Policy Networks and Legitimacy: The Role of Institutional Design.
Lessons from the Case of Ghent, Belgium

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Context of the paper:
This work results from a research project in the framework of the Policy Research Centre on Governmental Organization in Flanders. This Centre is a research consortium made up by the Catholic University of Leuven, the University of Antwerp, the University of Ghent and the Hogeschool Gent. The Centre is funded by the Flemish government for a period of five years (2001-2006) and conducts research in different fields of public administration and public management.
INTRODUCTION

The public sector in Flanders is in a constant state of flux. One of the trends is the apparent rise of network-like policy arrangements. This trend is part of the evolution of Western societies towards post-modernity or what Castells (1996) defines as ‘the network society’ (see also Bogason 2001; Peters 2001).

There are numerous examples of network policy arrangements in Flanders. For example, the Masterplan Antwerpen aims at an integrated approach to the mobility problem of the Antwerp subregion (traffic, public transport, etc.).\(^1\) The Decree on integrated water management reforms each estuary or basin into an integrated water system and also formalizes the work of the water boards.\(^2\) More broadly, the Flemish government is merging so-called subregional employment committees and subregional platforms into new structures to facilitate a more integrated subregional economic development. The Flemish debate between different governmental tiers on core competencies (the so-called ‘core task debate’) resulted in a policy agreement in which area-based policy arrangements are explicitly set out as basic governance tools (De Rynck and Voets 2003).\(^3\) This paper is concerned with the so-called ROM-project in the canal area of Ghent, which presents an integrated approach for an economically important area that was problematic in terms of ecology and livability. The network involves public actors from different tiers as well as private actors. In sum, the first impression is that network-like policy arrangements appear to be on the rise in the Flemish public sector and are, at least at the rhetorical level, also regarded by the Flemish government as a promising governance tool.\(^4\)

These policy networks have common as well as distinctive features. A commonality is that they are area-based in that they all deal with complex policy issues that demand a flexible, made-to-measure policy for a specific subregion or area and they are characterized by the involvement of public and private actors resulting in intergovernmental as well as public-private cooperation.\(^5\) These arrangements deal with public policy-making, thus satisfying an element of the definition of governance networks by Marcussen and Törffing (2003): they “…contribute to the production of public purpose within a particular area.” (1). To this extent, they arguably can be regarded as policy networks or governance networks.\(^6\) The distinctions arise because these arrangements involve different types and styles of organizational structures and institutions as well as processes. For example, some are set up
and/or steered top down by central government while in other cases development occurs
bottom up by local actors. Some focus on policy design and/or policy implementation; they
may deal with only one or with several policy fields.

The expectation regarding policy networks is that the network is a sum (i.e. the policy-
making in the network) that is more than its separate participating parts (i.e. the separate
policies of each actor). The goals of these policy arrangements in the fields of policy-planning
and policy-making are ambitious: the policy processes which they are said to (co-)produce
aim to be more interactive, more effective and to acquire more public support.

However, the extent to which these goals are met in practice is the object for further
analysis. Further analysis is needed to establish whether or not (and to what extent) this trend
towards governance in Flanders is real and tangible: do these arrangements contribute
significantly to the production of public purpose or are they merely a new wave or trend in the
public sector, acting as window-dressers while public policy-making in practice remains the
same as before? This issue is dealt with in our research, but is not addressed in this paper.

Having said this, the apparent rise of policy networks raises a number of questions. These
questions can be divided into two categories. The first has to do with the roles and effects of
policy networks: how do policy networks shape policy processes? If policy networks do have
an important impact on public policy-making processes, a second category of more normative
questions emerges: do policy networks function democratically? What are potential
shortcomings of these networks? The topic of this paper relates to the second category of
questions, namely if and how the network is consciously designed and to what extent this
design deals with the alleged shortcomings of networks? To this end, we combine institutional
theory, planning theory and empirical evidence from our research.

In the first section, we elaborate on the alleged shortcomings of networks and argue that a
contingent approach should be taken regarding this issue. The second section deals with the
concept of institutions and institutional design and distinguishes levels and dimensions of
analysis to enable an analysis of institutional design. The third section introduces the case of
the ROM-project in the canal area of Ghent, a case which is regarded as an exponent, an
illustrative ‘best practice’ of policy arrangements in the sphere of spatial and infrastructure
planning. A contingent analysis of this policy network, considering democratic prospects in a
Flemish context, suggests that in this case, the domination of representative democracy by
corporatism and party-political arrangements is being replaced by a network arrangement in
which there is broader involvement, and parties and corporatist actors play a somewhat different role (De Rynck and Voets 2004). In the fourth section, we illustrate the complexity of institutional design, using the ROM-network.

1. POLICY NETWORKS: PRO AND CONTRA

The question of conscious institutional design and whether this can offer solutions for the normative shortcomings of (the spread of) policy networks as new modes of governance is based on (at least) two implicit assumptions. The first assumption is that policy networks are indeed spreading as new modes of governance and thus have a significant impact on public policy-making. The second assumption is that policy networks (and consequently the spread thereof), have normative shortcomings. Both assumptions have been on the agenda of the network literature for quite some time (e.g. Dowding 1995; Hajer and Wagenaar 2003; Rhodes 1997).

In the introduction we have already stated that with reference to Flanders, empirical evidence to prove the first assumption is lacking: there are indications that network-like policy arrangement are on the rise in different policy fields, but their impact on public policy-making needs further analysis.

Regarding the second assumption, from a Flemish perspective, a mixed picture comes to the fore. But first things first: what are the believed shortcomings (and opportunities) of policy networks? Kelly and Haus (2003) state three shortcomings: the problem of accountability, of participation and of effectiveness. In their standard work on managing complex networks, Kickert, Klijn and Koppenjan (1997), summarize the common critique of networks: "Networks are condemned because, according to critics, they result... in neglect of common interests by governments,...the hindrance of policy innovations,...non-transparent policy processes... and insufficient democratic legitimacy...In short, networks produce ineffective, inefficient and insufficiently legitimized policies.” (171). Other scholars have similar accounts (see also Börzel 1998; Lowndes and Skelcher 1998; Marin and Mayntz 1991; Marsh and Rhodes 1992; Nelissen 1993; Thompson, Frances, Levacic and Mitchell 1991).

