees – if, as some commentators suggest, rather abstract ones – in Title VII of the Single European Act (SEA).<sup>3</sup>

Focusing on this early period of environmental protection from the perspective of the Netherlands, I hope to make four interventions in the historiography of European integration. First, the environment has not featured nearly as much as it should in studies of the European project, in particular in Anglophone academia.<sup>4</sup> While the subject has received excellent attention by German scholars – who have studied the creation of the first (1973) and second EAP (1977), the role of the various Community institutions, NGOs and “expert networks”, as well as the redefinition of the “environment” and the invention of the “biosphere”, their interplay with notions of “Space-ship Earth” and the “scientific revolution” which conditioned them (and, of course,

1. OJL [Official Journal of the European Union – Legislation] 354, 28.12.2013, pp.171-200.

2. J. MCCORMICK, *Environmental Policy in the European Union*, Palgrave, London, 2001, p.42.

3. Kommission der Europäischen Gemeinschaften, Erste Mitteilung der Kommission über die Politik der Gemeinschaft auf dem Gebiet des Umweltschutzes, in: *Deutscher Bundestag*, VI/2537; see also I.J. KOPPEN, *The Role of the Court of Justice*, in: A. JORDAN (ed.), *Environmental Policy in the European Union: Actors, Institutions, and Processes*, Earthscan, London, 2005, pp.67-86, and P.M. HILDEBRAND, *The European Community’s Environmental Policy, 1957 to 1992: From Incidental Measures to an International Regime?*, in: A. JORDAN, op.cit., pp.19-41.

4. There are of course certain notable exceptions: J. MCCORMICK, op.cit.; N. HAIGH, *EEC Environmental Policy and Britain*, Longman, Essex, 1990 and N. HAIGH, *EU Environmental Policy: Its Journey to Centre Stage*, Earthscan, London, 2015.

German environmentalism) – outside of this circle the harvest has been rather poor.<sup>5</sup>

In these studies, second, the smaller countries, the “minnows”, are almost invariably ignored, as is the case for most well-known histories of European integration.<sup>6</sup> The roles of the Netherlands, Denmark, Belgium, Luxembourg, Ireland and even Italy, which sits awkwardly between the two camps, are frequently either eclipsed by those of France, Germany and Britain, or they are simply lumped in with one camp.<sup>7</sup> In his otherwise outstanding contributions, for instance, Thorsten Schulz-Walden notes that most

“EC member states differed with the West German [Community-oriented] attitude, [pursuing] coordinated single measures on an intergovernmental level only, mainly France, Italy, the Netherlands as well as the UK”.<sup>8</sup>

As I will suggest below, this is not borne out by the historical record. Although differences did of course exist between the two, the Netherlands and Germany were in agreement on crucial matters – including the importance of transferring powers to the Community level and making its decisions binding.

- 
5. On the first and second EAP and for a detailed study of the late 1960s and early 1970s, see T. SCHULZ-WALDEN, *Anfänge globaler Umweltpolitik: Umweltsicherheit in der internationalen Politik (1969-1975)*, Oldenbourg, München, 2013; on the various institutions, NGOs and “expert networks”, see K.F. HÜNEMÖRDER, *Vom Expertennetzwerk zur Umweltpolitik: Frühe Umweltkonferenzen und die Ausweitung der öffentlichen Aufmerksamkeit für Umweltfragen in Europa (1959-1972)*, in: *Archiv für Sozialgeschichte*, 43(2003), pp.275-296; J.-H. MEYER, *Greening Europe? Environmental Interest Groups and the Europeanisation of a New Policy Field*, in: *Comparativ*, 3(2010), pp.83-104; J.-H. MEYER, *Green Activism: The European Parliament’s Environmental Committee Promoting a European Environmental Policy in the 1970s’*, in: *Journal of European Integration History*, 1(2011), pp.73-85; J.-H. MEYER, *Appropriating the Environment: How the European Institutions Received the Novel Idea of the Environment and Made It Their Own*, in: *KFG Working Paper*, 31(September 2011); on German environmental history see J.I. ENGELS, *Naturpolitik in der Bundesrepublik: Ideenwelt und politische Verhaltensstile in Naturschutz und Umweltbewegung, 1950-1980*, Ferdinand Schöningh, Paderborn, 2006. On novel definitions and the scientific revolutions, see J. RADKAU, *Die Ära der Ökologie: Eine Weltgeschichte*, München: C.H. Beck, 2015; P. KUPPER, *Die „1970er Diagnose“: Grundsätzliche Überlegungen zu einem Wendepunkt der Umweltgeschichte*, in: *Archiv für Sozialgeschichte*, 43(2003), pp.325-48; S. HÖHLER, *Spaceship Earth in the Environmental Age, 1960-1990*, Routledge, London, 2015.
  6. See, for instance, A. MORAVCSIK, *The Choice for Europe: Social Purpose and State Power from Messina to Maastricht*, Cornell University Press, Ithaca, 1998; M. BURGESS, *Federalism and European Integration: The Building of Europe, 1950-2000*, Routledge, London, 2000; D. DINAN (ed.), *Origins and Evolution of the European Union*, Oxford University Press, Oxford, 2006.
  7. I am grateful to the reviewer(s) for pointing out that Italy’s role has received more attention for a number of years now. See, for instance, A. VARSORI, *La Cenerentola d’Europa? L’Italia e l’integrazione europea dal 1947 a oggi*, Rubbettino, Soveria Mannelli, 2010; A. VARSORI, P. CRAVERI (eds), *L’Italia nella costruzione europea. Un bilancio storico (1957-2007)*, Franco Angeli, Milan, 2010; A. VARSORI, *Italy’s European Policy*, in: *UNISCI Discussion Papers*, 25(January 2011).
  8. T. SCHULZ-WALDEN, *Between National, Multilateral and Global Politics: European Environmental Politics in the 1970s*, in: C. HIEPEL (ed.), *Europe in a Globalising World: Global Challenges and European Responses in the ‘Long’ 1970s*, Nomos, Baden-Baden, 2014, pp.299-318, here p.306.

Third, writing on the 1970s still constitutes a “meagre spread”, as Piers Ludlow has aptly phrased it.<sup>9</sup> And while earlier visions of the decade as one of “Eurosclerosis” and “Europessimism” are giving way to the realisation that it was a significant one for European integration, there still exists a problematic imbalance between accounts that simplistically locate “the” European relaunch around 1985 and those that engage with the longer term.<sup>10</sup> Emmanuel Mourlon-Druol, for instance, has tackled the myth of institutional stagnation and the creation of the European Monetary System (EMS), while Eirini Karamouzi and Emma de Angelis have located the emergence of the Community’s “democratic identity” in part in the 1970s.<sup>11</sup> But more must be done, and this paper hopes to contribute, in its own small way, to the “meagre spread”. For what is at stake is an understanding of Europe that is not, at its core, a neoliberal construct, but one that was shaped to a significant degree by the social advances of an earlier decade.<sup>12</sup> Europe did not become what it is today only because of the SEA, and the SEA is not solely a product of the early 1980s, as the dominant narratives on the topic suggest.<sup>13</sup> The EU is a process.

