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# Summary

## Background and goal

Management hunting and clearing forest to make way for other types of natural habitats are two forms of conservation management that meet with public opposition. This opposition sometimes leads to conflicts – situations in which specific interests, values and facts are irreconcilable. People go to court, submit petitions, demonstrate, go on social media and may even resort to obstruction, vandalism and threats. Implementing agencies and land managers or conservation management organisations are then faced with the problem of how to respond to such conflicts. But first it is necessary to have a good understanding of how conservation conflicts arise and how they develop. That is what this study set out to do.

## National inventory

The first step in getting a better understanding of conservation conflicts was to draw up an inventory of conflicts in conservation over the past ten years. This resulted in a list of 52 conflicts. While in no way claiming to be a complete picture, the inventory does give an impression of the variety in the type of conflicts. Most conflicts were about the felling or pruning of trees and establishing or expanding protected areas. A further group of conflicts was about management hunting. Other, less common, conflicts were about the effects of landscape works and/or land management activities to create new habitats (such as raising groundwater levels, or 'rewetting'), the governance of nature conservation areas, the introduction of new animal species, and public access. Most conflicts are initiated by ad hoc or organised local groups, but regional organisations were involved in 13 conflicts and national organisations were involved in 10 conflicts.

What tools did these groups use? First of all, all activist parties make use of *communication* tools. Most activists use their own websites or Facebook pages. For individual activists and many local groups, especially the non-institutionalised ones, these may be the only communication tools at their disposal. When generating interest in their cause, getting the endorsement of celebrities can make a big difference. In addition, widespread use is made of open letters, public appeals, manifestos and petitions. Requesting *meetings* with politicians, public officials or others who are directly responsible also regularly features in the package of activities. The last communication tool used by activist parties identified in the inventory is undertaking their *own investigations*.

Activists also sometimes take *legal action*. Litigation does not seem to be considered an exceptional course of action and came up 12 times in the inventory. In two conflicts legal action was pursued up to the highest court of appeal, the Council of State.

Finally, *physical* means are also used. Protest marches, demonstrations and other public gatherings or events came up 12 times in the inventory of conservation conflicts. Another common activity is erecting protest signboards. In one conflict, land was acquired in order to prevent the works going ahead and in another conflict a republic was proclaimed, complete with border controls and a national anthem. The actions many people associate with conflicts, such as vandalism, active obstruction, threats of physical violence and wilful damage, were reported in just a few cases in the inventory. In two conflicts this involved damaging signs or vehicles and in two further conflicts the threat of physical violence. Virtual threats are most certainly more common, but it was not possible to uncover such threats in this inventory.

The more than 50 conservation conflicts identified did not all take the same course. We distinguished five different courses that conflicts can take:

- The conflict evolves into *acceptance*, in which the reacting party gains no traction throughout the whole process and eventually resigns itself to the situation.
- The conflict evolves into *consolidation*, in which the reacting party achieves nothing, but still fights on.

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- The conflict evolves into a *settlement* through administrative or legal processes.
  - The conflict evolves into a process of *negotiation and compromise*.
  - The conflict evolves into a process of *cooperation*.

## Two cases

In addition to the inventory, two conservation conflicts were studied in detail: a conflict about the management hunting of fallow deer in the Amsterdamse Waterleidingduinen, a water abstraction area and nature reserve in the coastal dunes near Haarlem; and a conflict about the clearing of forest on the Sallandse Heuvelrug and Lemelerberg (two glacial ridges in the east of the Netherlands) to create more open habitats. Nine to ten interviews were held in each area, backed up by a study of numerous reports, to obtain a picture of the course of each conflict, the strategies that were pursued by the actors, the networks maintained by the actors, the views they held and how these evolved during the process. Particular attention was given to the role of social media.