However, as Kickert et. al. argue, policy networks also have advantages: “...because of networks, interest groups and implementing organizations are involved in policy making,... because of the participation of the above-mentioned organizations, the societal acceptance of
the policy is furthered. Implementation and enforcement will therefore be less costly and
easier to effect,... participation of many individuals, groups and organizations indicates that
a great variety of interests and values are considered, which is favorable from a democratic
point of view... and networks make it possible for governments to address societal needs
[and] problems despite restricted capabilities. They improve the problem solving capacity
and therefore the effectiveness of government." (171; see also Lowndes and Skelcher).

These arguments pro and contra policy networks are diverse: some focus on the quality of
the process (is it open or closed?), others zoom in on the nature of the actors involved (are
public or private actors dominant?) while some address the results (e.g. is there increased
policy support, does it improve policy implementation, is policy innovation furthered?). Next,
depending on the position of the author, policy networks are regarded as more or less
democratic or legitimate, an improvement or a threat for representative democracy, more or
less effective (in comparison to existing policy processes).

This argument shows how normative and subjective the discussion is. The issue is also
ambiguous. On the one hand, the evolution towards more interactive types of policy-making
is applauded to transcend the (too) static nature of representative democracy and to develop
popular support in responding to complex policy issues. But as soon as these types develop in
practice, they are judged to be undemocratic because they threaten the primacy of politics and
hollow out representative democracy (De Rynck 2002). Literature on Belgian politics has
discussed the declining legitimacy of representative democracy: political parties are losing
ground, credibility and members; elected councils are often marginalized. (Dewachter 1995,
2001; Huyse 2003). The literature has produced similar accounts for the Western democracies
in general (Dryzek 2000; Peters 2001; Pharr and Putnam 2000; Pierre 2000; Pierre and Peters
2000). In sum, many critiques regarding policy networks seem to presume an ideal-type of
representative democracy, which is then said to be hollowed out by networks.

Kelly and Haus state correctly that the problems associated with policy networks are not
features of policy networks as such, they are also issues of other modes of (local and other)
government as well. Particularly in Belgium, which has a tradition in a number of policy
fields (spatial planning, economic development, …) of ‘iron-triangulated’ policies at the
central and local level, these shortcomings are applicable to ‘local government as we know
it’: e.g. the elected councils are formally in power but are weak in practice and they only
‘notarize’ the decisions of strong executive politicians, while the latter develop policies
together with elites, top representatives of the so-called societal pillars (trade unions, employers organizations, …). In other words, the existing practices of public policy-making or modes of government in Flanders also represent issues regarding accountability, participation and effectiveness.

So, the opportunities and threats, ascribed to policy networks, are not only depending on the position taken (see for instance Scharpf’s (1999) notion of input- and output-legitimacy or Dahl’s (1994) distinction between system effectiveness and citizen participation) but also on the context, the institutions in which these policy networks operate. Therefore, general statements concerning the opportunities and threats of policy networks should be handled with care because contingency determines the position taken. Contingency relates to places, time, the nature of policy problems, the institutional framework in which networks are embedded and the dynamics of the process of interactions. Place and time are variables in assessing policy networks. The routines and the culture of local government (or local representative democracy) are the result and the product of contingency: the history of government and policy-styles, political cultures. As Healey (1997) states: “... modes of governance and their associated routines and styles are the product of local contingencies, of the cultural traditions of particular places and political communities, and of the dynamics of change which are re-shaping these traditions. ... learning to read the specific ‘politics of space’ is a critical skill. This involves contextualizing specific practices in terms of both their local contingencies and broader structuring dynamics.” (240).

De Rynck and Voets (2004) carried out a contingent analysis of the democratic quality of the ROM-case as an illustrative best practice in Flanders, which led to the conclusion that new networks like ROM have more democratic potential than the old, corporatist and elitist networks in Flanders. This conclusion supports the position that local governance within networks presents a potential for democratic renewal (John 2001, 3). “As networks develop, old institutions are renewed, both in terms of structure (new competences, decentralization) and culture (new routines based on interactivity and strategic planning). In Flanders, representative democracy at the local level was dominated by corporatism and party-political arrangements. So, at this point, new institutions (like ROM) are replacing old networks (corporatist arrangements) in a new institutional framework for local representative democracy. The question: “How to combine new networks and new representativeness?” seems more suitable for the local “politics of space and place” in the Flemish region” (De
Rynck and Voets 2004, 28). Thus, contingency does not only influence the definition and interpretation of the shortcomings and opportunities of policy networks, it also influences the way in which institutional design is to be interpreted.

2. TRANSLATING INSTITUTIONAL DESIGN

We cannot analyze institutional design before elaborating on the concept itself. Essentially, the concept of institutional design deals with the shaping or reshaping of systems (e.g. social systems, value systems, state systems). Consequently, in order to be able to discuss institutional design, a notion of what systems (or institutions) are, should be developed.

2.1. Institutions?

How do we conceive institutions and institutional design? In political science, the ‘old institutionalism’ focuses on the shaping and reshaping of formal and political structures and institutions: constitutions, the division of competences, electoral systems, legal procedures, etc. which in turn shaped individual behavior, preferences, … The scale or space to which institutional design then applies varies considerably but in most cases it is defined by ‘poli-tico-administrative boundaries’, ranging from local authorities, regional and/or central governments, supranational bodies (e.g. European Union) to global international systems (e.g. universal rights, the United Nations).

In his work on ‘new institutionalism’ in political science, Peters (1999) also focused on definitions and concluded that “the word ‘institution’ is used loosely in political science to mean everything from a formal structure like a parliament to very amorphous entities like social class, with other components of the socio-political universe such as law and markets also being institutions” (28). One of these definitions is the one of March and Olsen (1989). These founding fathers of ‘new institutionalism’ define political institutions as: “collections of interrelated rules and routines that define appropriate actions in terms of relations between roles and situations. The process involves determining what the situation is, what role is being fulfilled, and what obligation of that role in that situation is” (21-26, cited in Peters 1999, 28). This definition can be contrasted with a definition from rational choice theory: Ostrom (Kiser and Ostrom 1982) says institutions “are rules used by individuals for
determining who and what are included in decision situations, how information is structured, what actions can be taken and in what sequence, and how individual actions will be aggregated into collective decisions...all which exist in a language shared by some community of individuals rather than as physical parts off some external environment” (179, cited in Peters 1999, 53). Other approaches produce different (elements that lead to) definitions: institutions are then linked to regimes, organizations, etc.