Finally, I will shed some overdue light on the debates and developments that took shape within the Dutch government on the contentious topic of the environment in the early stages of its treatment in the EC. John McCormick, an authority on this slice of environmental history, notes that the Netherlands was a forerunner in environmental matters, but this assertion, while certainly not false in a number of important

- 
9. N.P. LUDLOW, *Roy Jenkins and the European Commission Presidency, 1976-1980: At the Heart of Europe*, Palgrave Macmillan, London, 2016, pp.11-12.
  10. For instance, P.M. HILDEBRAND, op.cit., p.21; A. MORAVCSIK, op.cit. p.314; H. REIDING, 1973-1986: *De teleurstellende Europese werkelijkheid*, in: A.G. HARRYVAN, J. VAN DER HARST (eds), *Verloren Consensus: Europa in het Nederlandse parlementair-politieke debat 1945-2013*, Boom, Amsterdam, 2013, pp.103-142; K. MIDDLEMAS, *Orchestrating Europe: The Informal Politics of European Union 1973-1995*, London, Fontana Press, 1995. Even Hartmut Marhold, specifically attempting to reconsider the historiography of the 1970s, falls back into the stagnation thesis: H. MARHOLD, *How to Tell the History of European Integration in the 1970s*, in: *L'Europe en Formation*, 3-4(2009), pp.13-38.
  11. E. MOURLON-DRUOL, *Filling the EEC Leadership Vacuum? The Creation of the European Council in 1974*, in: *Cold War History*, 3(August 2010), pp.315-339; E. MOURLON-DRUOL, *Steering Europe: Explaining the Rise of the European Council, 1975-1986*, in: *Contemporary European History*, 3(2016), pp.409-437; E. MOURLON-DRUOL, *A Europe Made of Money: The Emergence of the European Monetary System*, Cornell University Press, Ithaca, 2012; E. DE ANGELIS, E. KARAMOUZI, *Enlargement and the Historical Origins of the European Community's Democratic Identity, 1961-1978*, in: *Contemporary European History*, 3(2016), pp.439-458.
  12. Q. SLOBODIAN, *Globalists: The End of Empire and the Birth of Neoliberalism*, Cambridge University Press, Cambridge, 2018; J. GILLINGHAM, *European Integration, 1950-2003: Superstate or New Market Economy?*, Cambridge University Press, Cambridge, 2003. For a nuanced view, see L. WARLOUZET, *Governing Europe in a Globalising World: Neoliberalism and its Alternatives following the 1973 Oil Crisis*, Routledge, London, 2017.
  13. See, for instance, A. MORAVCSIK, op.cit.; H. DRAKE, *Political Leadership and European Integration: The Case of Jacques Delors*, in: *West European Politics*, 1(1995), pp.140-160; W. SANDHOLTZ, J. ZYSMAN, 1992: *Recasting the European Bargain*, in: *World Politics*, 1(October 1989), pp.95-128; G. ROSS, J. JENSON, *Reconsidering Jacques Delors' Leadership of the European Union*, in: *Journal of European Integration*, 2(2017), pp.113-127.

areas, does require some further unpacking.<sup>14</sup> The matter was complicated, and the complications arose from the unresolved tensions engendered by an anthropocentric vision of saving a planet under attack. Until the mid-1970s, well after the first EAP, the Netherlands, like others, believed that mankind generally benefitted the planet rather than destroying it, and that the primary purpose of the planet was to sustain humanity.<sup>15</sup> It was only in December 1974, two years after the “biospherical” redefinition of the environment had been consolidated at the United Nations’ Stockholm conference, that an interdepartmental group concluded a breezy history of the earth with the words “actually, the entire earth should be viewed as a semi-closed super ecosystem”.<sup>16</sup>

This paper will operate at the intersection of these four considerations. It is based on digitised Dutch primary sources from the Huygens Institute for the History of the Netherlands’ collection, “The Netherlands and European Integration, 1950-1986” and on Community documents.<sup>17</sup> The argument is divided into three main sections. All three home in on the run-up to the first EAP of July 1973, and a little of its aftermath, to facilitate an insight into the shifting priorities of the various Dutch governmental departments involved in policy formulation. The first part considers to what extent the Netherlands viewed environmental protection as an appendix to economic integration, and emphasises how this tension arises from the incremental shift from an “anthropocentric” to an “ecological” or “ecocentric” approach to the environment. The second part illuminates the curious Dutch qualms about research, a topic which has not, as far as I am aware, been discussed before. How was it possible for the Dutch to support strict emissions norms and their definition through “best available technical means” rather than “best available economic means”, without supporting the research necessary to achieve the desired technical accuracy? The final part is concerned with the extent of Dutch intergovernmentalism, and seeks to nuance Schulz-Walden’s position on this question adumbrated above, by making sense of Dutch considerations on how to legally enforce a harmonised environmental programme.<sup>18</sup> Within these thematic sections, a loosely chronological approach structures the piece further.

14. J. MCCORMICK, *op.cit.*, p.46.

15. The Dutch sources are taken from the Huygens Institute for the History of the Netherlands (hereafter: IHN), “The Netherlands and European Integration, 1950-1986”, online at: <[http://resources.huygens.knaw.nl/europeseintegratie/index\\_html\\_en](http://resources.huygens.knaw.nl/europeseintegratie/index_html_en)> [accessed 18 July 2020], and I have opted to use their own online referencing system, denoted by the parenthesised number. Here at the beginning of the citation (in this case S02689). All translations are my own unless otherwise noted. IHN, (S02689), CIM [Coordination Commission for International Environmental Affairs] and ICMH [Interdepartmental Coordination Commission for Environmental Hygiene], *Stand van de discussie over normen in het kader van het milieubeleid in Nederland en de Europese Gemeenschappen – december 1974*, December 1974.

16. On the beginnings of the idea of the biosphere, see T. SCHULZ-WALDEN, *Anfänge...*, *op.cit.*, chapter 4; S. HÖHLER, *op.cit.*; IHN, (S02689), CIM and ICMH, December 1974, p.19.

