JACOBS, Quinten – Het betonnen beleid

(The Concrete Policy)

Book review

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1. Brief summary



Het betonnen beleid [1] by Quinten Jacobs analyses why modern democratic decision-making is increasingly grinding to a halt, and why politicians seem less and less able to solve major societal problems. Jacobs uses the image of "concrete" as a metaphor for a rigid, unchanging political system: complex divisions of competences, stifling regulation, slow justice, and institutional reflexes that block innovation and decisiveness. He outlines how these structural obstacles lead to political powerlessness, fragmentation and growing frustration among citizens, who feel that voting changes little.

The author develops both the diagnosis and concrete reform proposals. The key points of his solution are more policy latitude for regional authorities, simplification of regulation, a redrawing of competences, and institutional reforms that genuinely give policymakers room to manoeuvre, with attention to a federal Europe where necessary. Jacobs also argues for a culture of political accountability and for mechanisms that facilitate political transitivity without undermining the rule of law. The book reads as both an analytical and a programmatic argument: first the explanation of why the system is stuck, then pragmatic ideas for "cracking the concrete".

Style and tone are accessible: it is a short, opinion-driven work that combines legal practical experience with political reflection. Jacobs positions himself as a constitutional law specialist and columnist, and uses examples from Belgium and the European Union to illustrate his argument. The aim is to spur both policymakers and informed citizens towards debate and reform.

[1] **JACOBS, Quinten.** ***Het betonnen beleid. Waarom politici onze problemen niet kunnen oplossen.*** **Antwerpen, Ertsberg - Standaard Uitgeverij, 17 oktober 2025, 176 p. (ISBN: 9789464984576)**

2. Critical discussion, with a focus on climate policy and water management

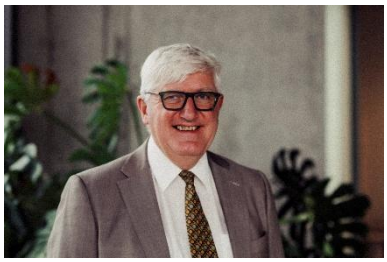
1) **Too institutional, too little sectoral depth for climate & water**
Jacobs convincingly explains why institutions become blocked, and his reform proposals (more regional mandate, fewer stifling rules) are ready for policy. For urgent, technical-ecological files such as climate adaptation and cross-border water management, however, more substantive operationalisation is needed: how do regional competences translate concretely into coordination of dyke reinforcement, river management or cross-border adaptation plans? The book largely remains at a high level of abstraction and offers few methods for integrating scientific uncertainty, cost-benefit analyses, or practical governance instruments specific to water and climate.

2) **Risk of fragmentation with "more regional"**
The case for stronger regions can create policy latitude, but for water management and climate, problems are often cross-border in nature (for example the Scheldt and the Meuse). Fragmentation of competences without strong coordination and financing mechanisms can lead to incoherent adaptation measures and free-riding. Jacobs rightly warns against stifling EU regulation, but too one-sided a withdrawal from the supranational framework can undermine the joint approach to river basins and transnational emission reductions. The book names the federal/EU dimensions, but addresses the practical institutional links less concretely.

3) **Legal certainty versus administrative flexibility**
Jacobs wants fewer "stifling" legal barriers; yet climate action often requires precisely strict, enforceable standards (for example emission ceilings, effluent limits). The tension between flexibility and legal certainty deserves a more explicit weighing-up: how do you guarantee that regional policy freedom does not lead to lower environmental or safety standards? Without safeguards, political flexibilisation can create perverse incentives against environmental and water protection.

4) **Recommendation: linking institutional reform to instruments**
To translate Jacobs' ambitions into better climate and water outcomes, his framework would benefit from concrete instruments: mandatory river basin management plans, regional climate funds with federal/EU co-financing, adaptation requirements in environmental permits, and mechanisms for scientific advisory boards that force policy to take account of uncertainty and long-term effects. This would preserve his core message (more room to act) while making it applicable to urgent environmental challenges.

3. The response from *n²water*…



The author Quinten Jacobs is indeed right: we are witnessing a general political powerlessness in the face of the great challenges of our time. It is a general, even global, observation, which in Belgium – given its dramatically complex state structure full of Gordian knots – is squared.

We see not only political powerlessness, but also a petrification of the executive power, both in its political and in its administrative arm.