Goodin (1996) tries to come to a ‘coordinated’ position. He states that “individual agents and groups pursue their projects in a context that is collectively constrained. Among the many forms those constraints take, to some significant extent, those constraints take the form of institutions – organized patterns of socially constructed norms and roles, and socially prescribed behaviors expected of occupants of those roles, which are created and re-created over time” (19). Such a coordinated definition is, almost evidently, rather general: a social institution is then “a stable, valued, recurring pattern of behavior”. We pick up three elements, ‘criteria’ to define an institution: stability, valued and recurrent pattern of behaviour. In his effort to include in his definition different institutions from different disciplines, we will use the definition of institutions in the sphere of politics “which deal with the control of the use of force within a society and the maintenance of internal and external peace of the boundaries of society, as well as control of the mobilization of resources for the implementation of various goals and the articulation and setting up of certain goals for the collectivity” (21). This definition resembles ROM - a pattern of intergovernmental collaboration involving different tiers and also actors from the private sector, trying to come to public policy-making (accommodate ecologic, economic and spatial planning issues), by setting up and implementing goals and mobilizing resources - as well as our field of research.

2.2. Institutional design?

What about institutional design? Peters (1999) states: “One view in most approaches to institutions is that they simple emerge from interaction, while in other views they can be the product of conscious institutional design” (134). So the question whether conscious institutional design is possible, is a central issue in institutional theory and seems to group scholars as ‘believers’ and ‘non-believers’. Goodin, on the same issue, comes to a similar conclusion and also states that intentionality of design should be handled with care, because institutions are often the product of intentional activities gone wrong: “In that case, an
institution can thus be the product of intentional action, without its having been literally the intentional product of anyone’s action” (28). So actions - whether or not intended at designing - can have unintended effects which do contribute to design.

He also warns against the ‘Myth of the Intentional Designer’: there is no single design or designer, there are “just lots of localized attempts at partial design cutting across one another, and any sensible scheme for institutional design has to take account of that fact.” (28). Our research of the ROM-case also points to a complex jumble or complex mixture of actions, events and relations that eventually makes up institutional design. But at the same time, some levels and dimensions can be distinguished (see below). In sum, institutional design is possible but, according to Peters (1999) and Goodin, is also heavily constrained.13

A more open understanding of the notion institutional design is provided by Pettit (1996): he applies the concept “to a more common place project of examining existing arrangements to see if they are satisfactory and of altering them where necessary...I use the phrase to cover interventions in any of the arrangements that coordinate the behavior of individuals in society” (55). Another definition is that of definition of Bobrow and Dryzek (1987): “design is the creation of an actionable form to promote valued outcomes in a particular context” (201, cited in Goodin, 31). In this paper, we will use institutional design with reference to the definition of Bobrow and Dryzek, because in our opinion, it is sufficiently open and neutral to apply it to the public policy-making in relation to the ROM-case.

Despite all these and other definitions in institutional theory, Goodin - trying to build a theory on institutional design - concludes that literature dealing specifically with design issues in the study of social institutions is rather scarce and that other disciplines should be looked at (31). Following his ‘advice’ and because the ROM-network, according to Albrechts and Van den Broeck (2003) is also a case of collaborative planning, planning theory is brought in. After all, other disciplines are also dealing with issues that we associate with policy networks. For instance, contemporary spatial planning theorists, faced with the failure of classical, knowledge-driven planning, are now stressing the importance of collaboration in planning processes. Their experience is similar to the idea that policy networks develop as alternatives for/solutions to failing policy processes (and failing government) in a changing environment and that actors become increasingly interdependent. To ‘counter’ their experiences with failing classic planning, planning scholars develop concepts like deliberative and
collaborative planning (Forrester 1999; Healey), in which they rely “on practical reason and communicative rationality as the bases of collective problem solving” (Wagenaar 2003, 9).

In discussing collaborative planning, Healey also deals with the issue of institutional design. She argues that institutional design is the result of the combined effort of the participants in the planning process: institutional designs are build up “from the ‘grass-roots’ of the real concerns of specific stakeholders as these interact with each other in specific situations in place and time. This produces an institutional infrastructure which is as near as possible to the lifeworlds of the stakeholders” (285).

In this collaborative approach, framing is a key element in the process of institutional design: "The ideas and understandings generated [in the collaborative planning process] help to frame the way people think about their subsequent actions...This leads to coordination without the need for formal co-ordination procedures...Framing ideas replace the blueprints of the ‘command and control’ models of planning systems, and the linear ends-means policy sequences of the rational process model, as the driving force of a broadly-based co-ordinated transformation of knowledge and values into actions.” (Healey, 284-285).

This approach is closely related to the ideas of deliberative or discursive democracy (Dryzek 2002; Van Gunsteren 1998): flexible and bottom-up development of policy processes and institutions involving the actors at the grass-roots-level. One might interpret this approach as a call for institutional experimentation. Goodin, who sets out a number of principles for institutional design, formulates the principle of variability to encourage experimentation with different structures and different places.

These elements, in our opinion, support the idea that policy networks are (acceptable as) ways of institutional experimentation. These elements also imply that contingency - the politics of space and place – has to be taken into account in discussing institutional design and its potential to deal with shortcomings of networks: these shortcomings and the institutional design remedying them can differ between places A, B and C, spaces D and E and in periods F and G. After all, if we believe (and we do) that actions, events and relations are often caused by as well as determined by elements related to a specific place or space and a certain moment in time, these contingent factors lead to contingent institutional design. If we take this line of thought beyond the limit: all institutions and processes of institutional design are unique. But let's take it one step back and confine ourselves to say that a contingent approach to institutional design is needed. Gualini (2004) also brings contingency into his analysis: “The
aim of my analysis is, hence, that of the identification of modes of institutionalization, intended as interpretive models for the possible shape taken by processes of institutional (re-)production according to the directions defined by the specific combinations of factors, mechanisms and variables of adaptation and change are found in concrete, situationally defined institutional contexts.” (59).

One might get the impression that conscious or intentional institutional design is then relatively ‘simple’: each set of actors, by dealing with a certain policy issue in a (loosely) defined place, is his own institutional design and this will have positive effects in terms of governability, accountability and legitimacy, at least in comparison to existing institutions. An appealing argument to neo-liberal scholars and politicians: nothing more than institutions created by actors who will use them: life becomes easy thanks to institutional design ‘à la carte’. In part, this is similar to arguments in favor of the market and to the idea of social constructivism (i.e. institutions are built by individuals).

However, as Peters (1999) and Goodin have illustrated: design takes place in existing institutional frameworks. Or as Healey argues - based on work of Ostrom, Friedmann and Innes - these processes of ‘discursive collaboration’ are in need for and have to operate within formal institutional settings (e.g. state systems) and have to deal with internal and external institutional factors (285-286). In other words, (experimenting with) institutional design does not occur in a void: different systems are in place and restrict the opportunities for institutional design.