17. See footnote 13.

18. T. SCHULZ-WALDEN, *Between National...*, *op.cit.*, p.306.

## On appendices and anthropocentrism

At a certain, perhaps banal level, it is unsurprising that it was in the late 1960s and early 1970s that environmental matters began “requiring urgent political action”, a phenomenon Patrick Kupper has called the “‘1970er’ Diagnose”.<sup>19</sup> For while pollution levels did not take wing only in the 1970s – they had done so since the 1950s (the “‘1950er’ Syndrom”) – a series of environmental catastrophes and technological achievements drove home the precarious health of our precious “blue planet”.<sup>20</sup> Shortly after the Torrey Canyon was shipwrecked off the British coast in 1967 and a Union Oil well blew out in 1969 off the coast of Santa Barbara, the astronauts on board Apollo 11 successfully set foot on the moon for the first time, sending back mesmerising pictures of the earth, a minute blue-white oasis in a vast black desert.<sup>21</sup> A year earlier, in 1968, the UNESCO conference on “Rational Use and Conservation of the Biosphere” had presented a turning point in the popularisation of the idea of the world as one interconnected whole, while two influential publications, Paul Ehrlich’s *The Population Bomb* and Garret Hardin’s *Science* article *Tragedy of the Commons* (cited 43,823 times as of July 2020), brought attention to the possible dangers facing this whole.<sup>22</sup> It was in this climate that the Commission published its “Erste Mitteilung” (First Communication), and it was in response to this first communication that the Netherlands began formulating its own thoughts on the environment.

Indeed, many of the enduring Dutch concerns regarding the EAP had already been formulated in 1971, over a year before the plans for its implementation had officially been announced at the Paris Summit Conference of 19 and 20 October 1972. Following the Commission’s “Erste Mitteilung” of July 1971 – which had itself discussed an “Allgemeines Aktionsprogramm” (Comprehensive Action Programme) – an important December meeting of the Coordination Commission for International Environmental Affairs (CIM) decided that the contents of the Commission’s memorandum should be studied both by the CIM and the Coordination Commission for European Integration and Association Problems (CoCo), which is chaired by the State Secretary of Foreign Affairs.<sup>23</sup> Following an analysis of a given memorandum or topic by the former’s working group, an interdepartmental discussion between CIM

19. J.-H. MEYER, *Appropriating the Environment...*, op.cit., p.10; P. KUPPER, op.cit.

20. Patrick Kupper (op.cit.) discusses the lag between the acceleration of pollution, and the picking up of environmental issues at a societal and political level.

21. See T. SCHULZ-WALDEN, *Between National...*, op.cit., p.301; on the interaction between the environmental and the scientific “revolutions”, see also J.-H. MEYER, *Greening Europe?...*, op.cit., p.87; P. KUPPER, op.cit., p.338; J.I. ENGELS, *Modern Environmentalism*, in: F. UEKOETTER (ed.), *The Turning Points of Environmental History*, University of Pittsburgh Press, Pittsburgh, 2010, pp.119-131.

22. J.-H. MEYER, *Appropriating the Environment...*, op.cit., p.16; P. EHRLICH, *The Population Bomb*, Ballantine Books, New York, 1968; G. HARDIN, *The Tragedy of the Commons*, in: *Science*, no.3859(1968), pp.1243-1248.

23. Kommission, *Erste Mitteilung...*, op.cit., p.5.

and CoCo was then to decide on the line Dutch environmental policy should take on specific questions.<sup>24</sup>

Even in this (second) meeting of the CIM, however, a peculiarity of the Netherlands' approach to the environment in the early 1970s crystallised. For the first two points regarding the Commission document which a "general consideration [...] brought to the fore" were that one should "be vigilant about even more duplication in international environmental work", and that "distortion of competition and trade barriers obviously also ha[d] to be prevented at the level of the environment within the European Community". Other questions included how much environmental research the Community should undertake, and whether issues concerning the Rhine and water pollution also fell within its remit.<sup>25</sup> In other words, the Netherlands were most preoccupied by money (whether for research spending or policy implementation) and water, and while both were fraught topics, this paper will foreground the former. One question that flows from these considerations, to this extent, is whether the Dutch regarded the environment solely as an appendix of economic integration, or whether they thought it deserved to be studied on its own terms.

The issue of where on the shelf to place the new creation of environmental policy quickly occupied large swathes of the Dutch government, and could not be contained within CIM and CoCo. The Social Economic Council's (SER) Commission for International Socio-Economic Affairs (ISEA), for instance, felt that the environment should "receive its proper place" within the Community's overarching framework. It "should be integrated into the general socio-economic policy geared towards creating full employment, which requires continuous economic growth".<sup>26</sup> In a similar vein, CoCo argued in April 1972 that "the coordination of environmental policy must form part of the establishment of the economic union".<sup>27</sup> Environmental concerns, in other words, presented a threat to the development of a common market if left to national governments. Non-tariff barriers based on arbitrary technical requirements, for instance, endangered the progress of a community that had originally been envisioned as an economic one. Even after the first EAP was adopted, these tensions were not resolved: in December 1974, a CoCo meeting lamented that the

24. IHN, (S02687), DGES [Directorate-General for European Cooperation of the ministry of Foreign Affairs], Verslag van de tweede vergadering van de Coördinatie-Commissie voor internationale Milieuvraagstukken [CIM] op 23 december 1971, 27.12.1971, p.2; D. LIEFFERINK, *Environment and the Nation State: The Netherlands, the EU and Acid Rain*, Manchester University Press, Manchester, 1996, p.57.

25. IHN, (S02687), DGES, 27.12.1971, p.2.

26. IHN, (S01966), SER, ISEA, Advies met betrekking tot in het najaar 1972 te houden Conferentie van Staats- en Regeringshoofden van de tot tien landen uit te breiden Europese Economische Gemeenschap', 1972, p.32-33.

27. IHN, (S02043), DGES, Conclusies van de vergadering van de Coördinatie Commissie voor Europese Integratie- en Associatieproblemen en van de Coördinatie Commissie voor Internationale Milieuvraagstukken, 12.04.1972, p.3.

