

Compulsory purchase in Dutch rural planning Actors applying land law and planning regulation

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One way of conceptualising land law and planning regulations is that they are part of the planner's toolkit to support governmental action in planning processes. This paper takes this metaphor a step further and analyses the ways actors are using this toolkit, as good tools are a waste to actors who lack professional skill. Moreover skilled users may use tools in novel ways not imagined by the makers (Preston, 2003). The context of drafting laws and regulations is different from the context of use, which involves that laws and regulations may have a different functions in the latter context than intended. It is not necessary to evaluate the functions in use based on the functions as espoused at drafting the regulations (Korthals Altes, 2008). For example, the present meaning of compensation clauses in the Dutch law on compulsory purchase have moved beyond the intentions of Thorbecke, who drafted this law in 1851 (Sluysmans, 2011), and it may be feasible to analyse present day compulsory purchase practice without establishing whether it fits into Thorbecke's ideas about the development of Dutch society. Analysing the role that law and regulations play in planning practice involves a sociological perspective (Griffiths, 2003). Recently different authors (Van der Veen and Korthals Altes, 2009, van Dijk and Beunen, 2009, Needham, 2006, Van der Veen, 2009, Needham, 2007) have investigated the use of law and regulations in the context of planning. This paper adds to this literature by investigating the debate and the use of compulsory purchase for landscape and nature planning in the Netherlands. Even more than in the urban planning context, the use of compulsory purchase is highly debated in the context of rural development, and its use is much more limited. This paper investigates the interplay between actors, and the ways in which laws and regulations may structure processes even when specific legal proceedings, such as, compulsory purchase, are not employed. References GRIFFITHS, J. (2003) The social working of legal rules. *Journal of legal pluralism*, 24, 84. KORTHALS ALTES, W. K. (2008) Evaluating national urban planning: is Dutch planning a success or failure? IN MILLER, D., KHAKKEE, A., HULL,

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