The limited scope of this paper keeps us from elaborating on the extensive theoretical debate on these different institutional and planning approaches and their definitions (for an overview, see Peters 1999), but the discussion about old and new institutionalism in political science shows that a variety of elements is present: the concept of institutions includes formalized rules, codes of conduct and social norms that influence the behavior of individuals and groups in society. The discussion also shows that design (and redesign) is difficult – being normative, involving different rules, influenced by numerous factors, the impact of path-dependency, the costs of design - but nonetheless possible. The arguments also seem to imply that ‘there are institutions and institutions’: the idea of distinguishing different levels of institutions and institutional design comes to the fore.
2.3. Dimensions and levels

Analysis of what institutions and design are and establishing that intentional institutional design is (at least theoretically) possible are only steps on what sometimes seems a crusade to learn more about the role of networks in and their impact on public policy-making. Part of that quest is to understand the potential of conscious institutional design. In order to achieve the latter and to be able to discuss institutional design ‘at work’, we need to explore possible levels and dimensions of institutional design.

Healey distinguishes between two interacting levels in institutional design: “The first [level] concerns the work that stakeholder communities undertake as they build social, intellectual and political capital in the course of developing strategies to address their collective concerns in the management of local environmental change. The second concerns the design of the political, administrative and legal systems which structure the context of local instances. This is the terrain of systemic institutional design. […]” (285-286).

For the purpose of analyzing a policy network and based on our own research, we feel this distinction is insufficient. It seems that Healey and others distinguish between Institutions with a capital I (the ‘big’ systems) and institutions (such as networks). To include more factors that are relevant in institutional design, we distinguish four different analytical levels (see table 1).

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<th>TABLE 1: Institutional Design: Levels of Analysis</th>
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Table 1 presents a theoretical distinction between different levels that are relevant in the process of institutional design. At each level, the hard and soft or formal and informal infrastructure can be distinguished. The first level is the network environment in which the
network operates. This is analogous to the level of social systems, governing systems, etc. or what could be referred to as the macro-level. Thus, the network environment includes the institutions that are usually object or subject of institutional theory. For instance, the level of the network environment comprises the electoral system, the constitutional framework, the societal and politico-administrative values and traditions, etc. and includes Healey’s notion of systemic design. The second level is the network level. As we will argue in the next section, the ROM network can also be regarded as an institution and thus, institutional design can occur at this level. The third level, what we call the actor-level, is the level of single organizations. At this level, the (difficult) relation between the concepts of institution and organization surfaces: some argue that both have distinctive features (Offe 1996, 203-204). Others conclude that distinctions are not so clear: “A second reason for some apparent confusion in the sociological literature on institutions is the failure to distinguish clearly between organizations and institutions...In fairness the failure to distinguish between institutions and organizations has not been confined to sociological analysis of institutions, with much of institutional analysis failing to lake clear that differentiation” (Peters 1999, 97).

We are not entering into this debate in this paper: for now, it suffices to note that the actor-level is important because actors and features of actors can influence the (opportunities for) institutional design (or in negative terms: can restrict the potential for institutional design), certainly at the network-level. Finally, the fourth level is the level of the intermediaries, the physical agents or representatives of the actors: this is the level of the individual. So, institutions matter, policy networks matter, organizations matter and individuals matter.

At each level, we can distinguish between hard or formal infrastructure (legislations, procedures, etc.) and soft or informal infrastructure (value systems, culture, customs, etc.). Depending on the position taken, elements are endogenous or exogenous. In our case, in which we are primarily interested in and focused on the network level, the institutional characteristics of the network environment are exogenous (e.g. division of competences, administrative principles) while the characteristics that can be designed within the network are endogenous (e.g. own procedures, codes of conduct, structures). We illustrate the levels of analysis using the ROM-case:

- **Network environment:** in our case the structures and cultures at the level of the Flemish region, EU-legislation, …
I: division of competences, allocation of financial resources, tax law, legislation like the Decree on Spatial Structure Plan of Flanders, …

II: traditions, cultures, politico-administrative practices, informal central-local relations…

- Network: in our case the level of the ROM-program in the canal area of Ghent
  o III: structures of network, position in network, decision-making rules, …
  o IV: network culture, personal relations between intermediaries, …

- Actor: in our case more than 70 actors are part of the formal network
  o V: internal regulation of actor, procedures, …
  o VI: organizational culture, modus operandi of individual actors, …

- Agent: in our case civil servants, executive politicians, representatives of interest groups, etc.
  o VII: contract, mandate,…
  o VIII: personal characteristics: communicative, authoritative, dominant, …

Theoretically, actions, events, etc. on these levels and dimensions can influence one another in all directions. Some causal relations however are more likely than others. For example, the fact that the network environment influences the network is evident (cf. institutionalism), while the idea that a single physical agent can influence the network environment is very unlikely (cf. The Myth of the Intentional Designer of Goodin). This paper does not have the ambition to discuss all possible relations. Also, the distinction between these levels and formal and informal elements is based on our contingent approach to institutional design but is not absolute: it is a preliminary attempt to grasp the complexity of this policy network and the processes of institutionalization and institutional design.

The preliminary framework consisting of these four levels and a distinction between formal and informal infrastructural elements can be regarded as a macro-approach which should be operationalized further.

Gualini might provide us with an instrument to do so: in his analysis of institutionalization, he distinguishes three dimensions of analysis: the formal-juridical, the processual-iterative and the symbolic-cognitive dimension (see figure 1):
- **Formal institutional settings**: ‘institutional regimes’ and formalized norms, rules and procedures;
- **Informal institutional settings**: ‘modes of interaction’, prevailing strategies, behaviors and routines;
- **The ‘discursive’ domain of institutions**: frames, scripts, narratives, images, ‘paradigms’.

(Gualini, 63).

His dimensions might be useful in the framework at the meso-level: as an analytical instrument to analyse in more detail how institutional design occurs at, for instance, the network level. However, this aspect needs to be developed further.

We will now introduce the case of ROM. This case is then used in section four to illustrate some elements of institutional design, using our (preliminary) framework.

### 3. THE ROM-PROGRAM IN THE CANAL AREA OF GHENT

This section elaborates on the case of the ROM-program in the canal area of Ghent. After a brief introduction, we assess whether the case qualifies as a network and as an institution. After all, it seems logical that institutional design of a policy network can be called
institutional design only if the latter is in fact an institution (or if the design makes it an institution). We will define our case as a policy network using the definition of Kickert, Klijn and Koppenjan and as an institution using the distinctive features formulated by Peters (1999). This section is concluded with a brief overview of the arguments that make this case a best practice in Flanders.