“member states are all being confronted with environmental issues that have to be solved at the Community level in order to preempt market distortion”.<sup>28</sup>

As Juliet Lodge has suggested, these worries were widespread in early visions of European environmental policy. The Nine were

“spurred not so much by [...] post-industrial values [...] or [by a desire] to give the EC a ‘human face’ as by the realisation that widely differing national rules on industrial pollution could distort competition. ‘Dirty states’ could profit economically by being slack”.<sup>29</sup>

Of course, some of those involved in the process did see the “bigger picture”, as McCormick has suggested, and the Commission realised early on not only that environmental policy was one area in which it could assume power as “Hüterin der Verträge” (Guardian of the Treaties), but that this was also more than a mere “phase”.<sup>30</sup> In this vein, too, Schulz-Walden has fleshed out the “umweltphilosophischen” similarities between the programmes of West Germany, the US and the Commission on the one hand, and Britain on the other. While the first three accepted the evidence on the interconnectedness of the planet, the British were dismissive.<sup>31</sup> What they referred to as the “pragmatic” approach coexisted in a state of constant tension with the “idealistic” visions of Germany in particular.<sup>32</sup>

A closer look at the internal government discussions of the Netherlands (and, certainly, most other countries involved in this debate), however, emphasises that this tension was something new and unresolved, a mostly invisible long-term existential threat that concerned citizens – approximately 20 million people participated in the various Earth Day demonstrations on 22 April 1970 – and had to be integrated into the bureaucratic behemoth that were the European Communities.<sup>33</sup> These developments also posed a philosophical danger to the European project, however, as the above examples of the puzzling together of environmental and economic concerns suggests. A DGES memorandum in preparation for the Paris Summit of October 1972 gives credence to this fault line. On the same page it suggests both that “it is crucial that the Summit demonstrates the awareness that the Community is not pursuing purely economic objectives” (which it achieved), and that agreements on the future EAP should

28. IHN, (S02583), DGES, L.J. Brinkhorst [State Secretary of Foreign Affairs] to J. den Uyl [Minister President], Conclusies vergadering Coordinatie Commissie voor Europese Integratie- en Associatieproblemen en de Coordinatie Commissie voor Internationale Milieuvraagstukken, 28 oktober 1974, 30.10.1974.

29. J. LODGE (ed.), *The European Community and the Challenge of the Future*, Pinter, London, 1989, p.320.

30. J. MCCORMICK, op.cit., p.47; T. SCHULZ-WALDEN, *Anfänge...*, op.cit., p.169.

31. T. SCHULZ-WALDEN, *Anfänge...*, op.cit., p.168.

32. Ibid., pp.162-63; IHN, (S02582), DGES, F. Italianer [Director-General for European Cooperation, 1973-77] to CoCo, Nota over EEG-actieprogramma terzake van een communautair milieubeleid, 06.07.1973.

33. T. SCHULZ-WALDEN, *Anfänge...*, op.cit., p.153.

“pay particular attention to those schemes related to the achievement and maintenance of the Common Market in relation to land use planning, cross-border pollution and the quality of the environment”.<sup>34</sup>

Yet this does not necessarily imply that the Netherlands were backward when it came to the environment. Instead, there existed a fundamental tension, one in which positions and borders were fluid and contingent.

Before I turn to the issue of research and its relationship with emission and “im-mission” norms, it is important to pursue this tension further, to address the question of why the economy seemingly won out over the environment in this early phase of the “environmental revolution”.<sup>35</sup> Commissioners, scientists, the governments of influential states (the US and Germany, for instance, but Japan too) and the public were aware of the damage that had been and was being done to the environment.<sup>36</sup> The problem was not simply one of “greed”, or “pragmatism”, but of a lag in the dispersion of adequate conceptions of the environment. The 1968 UNHCE and the 1972 Stockholm conferences, as well as the April 1972 Venice Summit to which Schulz-Walden ascribes an outsized importance, did not shatter the prevailing view of the environment as something to be exploited for the sole benefit of humanity in one fell swoop.<sup>37</sup> A deeply anthropocentric worldview obtained for a number of years after. In a 1973 working paper, for instance, a Dutch government official noted that almost all developed countries were now engaged in ensuring “the continuity of the use of the various environmental components desired by humans” and the “protection of human health”.<sup>38</sup> The environment was not to be protected for its own sake, but for humans bent on exploiting it in a sustainable fashion. Sabine Höhler describes the tensions inherent in this new-found environmentalism well, though she does so from a historiographical angle:

“An environmental historiography accepting ‘Taylorist’ and ‘Fordist’ environments as mere projections of human engineering expertise tends to reaffirm the notion of powerful technological advance. In turn, a historiography that takes at face value the idea of nature defiantly fighting back is prone to turn nature into an ally by speaking in its name – if not taking the position of a military strategist viewing nature as a hostile challenge or target. A nature given power in this way will always be fought or exploited to settle human conflicts”.<sup>39</sup>

34. IHN, (S02046), DGES, Nederlands memorandum inzake de Conferentie van Staats- en Rege-ringshoofden, oktober 1972, 07.07.1972, p.3.

35. S. HÖHLER, op.cit., pp.2 and 11; J. RADKAU, op.cit., chapter 3; J. MCCORMICK, op.cit., p.45.

36. J.I. ENGELS, *Modern Environmentalism*, op.cit., pp.123-124; J.-H. MEYER, *Appropriating the Environment...*, op.cit., pp.5 and 16; IHN, (S02585), Permanent Representative at the European Communities [PVEG], Brussels, 364e zitting van de Raad van Ministers der Europese Gemeenschappen (Milieu) gehouden op 16 oktober 1975 te Luxemburg, minutes, 16.10.1975.

37. T. SCHULZ-WALDEN, *Anfänge...*, op.cit., pp.172-75.

38. IHN, (S02581), DGES, R.A. Van Swinderen to CoCo, ‘Milieubeleid’, Working paper, 12.04.1973, p.1.

39. S. HÖHLER, op.cit., pp.14-15.



One rather bizarre example of the latter idea is present in the text of the EAP itself. Attempting to define the environment, the document asserts that “the environment cannot be considered as external surroundings by which man is harassed and assailed; it must be considered as an essential factor in the organization and promotion of human progress”, exemplifying Höhler’s second point above.<sup>40</sup> The environment had to be co-opted as an ally, and while this certainly meant that it should be treated with a little more care, this was to be done for the sake of humanity, not that of the environment itself.

In the final days of 1974 (by which time, one might add, the Dutch government had realised that the oil crisis posed no real threat to its economy despite the crushing embargoes levied against the Netherlands by Arab exporters) CIM and the ICMH discovered for themselves a possible solution to this not insignificant and not just philosophical conundrum – an “ecological” view.<sup>41</sup> This approach to the environment “described the entire planet as a cohesive, integrated ecosystem, the ‘biosphere’, characterised by cycles of nutrients and the mutual dependency of organisms in complex symbioses”, the implication being that “human intervention in the environment threatened to upset this balance”.<sup>42</sup> First instances of this approach had found their way into the EAP, and they had done so, the joint working group did not fail to add, “in part on account of Dutch exhortations”.<sup>43</sup> Two sentences from Title I of the EAP were singled out as examples: “maintain[ing] a satisfactory balance and ensur[ing] the protection of the biosphere”, and “ensur[ing] the sound management of and avoid[ing] any exploitation of resources or of nature which cause significant changes to the ecological balance”.<sup>44</sup> Interestingly, the Dutch officials and diplomats then proceeded to note that no one actually knew what this meant, hinting at the novelty of these ideas in (Dutch, at least) government circles, before embarking on their own history of humankind mentioned in the introduction above, in which the substantial benefits of human intervention in the environment were lauded. What is more extraordinary, however, is the admission by the writers themselves that the current state of environmental protection is “anthropocentric”, a tendency which is revealed by

“the natural inclination of man to pay relatively much attention to dose-effect relationships which affect his physical and psychosocial well-being”.