### Management hunting in Amsterdamse Waterleidingduinen

The Amsterdamse Waterleidingduinen dune reserve lies between the coastal resorts of Zandvoort and Noordwijk on the border between the provinces of Noord-Holland and Zuid-Holland. The dunes are owned by the City of Amsterdam. They are part of the Kennemerland-Zuid Natura 2000 site and are open to visitors for recreational use. The area is home to the largest population of fallow deer in the Netherlands. The deer population grew rapidly from about 200 in 2000 to around 3,000 in 2015, which led to a high grazing pressure and put other conservation objectives at risk. The growing numbers of fallow deer also caused considerable problems for traffic in the area. In an attempt to contain this problem, at first fences were erected, but when this later proved to be insufficient a decision was taken to cull some of the animals. This was met with protests from local nature conservationists and national organisations.

The conflict initially took place in and around the city council and executive board of Amsterdam, which as the owner of the area was responsible for applying for a discretionary permit providing exemption from the prohibition on hunting in the area. The decision-making process in Amsterdam city council took many years, during which time protests against the culling of the fallow deer were held regularly, intensifying when Noord-Holland provincial council were on the point of issuing an administrative instruction.

When in 2016 the application for a discretionary permit was granted by the provincial executive, the shooting of fallow deer commenced. The process then entered the next – legal – phase. Dierenbescherming, the Dutch animal protection society, and Faunabescherming, a Dutch organisation for the protection of wildlife, challenged the decision in court. The proceedings went all the way up to the Council of State, which decided that the discretionary permit was issued correctly. During this legal phase protests continued in other ways as well, even including threats to individuals.

Those responsible for introducing the management hunting measures and those tasked with carrying them out worked together, each according to their own responsibilities. In the course of the process, the provincial and municipal authorities and the implementing organisation established good working relations. In general they pursued a strategy that included research, planning and persuasive and reactive communication. They even took a rational approach to threats – but this does not mean that they were immune to emotions or norms.

The protesting parties also worked together, but all put great store on their individual styles and identities. They were all on the same side, but each approached the issue from different angles, which can be characterised by the following keywords: animal welfare, animal rights, animal lover and rewilding. The opponents turned their emotional and normative motives into accepted strategies, such as pressurising the responsible parties and taking them to court, particularly the institutional players. Other opponents preferred holding demonstrations, exerting pressure via social media, gaining publicity in national media and contacting people directly. Threats were also made, but the most organised opponents were keen to ensure that this did not happen through their own channels. On a few occasions the police were called in.

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The key question is how the conflict should be *interpreted*. In one sense, the ruling by the Council of State provides an answer because it represents an outcome of the conflict process. But at the same time it must be noted that the structure of the conflict did not change. No compromises were reached, there has not been any shift in values, and no innovative breakthroughs were made. The opposing positions in society were not explored in depth (no new arguments), exposed to wider scrutiny or resolved, but instead they remain intact and are still tangible. Because the underlying rift still exists, the same conflict could flare up again at any time.

### **Clearing forest in Salland**

Clearing forest to make way for other forms of nature is another type of conservation management around which many conflicts have arisen. This is illustrated by two conflicts in the Salland region in the east of the Netherlands: Sallandse Heuvelrug and Lemelerberg.

On **Sallandse Heuvelrug** (a glacial ridge in the province of Overijssel) Natuurmonumenten (a major private organisation for nature conservation) and Staatsbosbeheer (the government conservation management agency) are working on behalf of the provincial government to create an ecological connecting zone from the central heathland to the open landscape in the vicinity of Varkensbos/Helhuizen. This involves felling an area of forest under the Natura 2000 Management Plan of May 2016. Before the work started in April 2017, information meetings were held and sessions organised in which local residents could contribute ideas on specific elements of the works. One of those present at the information meeting held in April took offence at this 'fait accompli' and set up a protest group called 'Save Helhuizen Wood' (Red het Helhuizenbos) to initiate discussions and challenge the works in all sorts of ways.