3.1. A Brief Introduction

The ROM-case - running for more than ten years now - started as a bottom-up program concerning spatial planning and the environment, and evolved towards a permanent strategic subregional planning process in the canal area in the subregion of Ghent. The process involves a network of public and private actors addressing a complex subregional policy problem.

In 1993, a number of leading figures in the province of East-Flanders took the initiative to address the problems in the canal area of Ghent. The initiative was titled “ROM-project in the canal area of Ghent”, analogous to the ROM-project in “Zeeland Flanders” in the Netherlands. The main goal of the initiative was to tune policies concerning the area surrounding the canal Ghent-Terneuzen with regards to environmental, spatial and economic issues. Flanders was able to join in on the zest of the Zeeland project because the Flemish project started in the framework of the European Region “Scheldemond”. The existence of this framework presented a trump card for regional (cross-border) cooperation and for tuning different points of view in the entire region. The Flemish ROM-project aims to develop and implement a coherent vision of the canal area along three lines: economic development, spatial development and environmental management. By integrating these three functions, the participants sought to reconcile economic activities, which are accompanied by serious inconveniences (environmental pollution, heavy traffic, etc.), with the housing function and the environment in order to safeguard the livability and the environmental quality of the area as well as the economic future of the canal area. To attain these goals, consideration and cooperation between different governments and the private sector was deemed necessary (Van Wesenbeeck 2003).
The ROM-group first developed a strategic concept or "target view" for the area during the period 1993-1996. Next, the concept was underpinned further by research and implementation projects that addressed the quality of life in the residential nucleus, environmental quality, mobility in the area, and the like. In 2003, the group forwarded a “Strategic Plan” that stated a vision, identified a number of key decisions and established an action plan for sustainable development of the area. In the meantime, the planning process produced a number of tangible results, including a significant reduction of noise, dust and air pollution in the area, the redesignation of hundreds of acres of land from industrial uses to nature reserves, and the development of a legal instrument to buy and sell land. In addition, approval and funding for a large road-building project was acquired via the network and implementation was negotiated with all the actors in the SRN. These and other tangible results ensure that the actors stay involved and perceive win-opportunities (Albrechts and Van den Broeck).

To put the Strategic Plan into practice, the former steering committee – i.e. the central structure of the program - set up more effective cooperation- and decision-making procedures and structures. Figure 2 presents the current structural design of ROM. The steering committee changed into the "Subregional Network" (SRN), which acts as the central tuning and coordination platform for the Strategic Plan (and related issues). The SRN is made up by a wide range of actors that have interests or that are competent in the area (see table 2). The “Subregional Consultative Body” (SRCB) is part of the ROM-structure but is a body that
has been setup in the framework of the Harbor Decree which enables the four Flemish ports to set up an advisory body for each port.

### TABLE 2

<table>
<thead>
<tr>
<th>LEVEL</th>
<th>PUBLIC ACTORS</th>
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| **Local**              | - Ghent, Evergem and Zelzate: civil servants, mayors and aldermen  
                        | - Port of Ghent: civil servants and alderman            |
| **Provincial**         | - Members of the Provincial Executive                  
                        | - Some provincial departments: civil servants            |
| **Regional (=Flemish)**| - Governor of East-Flanders                           
                        | - Regional development agency                           
                        | - Different departments of the Flemish public administration (economy, traffic, roads, agriculture, employment, spatial planning, environmental affairs, etc.)  
                        | - Agency for public transport                           
                        | - Agency for land                                       
                        | - Social mediator                                       |
| **National (=federal)**| - Railway company                                     
                        | - Committee for land purchase                           |
| **Cross-border**       | - Dutch municipality of Terneuzen: alderman           
                        | - Cross-border cooperation of provinces ('Euregion Scheldemond')  
                        | - Cross-border cooperation of countries (Benelux)         
                        | - Department of the Dutch public administration        |

<table>
<thead>
<tr>
<th>TYPE</th>
<th>PRIVATE ACTORS</th>
</tr>
</thead>
</table>
| **Profit**             | - Companies                                           
                        | - Consultants                                         |
| **Not-for-profit**     | - Citizen groups                                      
                        | - Environmental groups                                 
                        | - Trade unions                                         
                        | - Employers’ organizations                            |

### 3.2. A Policy Network

Is ROM a policy network? Kickert, Klijn and Koppenjan define policy networks as “…(more or less) stable patterns of social relations between interdependent actors, which take shape around policy problems and/or policy programmes” (6). Klijn (1997) analyses the network literature and observes three important characteristics of networks: networks consist of a variety of actors, each with their own goals; networks exist because of interdependencies between actors; and networks consist of relations of a more or less lasting nature. (31-33; also see Scharpf 1978; Rhodes 1999; Benson 1982). Although this definition should be operationalized further (e.g. how are the interdependencies defined, what frequency or intensity of the relations is required to define them as lasting), it is applied to the ROM-case in its general terms.  

The first characteristic (a variety of actors and goals) clearly applies to ROM. A wide range of actors is involved in the ROM-process (see table 2) and they all have their own - often conflicting - goals and strategies. For instance, the municipality of Evergem is primarily...
concerned with the livability of some of its villages in the area, while the city of Ghent is primarily concerned with the economic development in the canal area.

The second characteristic (interdependency) also applies to ROM. Interviews with the actors involved demonstrate that they all perceive interdependency, albeit in different ratios. Not a single actor was said to be capable of achieving its own goals in that area independently, nor has any actor enough power to determine the strategic actions of the other. For instance, the companies in the canal area demand new road infrastructure for which different governmental tiers are competent while these governments are dependent on the companies for the desired re-organization of the area because they own most of the canal area and are the main employers in the subregion.

The third characteristic (relation patterns between actors) is also met: throughout the process, an increasing number of actors joined the negotiation platform while no single actor withdrew. Since the beginning, the actors have met regularly (at least several times a year in the SRN and more frequently in working groups) resulting in the development of a ROM-culture with distinct routines.

3.3. An institution

Peters (1999) formulates four criteria to assess whether or not a case is an institution. The first three criteria are similar to those of Goodin and the fourth is closely linked to the third. Firstly, an institution is in some way a formal or informal structural feature of the society/the polity. “That structure may be formal (a legislature, an agency, …) or it may be informal (a network of interacting organizations…” (18). ROM is mainly an informal institution (network of interacting organizations) and has some formal or structural components (such as the SCNB). So, ROM meets this criterion.