The “ecocentric approach”, by contrast, “focuses more on the ecological suitability of human actions” (in de ecocentrische benaderingswijze wordt meer nadruk gelegd op de ecologische inpasbaarheid van het menselijk handelen). In this particular formulation, the ecocentric approach sounds just as anthropocentric as what came before, of course, but the writers realised that within the framework of the ecological ap-

40. *OJ C*, [Information and Notices] 112, 20.12.1973, p.6.

41. IHN, (Z00063), REZ, Notulen van de vergadering gehouden op donderdag 6 december 1973 in het Catshuis, ‘s middags van 16.00 tot 18.15’, minutes, 09.01.1974, p.14; T. WITTE et al., *The Netherlands and the Oil Crisis: Business as Usual*, Amsterdam University Press, Amsterdam, 2004.

42. J.-H. MEYER, *Appropriating the Environment...*, op.cit., pp.9-10; on the “ecological turn” see also J.I. ENGELS, *Modern Environmentalism*, op.cit.

43. IHN, (S02689), CIM and ICMH, December 1974, p.16.

44. *Ibid.*, p.16; *OJ C* 112, 20.12.1973, p.5.

proach “the regeneration and maintenance of ecosystems [...] in the long term” eclipses “the well-being of individual organisms (including humans) and the extension of their finite existence as individuals” in importance.<sup>45</sup> The very last paragraph of the document conveys urgency and understanding, and deserves to be cited in full:

“In light of ecological environmental criteria, alarm bells should be sounding in many parts of the world. A comparison with the great changes that have transpired over the course of earth’s evolution is futile, because the changes brought about by humans take place by a factor of  $10^3$  to  $10^6$  times faster than those of natural evolution, while the direction of alterations in the biosphere caused by man also often deviates from natural evolution, and is irreversible”.<sup>46</sup>

It is at this juncture that the new “scientific” conception of the environment appeared to gain the upper hand. The changes wrought by man are “irreversible”, “unnatural” – and quantifiable. Curiously, the epitome of this new, computer-modelled approach to environmental change, the famous *Limits to Growth* report, was conspicuous only by its absence in the Dutch government discussions studied here.<sup>47</sup> Of course, the tension had not yet been fully resolved. This ecological worldview, centred on the environment as an end in itself, was only just beginning to take hold. But the questions being asked were very different from those tackling the problem of what the environment can do for us. The environment, at last, was starting to become important on its own terms.

### **Penny-pinching to save the planet: norms and the Dutch aversion to research**

Tension, however, was not confined to this particular area of Dutch environmental policy. When it came to research, the Netherlands appeared to be doing a curious split. As Jan-Henrik Meyer has noted, the EC “imported” certain remedies from the UNHCE and Stockholm conferences. This “standard toolbox since 1968” included “management, research, education and international cooperation”.<sup>48</sup> International cooperation and management, as we will see below, the Netherlands championed. But until the same December 1974 joint working paper discussed in the previous section, spending money on research was anathema to the Dutch government.

This is odd in more than one sense. At a Bonn conference of the Environmental Ministers of the enlarged Community in late October 1972, the Dutch had accepted a communiqué emphasising the significance of technological and scientific research:

45. IHN, (S02689), CIM and ICMH, December 1974, pp.14-15.

46. Ibid., p.20.

47. P. KUPPER, op.cit., p.338; D.H. MEADOWS et al., *The Limits to Growth: A Report for the Club of Rome's Project on the Predicament of Mankind*, Potomac Associates/Universe Books, Falls Church, 1972.

48. J.-H. MEYER, *Appropriating the Environment...*, op.cit., p.21.

<https://doi.org/10.5771/0947-9511-2020-2-229>

Generiert durch IP '18.188.246.190', am 17.09.2024, 09:17:36.

Das Erstellen und Weitergeben von Kopien dieses PDFs ist nicht zulässig.

“the level of scientific and technological knowledge in the Community, which is an essential prerequisite for any effective action in pollution control, should be improved”.<sup>49</sup>

Internally, however, officials were dreading the resources this would devour. A July 1973 DGES memorandum, warned against “extensive studies which do not translate to concrete policies, given the useful [research] functions that other international organisations perform”. The same memorandum also cautioned against the “specialised [...] manpower” the EAP would divert from national and other international projects.<sup>50</sup> That same month, a different memorandum by the department for Economic Cooperation of the ministry of Foreign Affairs (DES), contended that “all ministries regret that it appears necessary to carry out so many studies that will require the attention of scarce experts”. These experts, the DES simultaneously realised, would be engaged in determining

“so-called criteria (scientifically established dose-effect relationships, on the basis of which quality objectives and norms must be established), conducting research into the harmfulness of substances and the methodology used to define quality objectives”.<sup>51</sup>

A few months earlier, a DGES working paper phrased the same concerns a little more diplomatically:

“it is recommended that in deciding on the Communities’ criteria and quality objectives on the environment, the data and experience garnered from wider international partnerships should be made use of to the fullest extent, in particular from those in which member states are also present”.<sup>52</sup>

It is odd, too, because the Netherlands was one of the strongest champions of emissions norms and “stringent” quality standards, and because by 1975 they had come as far as insisting on using the “best available technical means”, rather than the “best available economic means” preferred by the British, to determine the norms and standards to be achieved. “Recourse to economic conditions”, a DGES memorandum penned prior to the EC environmental conference of 16 October 1975 noted, “would facilitate too easy an escape [from norms] for black list substances” such as cadmium and mercury.<sup>53</sup> The conference, which was part of lengthy effort to arrive at a solution on water pollution, would fail on account of British intransigence. After another meeting in December, these efforts would eventually lead to the EC directive (the

49. IHN, (S02688), IZ [Internationale Zaken], 10.988, Ministerie van Volksgezondheid en Milieuhygiene [VoMil] to B.W. Biesheuvel [Minister President], Verslag van de Milieu Ministers-Conferentie te Bonn, 20.11.1972, Appendix 1: Communiqué, p.3.