The solution Quinten Jacobs proposes, centred on more policy latitude for regional authorities, will unfortunately only further fragment regulation; whereas, in an era of global economic markets, the search for simplification works precisely the other way round: the transnational level, here equated with the European Union, should intervene more proactively, rather than reacting after yet another new crisis. In doing so, it must constantly be examined how rules can be implemented more simply and efficiently, and which institutional level is best suited for that: the European, the national, or the local level. The key question here is in which district the solution will have to materialise.

Climate issues, water management in particular, are a good example of this. Through the Water Framework Directive, the European Commission launched a new concept, namely river basin districts. Each river basin (for example that of the Scheldt) is formed by its main river and all water bodies that essentially share the same geohydrographic characteristics around it. Thus, besides the Scheldt, the Somme, Authie, Canche, Boulonnais, Aa, Yser and Bruges Polders, for example, are also part of the Scheldt river basin district. For every main river that runs across borders, the Water Framework Directive requires an international river commission to maintain an overview, provide for the coordination of measures, and, in the event of calamities, have a system available to inform the other Member States. That is where the good news stops: the competences needed to actually take and implement measures were not transferred to that new level. The delegations involved in the various river commissions also limit themselves solely to exchanging data, sharing knowledge about measures, and calibrating the data that each establishes separately, with its own units of measurement, measuring instruments and measurement procedures. Year after year, they find that water quality is not doing well and that, partly due to climate disruption, water quantity is at risk of going seriously wrong. This leads to a lethargy in effectively implementing the Water Framework Directive, and to missing, year after year, the achievement of the targets, ever since 2010. To such an extent that all the energy now goes into establishing exemptions and arguing why these do not achieve good status. In Flanders, only one (1) water body out of 195 is in a good ecological status or potential (situation 2021, as published on 27 September 2023 according to Statistiek Vlaanderen): good status has here become the exception, rather than that which fails to meet the standard. Yet the regional government has all the institutional levers available to put this right.

Except, of course, when waste from France and Wallonia comes drifting downstream. In that case, only transnational levers can address the problem. And those currently do not exist.

That is why river basin districts should also have political levers at their disposal in order to be able to implement environmental laws. Just as, for example, for NATO, all ministers involved should sit on the highest body of the river basin district, under the leadership of a kind of "governor" who reports progress to the European Commission. The "government" of such a river basin district would be accountable for the implementation of the various laws.

And that, too, needs to be more efficient. To date, I have been able to list 24 directives and regulations that, closely or remotely, relate to the ecosystem largely governed by the rivers, lakes and groundwater reserves of a river basin district[2]. The management plan of each river basin district must hold each of these directives and regulations up to the light, and provide for measures and resources to achieve the intended objectives in time. At present, the competences for all these laws are spread too thinly across various, sometimes competing, departments.

Specifically, there are 15 international bodies in the Benelux (commissions, councils, coalitions, or foundations) dealing with water management; each with its own structure, its own premises, and its own resources. That should be able to work better: why not bring these together within the Benelux Union, which has the perfect organisational logistics for this purpose, can convene the relevant ministers, and has a track record of achievements; *en plus* especially now that cooperation agreements have also been concluded between the Benelux Union, the departments of Hauts-de-France and Grand Est, and North Rhine-Westphalia; covering the entire Scheldt river basin district as well as the Meuse river basin district. For this mandate, the Benelux Union would need to have legislative competence, to be validated by the national parliaments as is the case for European legislation, as well as the authority to act as an auditor in order to be able to evaluate, against the objectives to be

[2] This concerns the following directives and regulations:

1. Surface Water Directive (1975)
2. Bathing Water Directive (1976)
3. Dangerous Substances Directive, and any successor Directive (1976)
4. Fish Water Directive (1978)
5. Birds Directive (1979)
6. Shellfish Water Directive (1979)
7. Drinking water Directive (1980)
8. Groundwater Directive (1980)
9. Major Accidents (Seveso) Directive (1982)
10. Environmental Impact Assessment Directive (1985)
11. Sewage Sludge Directive (1986)
12. Urban Waste Water Treatment Directive (1991)
13. Plant Protection Products Directive (1991)
14. Nitrates Directive (1991)
15. Habitats Directive (1992)
16. Integrated Pollution Prevention Control Directive (1996)
17. Water Framework Directive (2000)
18. Flood Risk Directive (2007)
19. Marine Strategy Framework Directive (2008)
20. Ecological Quality of Water Directive (2008)
21. Directive on Priority substances in the field of water policy (2013)
22. Nature Restoration Regulation (2024)
23. Information Exchange Decision (1977)
24. Reporting Directive (2022)

achieved, legislation voted on in the national parliaments but wholly or partly connected with legislation in the context of the water management of a river basin district. That, at last, would be a genuine reform proposal.