Secondly, an institution has to show some stability over time. This element is also one of the features of a policy network. We have argued that ROM is a network that has been up and running for ten years, in which the initial ‘founding fathers’ are still actively participating. Actors that gradually joined the network over the years remain in the network. So, ROM meets this second test.

Thirdly, an institution must affect individual behavior. If we apply this criterion to the individual behavior of the ROM-actors and their agents, ROM has indeed an impact on their behavior. ROM-actors have to take into account the network and its decisions as well as its
customs and are thus constrained in their autonomous actions: for instance, they cannot
deviate too much from the network consensus, which results in informal but ‘hard’
sanctioning by the other actors of the ROM-network: “What happened to the guys from
municipality [X]...I would not like that to happen to me. If the governor summons you and
you get a going-over like that, you will think twice before doing that again” (mayor of one of
the municipalities involved, interview 3). So, ROM also meets this criterion.

Fourthly, Peters states that in order to be an institution, there has to be some sense of
shared values and meaning among the members. This criterion is closely linked to the third
criterion. In ROM, the actors share the belief that the canal area has to be dealt with, that the
actors have to communicate openly in the network and that the actors should support all
dossiers that ROM puts forward in consensus. In particular, the actors share the belief that the
issues in the canal area need to be dealt with by developing an integrated vision and that this
vision and the actions should be reached through negotiating and consensus-building in the
network, bringing in all actors concerned and with respect for each others positions. Actors
also admit they would function or act differently without ROM. So, in our opinion, ROM
meets this final criterion.

In sum, using Peters’ (1999) criteria, this policy network can be regarded as an institution
and thus, institutional design at that level is theoretically possible.

3.4. **Voted ”Best Practice”**

ROM is a policy network that developed bottom-up in that it was not initiated by the
Flemish nor the federal government and involves different actors (public and private) from
different tiers. So, ROM can be regarded as an example of what Healey (1997) defines as
‘discursive collaboration’. The process developed incrementally, because apart from the main
goal to address problems in the area, the specific projects, plans, and results were not
established at the outset. It started as a relatively informal, interpersonal relational framework
that expanded over the years in terms of number of actors and issues. This evolution raises
questions about the manageability of the process: the ROM-group has restructured itself and
is developing instruments to put the strategic options in the Strategic Plan into practice. Thus,
ROM is institutionalizing, formal as well as informal. However, despite this process, it
remains a relatively flexible arrangement for subregional cooperation concerning different
policy fields and stakeholders. All of the ROM-actors agree that the ROM-network has
become the central platform for communication and deliberation concerning subregional
issues in the canal area of Ghent.

ROM is problem-driven, starting from a subregional problem in the canal area, and
situation-sensitive in the sense that the actors and the issues are always related to the canal
area and take into account the different interests of the actors in the area. The ROM-actors
experience the process as a win-win game: every actor perceives that he or she is getting
certain results out of the process (Albrechts and Van den Broeck). The exact definition of
what these results are varies considerably and depends on the perception of each actor.

It is also a negotiated process, because decisions are consensual and have no legal status:
each actor is only bound in moral terms by the decisions in the process. This is both strength
and weakness. On the one hand, actors feel more at ease and take a more open stance in the
process but on the other hand, the implementation of projects is not guaranteed in contracts.
The core actors decided to create a process-architecture along different tracks: long-term
vision, short term problem-solving and actions. A goal was permanent involvement of key
actors, including the local population, in the process.

Furthermore, the pattern is not steered by any single actor. In practice, a small set of
pivotal politicians and civil servants keeps “the big picture” in mind and tries to steer the
network or to keep the network afloat. This team is also responsible for some elements of the
conscious institutional design of the network. The main program managers work for the
province of East-Flanders. This does not mean that the province as a political institution is
really committed and is formally acknowledged as responsible for process management. The
provincial governor and some pro-active provincial administrators are the central network
brokers, supported by a small but highly motivated team of external spatial planners. They
constitute a team that has ensured the continuation of the network since the beginning.\textsuperscript{19}
Interestingly, some of the members of this core team have switched positions in the network,
moving from the local to the central level, from the public to the private sector. In other
words, physical agents can move between different actors and institutional levels. For
instance, one person was involved in the beginning of the process as a consultant (network
level), then he became a Flemish civil servant (network environment level) and recently, he
returned to the network as project manager. This is perhaps a typical example of a contingent
element for Flanders: Flanders is small, the institutional levels are close to one another and
mobility between those levels (as well as between political, administrative and private sector) is considerable, thus having an impact on how institutional design takes shape.

The process is innovative, in part because of the development of a wide and open negotiation platform and the development of a shared strategic vision. It nonetheless faces continuing pressures. For example, involvement of the local population took a long time to develop and is now facing the critical test as citizen groups begin to participate in the SRN.

The planning approach used in the ROM-case is also innovative because it does not aim to draw up another integral (but in fact sectoral) plan, but instead brings together all the actors involved for a joint planning process on the future development of a specific area and it joins planning to the will of actors to implement projects.

Another aspect of ROM is the importance of party politics and informal relations in this policy arrangement (De Rynck and Voets 2004). In particular, informal and party political relations seem to be decisive in getting results in Flemish subregional policy networks such as ROM. Also, the cross-sections with other processes are important in understanding this pattern: actors meet in different settings, in different processes, and on different policy matters.

The relationship with the Flemish government is bottom-up; the real dynamics are driven by bottom-up interactions and Flemish government is engaged on a project-basis; each administration and minister involved separately, according to their competences.

This approach is “area-based” because the process aims at the development of a broad vision on the development of a specific area, without sizing or reducing it to existing administrative levels or sectoral policy fields, as is usually the case. The concept of being “area-based” is very important, because in Flanders, the distance between different governmental tiers is negligible. In issues on a subregional scale, such as the ROM-case, the different levels of government are “automatically” concerned. In other words, all governmental tiers are (potentially) involved in such issues, adding another layer of complexity to the already complex policy issues concerning the canal area.

4. INSTITUTIONAL DESIGN AT WORK

We have discussed the question(s) we want to answer; we have explained how we conceive institutions and institutional design and what the case of ROM is about. We will now try to illustrate conscious institutional design ‘at work’. To be perfectly clear: this section
is not a complete analysis of ROM: rather, it is a way of illustrating some of the elements of the framework designed in section two. At the current stage of our research, a full-fledged analysis is not yet possible and secondly, it would take us well beyond the scope of this paper because of the amount of elements we have already gathered.