50. IHN, (S02582), F. Italianer to CoCo, 06.07.1973, pp.8-12.

51. IHN, (S02600), DES to T. [Under-Secretary of European Affairs at the ministry of Foreign Affairs] via DIE [Department European Integration at the Ministry of Foreign Affairs], DGES and S. [Secretary-General of the ministry of Foreign Affairs], Nota Aktieprogramma milieu Europese Gemeenschappen, 10.07.1973, copy of memorandum no. 597, p.4.

52. IHN, (S02581), Van Swinderen to CoCo, 12.04.1973, p.5.

53. IHN, (S02584), DGES, F.M.L. Van Geen to CoCo and CIM, Nota ten behoeve van de EG-Milieuraad op 16 oktober 1975, 07.10.1975, p.7. On the contents of the black and grey lists, also called Lists I and II, respectively, see *OJ L* 129, 18.05.1976, p.28, and A. KISS, *The Protection of the Rhine Against Pollution*, in: *Natural Resources Journal*, 3(1985), pp.613-637, here pp.617-618.

Dutch would have preferred a decision) on “Pollution Caused by Certain Dangerous Substances Discharged into the Aquatic Environment” of 4 May 1976, which provided for the setting of emission standards for pollution of “inland surface water”, “territorial waters”, “internal coastal waters”, and “ground water”, though its text was vague and, for the most part, ineffectual.<sup>54</sup>

Indeed, on the question of norms the Netherlands were rather progressive.<sup>55</sup> In 1972, the Dutch government had circulated a paper outlining its “philosophy” on the need for a harmonisation of “quality norms”, “emission norms”, and “product norms” to the Organisation for Economic Co-operation and Development (OECD) and the EEC. While the United States, Canada and Japan supported the Dutch proposal – though mostly because they pictured the economic benefits this would entail – its partners in the EC “took a much more reserved position”.<sup>56</sup> Denmark and Germany were willing to support the Dutch proposal to a certain extent, but the German government feared that emission norms, the most effective remedy, would bring it into conflict with its Länder. France, Italy and Great Britain, meanwhile, were concerned about the possibility of NTBs, and remarked that some “regional differences should remain possible in light of the disparate capacity of the environment” in different places, a concern to which the Dutch were somewhat sympathetic.<sup>57</sup>

Ultimately, an agreement was reached after a “long and sometimes doctrinaire discussion”, which the Dutch, perplexingly, considered to “cater to [their own] wishes quite nicely”. Emission norms were to be completely scrapped from the first EAP, but the member states would attempt to work out harmonised quality norms for a few exceedingly harmful elements, such as mercury and cadmium, in water, before 31 December 1974.<sup>58</sup> Moreover, “quality objectives” were to be decided for dangerous substances in the EC, and the Dutch were able to push through a “striving for [...] ‘exigences de qualité à long terme’” which were to apply to the entire area of the Community. The problem, as the memorandum noted, was that these “quality objectives” were merely non-binding long-term objectives devoid of any real power.<sup>59</sup>

54. *OJL* 129, 18.05.1976, p.24; IHN, (Z01159), DGES to Minister President, Conclusies van de Coördinatie Commissie voor Europese Integratie- en Associatieproblemen van 8 oktober 1975, 08.10.1975, p.8. See also T. BERNAUER, P. MOSER, *Reducing Pollution of the River Rhine: The Influence of International Cooperation*, in: *Journal of Environment & Development*, 4(1996), pp. 389-415, here pp.391-392, and A. KISS, *op.cit.*, p.619.

55. J. MCCORMICK, *op.cit.*, p.46.

56. IHN, (S02600), DES to T., 10.07.1973, p.1-2.

57. *Ibid.*, p.2 and IHN, (S02689), CIM and ICMH, December 1974, pp.4-5.

58. *Ibid.*, 2-3; this desire remained unfulfilled until at least 1976, when the directive on “Pollution Caused by Certain Dangerous Substances Discharged into the Aquatic Environment” came into effect. In the specific context of the Rhine, it took until 1982 and 1986, respectively, to limit “thresholds for mercury in the waste water of the chloro-alkali electrolysis industry [...] and, for a slightly wider range of industries, thresholds for cadmium concentrations”. In order to avoid confusion, it should also be noted that this happened within the framework of the International Commission for the Protection of the Rhine (ICPR), rather than that of the EEC. See T. BERNAUER, P. MOSER, *op.cit.*, p.404.

59. IHN, (S02600), DES to T., 10.07.1973, pp.2-3.

At a more technical level, there exists a crucial difference between emission and quality norms (not to be confused with quality objectives), which are also referred to as “immission norms”. While the former measures pollution at the source, immission measures the amount of pollution in a given environment. Not only does this make looking for the possible culprit of the pollution, it also means that polluting industries could simply move from polluted to relatively clean areas until they hit the immission limits.<sup>60</sup> Of course, this is only realistic for some industries, and the costs involved are substantial, but it nevertheless constituted a distinct possibility, as the December 1974 joint working paper noted, and renders the Dutch appreciation of the progress achieved in this field in the run-up to the EAP odd.

Nevertheless, the curiosity of a strong aversion to research and a desire for the technically most sophisticated measurements – which relied on research – remains. While going into the reasons for this divergence lies outside the scope of this paper, one possible explanation would, at an initial glance, seem to lie in traditional Dutch pro-Atlanticism.<sup>61</sup> Even after Joseph Luns, who had been a stalwart of this philosophy, stepped down from his post as Minister of Foreign Affairs in 1971 to become the fifth Secretary General of NATO, Duco Hellema has argued, the “continuities” outweighed the “changes”.<sup>62</sup> In this reading, the new progressive coalition that came to power in 1973 was quelled in its pro-Europeanism by Joop den Uyl and Max van der Stoep, the Minister President and Minister of Foreign Affairs, respectively, who were among the most conservative members of the Labour Party (PvdA), and continued to emphasise the significance of Dutch Atlantic connections.<sup>63</sup> The conflicting desire for the harmonisation of technically defined norms, and the unwillingness to spend money, at the European level, to establish these norms and rely instead on measurements by the other international organisations engaged in this endeavour, could represent a balancing act for the new government. This is but one possible explanation, however, and it may be an unnecessarily complicated one. Perhaps, after all, officials across a number of governmental departments did simply believe that the international organisations were doing excellent work and that European research efforts would constitute exercises in futile and expensive replication. In other areas however, as the following section will suggest, the Netherlands were calling for substantial Community powers.