At the time there was an emerging groundswell of resistance within the country as a whole to the prospective loss of large areas of forest in the Netherlands for 'specious reasons that command no public support'. This national resistance grew during the course of the Salland process and the impact of clearing forest on the climate became an increasingly important consideration, which in turn gave greater credence to local conflicts about the felling of trees. The daily newspaper *De Telegraaf* and the TV programme *De Monitor* ran items decrying the terrible consequences of forest loss.

Following the ruling by the Council of State in May 2019 that the Dutch government's nitrogen reduction policy contravened EU nature legislation, nitrogen became a further argument in the debate about felling trees. This prompted the 'Save Helhuizen Wood' protest group to request a review of the felling plan for Sallandse Heuvelrug.

In July 2019, after extensive consultations with its rank and file supporters, Natuurmonumenten decided to amend its felling policy. Staatsbosbeheer also considered the possibility of achieving its objectives with less felling. Spokespersons for Natuurmonumenten and Staatsbosbeheer then announced that Natuurmonumenten had decided to call a halt to the forest clearance on Sallandse Heuvelrug for the time being. The provincial council decided to implement the plans in phases, with each phase to be followed by a monitoring period to establish whether or not further felling is needed.

In the meantime, Natuurmonumenten has abandoned its plans to fell 30 hectares of forest on Sallandse Heuvelrug until further notice. If felling does take place in future, the cleared forest areas will be compensated. Natuurmonumenten and Staatsbosbeheer have invited their members and local residents to observe this in the field with its rangers. The aim of this process is to achieve the original objectives, but with the added objective of capturing as much CO<sub>2</sub> as possible.

On **Lemelerberg**, Landschap Overijssel (a foundation that manages landscape heritage in the province) was charged with converting the existing forest into heathland. The area of forest involved is far greater than on Sallandse Heuvelrug: 50 hectares to be cleared each year for the next three years. There is more opposition to felling trees on Lemelerberg than in other areas of the Natura 2000 site, possibly because Lemelerberg is better known and attracts larger numbers of visitors.

Landschap Overijssel organised information evenings and informed the public about the plans via press releases and newsletters. As in the Sallandse Heuvelrug case, one of the local residents felt that

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local people were excluded from the process and that trees are important for the local environment and are an emotionally valuable asset. Whereas the resident in Helhuizen took a more legalistic approach, this resident of Lemele set out to influence public opinion. He posted information on Facebook, erected signs protesting against the felling, launched a petition and appeared in the TV programme *De Monitor*. The petition and his appearance on *De Monitor* in particular generated further objections in the local papers and on social media. This negative reaction to the plans was not shared by everyone, though, and Landschap Overijssel also received messages of support. Nevertheless, information boards at the felling sites were destroyed or painted over and Landschap Overijssel employees were threatened on social media.

The effect of the national debate on Lemelerberg is that the province will carry out the felling in phases, both in time and perhaps also on a plot by plot basis. No felling will be done during the first season; in the following year 50 or 60 hectares will be felled. The results of the felling will be monitored to see whether or not further felling is necessary to achieve the EU objectives.

In terms of *strategy*, the opposing parties in the Sallandse Heuvelrug case both pursued a substantive strategy. The conservation management organisations adopted a strategy of explaining that felling trees leads to increased biodiversity and supports species that are under threat or have almost disappeared, such as the grouse. They also pointed to the return of the old open landscape. They tried to do this in consultation with the local community early in the process. Opponents of the felling also pursued a substantive strategy. They sought publicity, wrote letters and initiated debate. Physical protests were restricted to putting up protest signboards. The arguments they used were based on the cultural and historical heritage ('old driveways' and historical 'march boundaries') and on the natural succession following the felling ('it won't work because the trees will just grow back again'). This strategy has remained unchanged. It is also partly built on distrust, as the opponents believe the real motives for the felling (profits from the timber) were kept quiet and the measures were really just a way of obtaining subsidies.