4.1. Illustrating the preliminary framework

We have already argued in favor of a contingent approach. Although another paper elaborates on the issue of contingency and defines a number of contingent factors which are relevant for understanding (institutional design of) the ROM-case, we take a brief look at some of the trends that we feel are of use to understand institutional design regarding this network. (see table 3)

<table>
<thead>
<tr>
<th>Table 3</th>
<th>Institutional Trends in Spatial Planning in Flanders</th>
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<tbody>
<tr>
<td>'60-'70</td>
<td>⇒</td>
</tr>
<tr>
<td>OLD GOVERNANCE – CORPORATIST NETWORKS (trade unions, employers, local leaders: tripartites)</td>
<td>⇒</td>
</tr>
<tr>
<td>PASSIVE ROLE OF GOVERNMENT (lack of ambition and capacity)</td>
<td>⇒</td>
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<tr>
<td>HOLLOWED LOCAL REPRESENTATIVE DEMOCRACY</td>
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<tr>
<td>CENTRALIZATION OF SPATIAL PLANNING</td>
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<tr>
<td>TRADITIONAL MONO-LEVEL GOVERNMENT PLANNING</td>
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</table>

A detailed discussion of these institutional trends in table 3 is not possible in the limited scope of this paper. Therefore, we only discuss the trend of regionalization very briefly. Since 1970, a complex and ongoing process of regionalization and federalization has developed and which resulted in strong regions which have the core competences that are relevant for the issues of the network: housing, spatial planning, economic infrastructure, education, public welfare, labour market, etc. As a result, the Flemish government is clearly present at the subregional level: it manages important infrastructure (water ways, roads), it is competent for all important matters and is the major financial source for subregional projects. Due to the
limited territorial scale, the dominant position of the Flemish government and the close political relations through political parties between the local and Flemish level, the Flemish regional government is a powerful ‘local’ actor. This is a crucial element in order to understand urban/regional networks in Flanders. For instance, because of this strong institutional position of the Flemish government, different parts of the latter are strongly represented and have serious power in the policy network.

Next, we will discuss some examples that show how the analytical levels can be used to analyse institutional design. These examples also show that the levels and dimensions are clearly interrelated and that actions and events influence one another.

**Example 1: the Subregional Consultative Body (SRCB)**

The SRCB is an official advisory body that advises the Flemish government on policies affecting the harbor area of the port of Ghent. This body is set up by Decree and is funded by the Flemish government. Such a Decree is part of the institutional design at the level of the network environment, so in this sense exogenous to the network level. On the other hand, looking back at figure 2, the SRCB is part of the SRN (=the network) as a whole. So the SRCB is in fact part of the hard infrastructure of the network environment as well as the network itself.

Interestingly, the network heavily influenced this Decree. The network wanted to strengthen its position in the network environment and in doing so, to increase its influence on the Flemish government. Therefore, the network level consciously influenced a piece of the hard infrastructure of the network environment. The actual influence has been confirmed to us in numerous interviews and is also clear if we look at the task of the SRCB: according to the Decree, this body advises the Flemish government on issues of the environmental and spatial quality and the livability of canal areas, precisely (and not coincidentally) the main goals that have been at the heart of the ROM-network from the beginning. Also the fact that the port of Ghent was the first (and at this moment only) port to set up such a body, points to the influence from network to network environment.

So, the network level can intentionally design institutional features of the network environment. To achieve this, the network as a coalition but also the agents and actors present in ROM used their relations and positions in the network environment. So, the four levels intervene and interfere with one another, and strategies and coalitions at different levels are
developed to exert influence in this interaction process. This first (but of course rather unsophisticated) example shows that the levels can be used to explain (or at least describe) institutional design.

**Example 2: the delineation of the seaport areas**

Another example of the influence from the network level on the network environment is the delineation of the ‘seaport areas’. The delineation of the seaport areas is part of the Harbor Decree. This Decree stipulates that the Flemish government is competent for the seaports. To enable the Flemish government to formulate and implement a port policy, the Decree also stipulates that a legally binding, administrative space has to be delineated. This space is important: within this space, Flemish policy applies and consequently Flemish resources can be used to implement that Flemish policy. Outside this administrative space, Flemish port policy does not apply and thus, these specific resources cannot be used there. Because of the limited resources of other actors in the subregion (due to the strong institutional position of the Flemish government mentioned earlier) it is very important for the ROM-network to influence the delineation of this space. So institutional design at the level of the network environment again triggers the network level, as well as its actors and agents. Different actors positioned themselves: preferably the parts that would cost money would be part of the area while other parts should be left outside.

Interestingly, the Flemish government ‘contracted out’ the delineation process for the seaport area of Ghent to the ROM-network. In other words, the network level was given the opportunity to influence institutional design of a piece of the hard infrastructure at the level of the network environment. And again, our interviews showed the impact and importance of the network in designing this administrative and legal space. We also have indications that the result of this process has its effects on some of the agents and actors: for instance, for a number of them, the delineation was a success and strengthened their belief in the network.

So again, this indicates causal relations between the different levels but also between hard (e.g. the seaport area) and soft (e.g. the attitude of some actors) infrastructure. The small size of Flanders seems to make it ‘easier’ to influence the network environment (but also vice versa: the Flemish institutional framework is very close to the policy network thus (potentially) limiting the ability of the institutional design by actors within the policy
network). This example, in our opinion, is again too concise, but also shows that the levels can have an analytical value.

4.2. Potential of design regarding shortcomings of networks

We have discussed two examples of conscious institutional design without putting an explicit focus on accountability, accessibility and effectiveness. Both examples wanted to illustrate how intentional design can occur and that the analytical framework has some potential in examining this process. To ‘conclude’ our paper and also because we initially set out to focus not only on design as such but on attempts of design regarding accountability, accessibility and effectiveness, we take a look at design at the level of the policy network. It is not our ambition here to come to general findings at the level of the network environment (for instance by suggesting the reform of the local political system). Instead, we will focus on design at the level of the network: are there intentional actions at that level, aiming at these three shortcomings?