60. IHN, (S02689), CIM and ICMH, December 1974, p.9.

61. See, for instance, J. HOLLANDER, *Constitutionalising Europe: Dutch Reactions to an Incoming Tide (1948-2005)*, Europa Law Publishing, Amsterdam, 2013, pp.102 sqq.; D. HELLEMA, *Nederland in de wereld: buitenlandse politiek van Nederland*, 6<sup>th</sup> ed., Spectrum, Amsterdam, 2016, pp. 271-72; A.G. HARRYVAN, J. VAN DER HARST, *Learning Interdependence the Hard Way. The Netherlands, European Political Co-operation and the Oil Crisis, 1967-77*, in: F. KNIPPING, M. SCHÖNWALD (eds), *Aufbruch zum Europa der zweiten Generation: Die europäische Einigung, 1969-1984*, Wissenschaftlicher Verlag Trier, Trier, 2004, pp.150-164, here p.150.

62. D. HELLEMA, op.cit., pp.271-272.

63. Ibid., 263-70; R.T. GRIFFITHS, *The Netherlands and the European Communities*, in: R.T. GRIFFITHS (ed.), *The Economy and Politics of the Netherlands since 1945*, Springer, Berlin, 1980, pp. 286.

## On rocks and hard places: intergovernmentalism and framework decisions

Some evidence for Schulz-Walden's lumping of the Netherlands into the inter-governmental camp can be found in the early years of the 1970s.<sup>64</sup> In preparation for the Paris Summit of 1972, for instance, ISEA noted that

“it is generally accepted that this [the integration of environmental matters into the broader socio-economic aims of full employment and economic growth] is a task for the [national] governments. Nevertheless, it is also clear that the problem has long transcended national borders”.

And while the March 1972 programme presented to the Council by the Commission did represent “a first step in tackling environmental protection within a Community framework”, it was recognised that the Commission possessed “few direct powers” in the environmental field. Nevertheless, ISEA lauded the Commission for

“possessing the option to mobilise sufficient talent, on the administrative as well as the technological and economic fronts, to produce a balanced vision on environmental questions, and, on this basis, to advise the governments with concrete proposals”.<sup>65</sup>

This, certainly, constituted an intergovernmental view. The Commission is there to advise member states, but the precise determination and implementation of plans was to follow a “decentralised” pattern.

By September 1972, the tone had already undergone a noticeable change. Speaking to West German Foreign Minister Walter Scheel, his Dutch counterpart, Norbert Schmelzer, “argued once again for environmental issues to be dealt with in a community framework”. Scheel, while

“agree[ing] in principle [...], warned against those tendencies in the Community, and in particular in the Commission, that make a fundamental change in community structure a precondition for an effective environmental policy”.<sup>66</sup>

While “community framework” is a loose term, Scheel's response seems to imply a certain Dutch affinity with the Commission's position. In fact, the Netherlands were in favour of involving the Commission as much as possible in international conferences alongside the member states.<sup>67</sup> At the Bonn environmental conference later that year, the fault lines crystallised further when France and the Netherlands went head-to-head on this question. Pointing to the momentous European Summit that had taken place less than two weeks earlier in Paris, the Dutch reminded the meeting that all European environmental issues had to be (or, rather, ought to be) addressed within the Community in Brussels – leaving the Council as the sole explicitly intergovernmental institution. France, on the other hand, demanded that these policies “also be

64. T. SCHULZ-WALDEN, *Between National...*, op.cit., p.306.

65. IHN, (S01966), SER, ISEA, 1972, pp.32 and 33.

66. IHN, (S02120), W.K.N. Schmelzer to S., Gesprek met Minister Scheel op 2 september 1972 te München, memorandum no. 117/72, 04.09.1972, p.1.

67. IHN, (S02107), DGES, Commentaar op het door de Europese Gemeenschappen to voeren milieubeleid, 16.06.1972,, p.3.

discussed outside of the Community institutions, on an intergovernmental basis”. Eventually, a compromise was found, and the Dutch succeeded in inserting “harmonisation”, instead of just “coordination”, into the resulting communiqué.<sup>68</sup> Less than a year later, in the final intragovernmental discussions prior to the July Council meeting at which the first EAP was to be agreed on, Dutch calls for “harmonisation” had turned into a desire for “integration”. Considering the Netherlands an “advanced” force in this regard, a joint meeting between CIM and CoCo noted that France and Great Britain “consider it [...] less desirable for a strong Community environmental policy to develop”, and that “the EEC should, for the time being, rather be given a task underpinning national policy”.<sup>69</sup>

Placing the Dutch in the intergovernmental camp appears untenable in light of the above.<sup>70</sup> Rather, their position had evolved from one of basic acceptance of national environmental strategies discussed in the Community in early 1972, to one of transferring power to Community institutions in order to “integrate” the EC’s environmental policies by mid-1973. It is unsurprising, then, that the joint meeting of CIM and CoCo was “disappointed” by the final text of the EAP, which “was not a comprehensive policy statement, nor was it legally binding”.<sup>71</sup> Indeed, as Philipp Hildebrand has noted, until the passing of the SEA in 1986, environmental legislation in the EC was “subject to a twofold restriction. First, there were no explicit, formal legal provisions to support any Community-wide action and, secondly, whatever action could be taken under the available general provisions had to be directly related to the objective of economic and community harmonisation”, harking back to our discussion in the first section of this paper.<sup>72</sup>

The problem was that there were no treaty provisions for matters regarding the environment, because even though its degradation had begun to accelerate dramatically since 1950 (the “1950er Syndrom”), it was, as we have seen above, only around 1970 (the “1970er Diagnose”) that the problem began touching a sufficient number of individuals occupying various functions in society.<sup>73</sup> The member states realised these difficulties early on, and loopholes were quickly located.<sup>74</sup> The most important of these were Articles 100 and 235 of the Treaty of Rome. Both were related to the functioning of the single market and required unanimity. And while Article 100 “limited the Community to the adoption of directives”, it was also problematic (for Denmark in particular) because it did not allow member states to surpass (in the positive sense) the standards set by the Community.<sup>75</sup> If, to use a fictional example,

68. IHN, (S02688), VoMil to B.W. Biesheuvel, 20.11.1972, pp.2-3.

69. IHN, (D00423), DGES, Conclusies van de gecombineerde vergadering van de Coördinatie Commissie voor Internationale Milieuvraagstukken en de Coördinatie Commissie voor Europese Integratie- en Associatieproblemen op 11 juli 1973, 12.07.1973, p.2.