The Salland conflict can be *interpreted* as having been resolved, at least for the time being, in the sense that the protesters have partly got what they wanted. The parties responsible for the felling changed their position as a result of a shift in their underlying thinking. However, this was not brought about by the local conflict but by the wider national debate – although the Salland conflict and other situations were used as concrete examples in that debate. Despite this shift in position, a new and stable situation has not been created. The dilemma between saving the trees and creating an open landscape remains.

### **Mechanisms**

Both processes have provided further insights into the mechanisms of conflict processes: the characteristic features of conservation conflicts that can also be found in other processes. We encountered the following mechanisms:

- *Scaling up*: This works when local and national discussions need each other and may lead to breakthroughs, as in the debate about felling trees.
- *Litigation*: This works mainly for organisations with the legal capabilities and experience, the necessary financial resources and the stamina to see it through. As these organisations operate nationally they are in a better position to absorb any losses.
- *Combining forces to form operational units*: Every organisation will always try to maintain its own identity, with an eye to their supporters and their ability to attract donations.
- *Individuals can make a difference*: In the two cases studied several individuals were active and at certain moments were able to successfully influence the course of events. Individuals can draw upon various sources of power, which may be based on knowledge or emotional involvement, both in combination with a good network of contacts who can be called upon to act.
- *National implementing organisations have considerable influence*: In principle, implementing organisations must do as they are instructed. However, in the debate about felling trees, the shift in policy towards a more cautious approach to felling trees was initiated primarily by national conservation management organisations. Smaller organisations are in a weaker position with regard to their public sector clients.

- *Local residents feel excluded from decision-making because of the nature of the planning process:* Planning and decision-making for conservation management tends to be rather 'technical' in nature and as a result local residents almost always feel that they only get a chance to become involved when it is too late.
- *Many people keep quiet (framed as the majority):* Many local residents do not take an active part in the conflict. Both sides often frame this group as the 'silent majority'.
- *Knowledge is primarily a strategic instrument:* In both conflicts knowledge proved to be an important instrument. When legal action is taken the courts determine the soundness of administrative decisions, but even a well-informed individual can achieve quite a lot. Facts are deployed when they can be used to advantage.
- *Use of social media is becoming more commonplace:* Social media is an integral part of social life, certainly now that public media information and broadcasts are also distributed via social media. In particular, the small, informal groups depend on media such as Facebook. In the two conflicts we identified three roles for social media: *influencing* the opinions of decision-makers and the public by expressing views via information and commenting on other people's posts; *recruiting* new supporters and attracting donations; *mobilising* members and sympathisers to take action.
- *Town and country in opposition:* In both cases the actors themselves used the town versus country frame as a form of bonding, to explain the conflict and to designate other actors as the opposing party.
- *Threats are 'commodified':* In both conservation conflicts we investigated, people were threatened via social media, the public media and in direct interactions. The parties consider it important to give as little attention as possible to public threats, but to deal with them pragmatically. However, the real impact on those threatened and the attention given to threats within the organisation are a different matter.
- *Subtleties are lost:* In a conflict, subtle distinctions are lost and everything seems black and white: either for or against. This was indeed the case in the two conflicts that were studied, particularly in the first phase of the conflict about the management hunting of fallow deer in Amsterdamse Waterleidingduinen. The respondents themselves said this bothered them because the fine detail of their own arguments was lost.
- *The human scale is crowded out:* Conflicts arise because values and interests are damaged. This affects people emotionally and increases their willingness to take action. At some point, the resulting conflicts exceed the scale of individual concerns and the bigger picture takes over. The conflict becomes strategic and there is little room for sadness about the shooting of a deer, for anger about cutting down that particular tree, or for the ranger who can no longer be proud of his work.

### **Literature on conflicts**

In the literature on conflicts, attempts are often made to identify a series of phases that define the course of a conflict, but previous research into conservation conflicts indicates that they never correspond to such standard descriptions. This was confirmed in the Amsterdamse Waterleidingduinen and Salland conflicts, which did not conform to a standard series of phases.

Furthermore, in the literature a distinction is made between destructive and constructive conflicts. The Amsterdamse Waterleidingduinen and Salland cases raise doubts about how this generalised distinction is defined as it was not possible to put either case firmly in one or the other category.

Not everyone takes a negative view of conflicts. The sociologist Niklas Luhmann sees conflicts as an essential aspect of persistent systems. The political scientist Chantal Mouffe sees conflicts as an essential feature of politics. Others say the function of conflicts lies in getting all visions and arguments out in the open and in mobilising proponents and opponents, thus establishing identifiable discussion partners.

In this respect, the *hunting conflict* has had wider significance for society in many ways – except one: it did not lead to a transformation or breakthrough that recasts the conflict in new terms. It has not initiated social innovation.

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The Salland *tree felling conflict* was different. There was little sign of the articulation and explication effects mentioned above, but the substance of the conflict did change as climate objectives were taken on board in addition to the conservation objectives.

From a meta perspective, both conflicts had, and continue to have, a social function, and for two reasons: first, because they both revealed a social dilemma; second, and partly as a result of the first point, because they have helped to broaden the way we think about caring for the environment (or nature, or the landscape). In Luhmann's thinking, this is all part of the development of systems; in Mouffe's thinking, this must be seen as the essence of a political struggle and something we simply have to live with, preferably in a non-violent way.

### **Legitimacy**

To what extent do these conflicts affect the legitimacy of nature policy? The hunting conflict in Amsterdamse Waterleidingduinen does not on the whole appear to have affected the legitimacy of nature policy, but it does point to future challenges regarding the position of animals in society. The conflict about felling trees was cast in a different light when the legitimacy of this policy was questioned, but the impending legitimacy crisis has been averted by recent decisions of the implementing organisations.

### **Lessons**

What lessons can be learned about how to deal with conflicts? The general conclusion is that conflicts are par for the course. Sometimes it proves possible to make constructive progress, but in other cases it becomes impossible to maintain calm and keep the processes as transparent, objective and inclusive as possible. Whatever the situation, it is a good idea to adhere to the following six guidelines derived from the analysis of the two conflicts:

#### *Getting your own way is not important*

Implementing organisations often feel that, given the political decision and drawing on their own expertise, they have come up with the best measure. This approach can blind them to possible alternatives.

#### *Focus on the dilemmas*

Several respondents suggested that for this reason discussions on policy and communication with stakeholders should focus on the problems and associated dilemmas. Only at a later stage should different scenarios or actions strategies be discussed in consultation with the relevant parties.

#### *'You can't do too much'<sup>2</sup>*

When plans are put into effect they should be reviewed at various times during the process. Particularly when implementation takes several years, many people who feel they have a definite interest will not be fully aware of what is going on. Continuous efforts should be made to redress this through good communication.

#### *The importance of personal contact*

Put simply, exchange mobile numbers and use them. This proved to be important in establishing a level of respect for each other and quickly clearing up any misunderstandings.

#### *'Listen to the ranger'*

This is all about using *local knowledge* – knowledge held by people who are directly involved and who have to deal with the conflict on a day-to-day basis in the field. The rangers employed by conservation management organisations have extensive field knowledge, which in the two cases could have been used to much greater effect when drawing up plans and investigating alternatives. In fact, rangers are the ones who have a complete picture of what has to be done. The same goes for the knowledge of a number of individual activists. Efforts should also be made to share this knowledge and build up a pool of experience to provide a basis for acquiring further local knowledge.

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<sup>2</sup> Comment made by one of the respondents

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*Don't solve each problem separately*

In recent years various new problems have arisen that pose major challenges to those involved. Responsible parties and implementing organisations have to invest much time in resolving these problems, while local residents and other stakeholders in the area are also faced with a new situation and have to find the energy to come to terms with it or take action to fully understand what is going on and respond appropriately. This is a great waste of the energy in society. It undermines public support for measures and is inefficient and ineffective.