70. T. SCHULZ-WALDEN, *Between National...*, op.cit., p.306.

71. IHN, (D00423), DGES, 12.07.1973, p.2; J. MCCORMICK, op.cit., p.48.

72. P.M. HILDEBRAND, op.cit., p.23.

73. IHN, (S03132), V. and M., Nota EEG Milieubeleid, 07.08.1975, p.4; P. KUPPER, op.cit.

74. IHN, (S02043), DGES, 12.04.1972; J. MCCORMICK, op.cit., p.44.

75. J. MCCORMICK, op.cit., p.44; I.J. KOPPEN, op.cit., pp.83-84. IHN, (S02688), VoMil to B.W. Biesheuvel, 20.11.1972, p.4.

the Community limited CO<sub>2</sub> emissions to 300 parts per million (ppm), member states would not be allowed to set their own, stricter emissions targets of, say, 280 ppm (the preindustrial level).<sup>76</sup> Article 235, on the other hand, “was clearly a back door into the treaty”, stating that

“if action by the Community should prove necessary to attain, in the course of the operation of the common market, one of the objectives of the Community, and this Treaty has not provided the necessary powers, the Council shall, acting unanimously on a proposal from the Commission and after consulting the European Parliament, take the appropriate measures”.<sup>77</sup>

Although less than a formal environmental policy, the Community did put the articles to good use, passing a spate of directives throughout the 1970s and 1980s (and even earlier).<sup>78</sup>

Initially, the Dutch held positive views regarding the use of these articles. After it became clear that the EAP would amount to nothing more than a framework decision, rather than a Council one as the Benelux countries had been hoping for, they comforted themselves by pointing out that “the European treaties facilitate, also on basis of Articles 2, 100/103 and 235, the realisation of an EC environmental policy and the concrete actions that result from it”.<sup>79</sup> But while some concrete actions did indeed grow out of these “juristic artifices”, by 1975 the Dutch realised that this set of articles with their evident imperfections did not suffice. Rather, “amending the treaties seemed the best way to put an end to these ‘deficiencies’”.<sup>80</sup>

The Dutch, then, were not as intergovernmental as Schulz-Walden has made them out to be. Instead, as McCormick has noted, they were quite progressive on a number of fronts.<sup>81</sup> They were adamant that environmental protection be stringent, binding, and even, ultimately, follow an “ecocentric” approach, rather cling to the anthropocentric efforts that had come before. Their desired treaty amendments, however, would have to wait.

76. I.J. KOPPEN, op.cit., pp.83-84; X. SHI et al., *Sorbents for the Direct Capture of CO<sub>2</sub> from Ambient Air*, in: *Angewandte Chemie*, 18(April 2020), pp.6984-7006.

77. Art. 235 EEC; J. MCCORMICK, op.cit., p.44.

78. I.J. KOPPEN, op.cit., p.74; J. MCCORMICK, op.cit., pp.43-44; for a useful list, see E.U. VON WEIZSÄCKER, *Erdpolitik: Ökologische Realpolitik an der Schwelle zum Jahrhundert der Umwelt*, Wissenschaftliche Buchgesellschaft, Darmstadt, 1989.

79. (S02582), F. Italianer to CoCo, 06.07.1973, p.2; Article 2 decrees that “the Community shall have as its task [...] to promote throughout the Community a harmonious, balanced and sustainable development of economic activities, [...] a high level of protection and improvement of the quality of the environment, the raising of the standard of living and quality of life, and economic and social cohesion and solidarity among Member States”.

80. J. MCCORMICK, op.cit., p.44; (S03132), V. and M., 07.08.1975, p.4.

81. T. SCHULZ-WALDEN, *Between National...*, op.cit., p.306; J. MCCORMICK, op.cit., p.46.



## Conclusion

“Incoherent”, “vague”: such were the terms used to describe the first EAP while trying to determine how to improve the second attempt. But despite this assessment, the Dutch had considerably lowered their standards when it came to drafting the 1977 EAP. Framework decisions were acceptable now, as were quality norms, which were less effective – and thus less contentious – than emission standards.<sup>82</sup> And while it certainly expanded on the first programme, “reinforcing the preventive nature of Community policy” and adopting the “polluter pays principle” which the Dutch had strongly supported, the second EAP failed to become legally binding as well.<sup>83</sup> As such, Articles 100 and 235 remained the main engine of the Communities’ environmental policy until 1986, when environmental protection was ultimately granted legal status in Title VII of the SEA.<sup>84</sup>

But does this mean that the 1970s were, environmentally, a lost decade for the EC? As the above exploration of the Dutch example suggests, this was not at all the case. Rather, the 1970s were a decade in which the EC woke up to the dangers of the environment and began considering ways to approach the problems caused by pollution. This was not a linear or straight-forward process. It required the philosophical redefinition of how humans saw themselves and their role in the environment. The resulting shift from an anthropocentric to an ecological or “ecocentric” approach was tortuous, and even in a comparatively “progressive” country such as the Netherlands, it took several years, as the first section illustrated.

This recasting also demanded that the member states grapple with detailed technical questions, such as those of norms and standards, and the research required to define them. By illustrating Dutch vacillations on this topic, I have attempted to convey two things. First, the national debates on many seemingly uncomplicated issues (if we rely on technical analyses, we need to fund research commensurate with our expectations) were difficult, and at times confusing, precisely because this was a novel area of interest for an administrative behemoth whose members’ loyalty and outlook differed based on historical ties and political philosophies.<sup>85</sup> Second, and perhaps most importantly, studying the minnows is a worthwhile exercise, one that decentres the Big Three in favour of voices that did, ultimately, have an impact on the process of European integration. Dutch and Danish proposals, as we have seen above, were adopted, and reconstructing their perspectives is a crucial addition to the history of European integration. The final section, in this vein, attempted to disentangle the Netherlands from the intergovernmental camp. The Dutch became in-

82. V. and M., 07.08.1975, op.cit., p.4; IHN, (S02689), CIM and ICMH, December 1974, pp.4-6.

83. IHN, (S02043), DGES, 12.04.1972, p.3; IHN, (S02688), VoMil to B.W. Biesheuvel, 20.11.1972, pp.3-4; T. SCHULZ-WALDEN, *Anfänge...*, op.cit., pp.161 sqq.

84. I.J. KOPPEN, op.cit., pp.67-68; J. MCCORMICK, op.cit., p.56.

85. The contrast between the pro-Atlantic Dutch and British on the one hand, and Gaullist France on the other, is one obvious example. D. HELLEMA, op.cit.; N.P. LUDLOW, *The European Community and the Crises of the 1960s: Negotiating the Gaullist Challenge*, Routledge, New York, 2006.

creasingly ardent supporters of binding Community legislation and of granting its institutions the powers to enforce these legislations, nuancing earlier descriptions and emphasising the significance of reclaiming the minnows from relative oblivion. Ultimately, this paper is part of a growing literature trying to understand the 1970s, an addition to Ludlow's "meagre spread".