Accountability

The network was originally conceived as an informal structure and was set up in such a way that its structures or bodies have no legal or formal competences of their own: each actor that participates remains fully competent for its own competences. Thus, the network does not take formal or legally binding decisions and is not ruling out the formal channels of representative democracy: the network comes up with proposals for decisions that are then taken back to the bodies of each individual actor to pass through their internal decision-making process. In other words, the institutional design of ROM has consciously opted for a rather informal network, as opposed to setting up a new organization with a lot of staff, competences and resources of its own. At least two important motives can be found for this option: on the one hand, the designers wanted to prevent the network from becoming a new structure that threatens the autonomy and the competences of the existing actors. Experiences in other processes had shown that an important reason of network failure was precisely the fear of loosing territory, competences or resources. The second motive is the issue of accountability: the designers wanted to make sure that decisions passed through existing channels such as municipal councils. “The institutional design of the network is also
important. To acquire support, but also to acquire know-how: the working groups have been very important to pool knowledge. This resulted in two things: on the one hand, this created trust between the partners in the network but also in the network itself and on the other hand, this increased ownership of the process. The process constructs a broad group of people that are all involved in some way and their presence creates responsibility. That is essential in a process like ROM.” (former chief spatial planner of the network, currently professor in spatial planning, interview 26)

So, the ROM-network is conceived as a tuning platform, proposing decisions to be taken by the actors according to their internal procedures. For instance, if an alderman is present in the network, he or she goes back to the board of aldermen and mayor (=the executive body) and then goes to the municipal council (=the legislative body).

“The ROM-project and all the structures that resulted from the process have never had any ambition to replace the existing levels of government. ROM aims at tuning, safeguarding and stimulating the coherence of the policy-making of those governments...we chose not to vote on issues, to ensure the support of all actors in the network. Due to the interdependence, an actor that would loose a vote could slow down or even block the process in the implementation” (senior official, interview 10).

So the institutional design of the network guarantees that public policy-making formally remains at the existing levels of government. Consequently, accountability is not ‘worse’ of in this network in comparison to the decision-making processes in conventional public policy-making: the board and finally the council as legislative body formally take policy decisions. This conscious institutional design at the network level safeguards the existing model of accountability.

We feel that the institutional design even takes it one step further and improves the accountability of the policy processes through the policy network. First of all, there are much more actors involved in the policy-making process than is the case in most conventional processes of local governments. The involvement of other actors ‘living’ in the canal area broadens the scope and quality of the proposals. “In theory but also in practice, processes like ROM result in better and more underpinned dossiers. In earlier times, town and country planning was not real planning at all. It used to go as follows: someone walked into the office; he wanted an industrial zone; after that, we told the technical draughtsman, named
Johnny, to make a note of the request and the land changed of use just like that.” (civil servant, interview 13).

Another illustration of the improvement of accountability is the involvement of the citizens that live in the area. Before ROM, they were not involved in policy-making regarding the area: the elites decided and the population was confronted with a fait accompli. “This is one of the major achievements of ROM: the inhabitants of the villages in the canal area always felt like they were forgotten by the local, provincial and Flemish government. ROM provides them with the opportunity to have a say in what happens in that area.” (local official, interview 19). Recently, the citizen groups, which were set up on the initiative of the process managers, have become members of the SRN. We will elaborate on the citizen participation in the section on ‘accessibility’.

In sum, it is fair to conclude that the conscious institutional design of some of the hard (e.g. actors that are formal partners in the network) and soft (e.g. decision-making by consensus) infrastructure the network improves accountability, especially when we compare the current situation with the policy-making regarding that area in the days before ROM.

But three important nuances should be made. First of all, the evolution in public policy-making in the last decade has led to a more interactive policy process in Flanders in general. For instance, the mobility agreements (called mobility convenants) are set up at the level of the network environment but obliges the interested partners to consult with more actors. So conscious institutional design at the network level is not the sole responsible factor for the potential increase in accountability. Secondly, it would be false to present a picture of ROM as if it was an ideal-type: although the network is not a formal decision-maker, it has considerable power and influence on the informal level. At the level of the network environment, there still is a strong tradition of strong party political relations between politicians between tiers but between civil servants and politicians as well. Also, because of the complexity of the issues at stake and the fact that some actors are not professional policy-makers while others have a considerable staff, questions can be asked what the input of some of the actors is in this network. However, in comparison to the practice of public policy-making at the network environment level in general, ROM involves more actors and has a better quality when it comes to the dossiers. Thirdly, up until now, the institutional designers of ROM have been able to design structures but also to induce ownership and a common ROM-language to keep the process on course. However, exogenous events limit the influence
of efforts of conscious institutional design: for instance, after local elections, the mayor who acts as agent or representative of the municipality of Evergem in the process, loses office and a new town council and a new mayor take over. The new government of Evergem does not share the moral ownership of the network of the former mayor and consequently adopts a more critical attitude towards the process. So, institutional design at the network level cannot remedy internal events at the level of the agent or the actor resulting from elements of the hard infrastructure of the network environment: e.g. local elections. Another example of the limits is that the ROM-network touches upon the boundaries of interactive public decision-making. For instance, citizens have difficulties to comprehend the complexity of the issues at stake and have limited resources to understand and to participate in the process. The support coming from the policy network offers only a partial solution to this problem. As a result, citizens but also other actors in the network become frustrated: the citizens are not really interested in or do not understand the strategic planning process, they are only interested in road A or cycle track B or amount of traffic C in their neighborhood D, E of F. It has come to a situation that citizen groups themselves are questioning whether they should participate in this decision-making process at the level of the SRN.

In sum, intentional institutional design in the network can and has improved accountability, but touches upon the limits of institutional design at the network level because of features that are inherent to the level of the network environment, the actor or the agent: citizens can have limited interests in public policy-making processes, external events can bring about new agents with a different attitude, ….. The complexity of the issue and the limited capacity and interests of citizens shows that accountability cannot be improved beyond a certain point.

**Accessibility**

Accessibility is also part of the conscious institutional design of ROM. Table 2 is almost self-explanatory: the network is very open and all relevant actors have access to the network. The accessibility developed and increased over the years: the network started with a limited group of actors and gradually, other actors were brought in. Sometimes, they were invited by the network managers and/or by suggestion of other actors in the network (e.g. Volvo Cars Europe which suggest to invite Honda) and sometimes actors were involved on their own request. In comparison to the existing structures of government, this policy-making process is
more accessible and more open. So, conscious institutional design is able to improve the accessibility of the network and the decision-making process. The institutional designers consciously set out to involve as many actors as possible. But it is also a learning process: the institutional designers, at the beginning of the process, were not acquainted with the area as such. Over the years, they learned which actors were relevant to the network.

One might get the impression that ROM is an open conference or forum. This is the case but the openness developed over time: in the beginning, ‘difficult actors’ were left out: environmental groups for example were not welcome. During the process however, the attitude became more open and the actors which were perceived as ‘difficult’ in the early days are now participating in the process. This is also part of the evolution of the network environment in which some policy processes become more open, environmental groups have gained ground due to their professionalization and the fact that the Green party became part of the Flemish government, etc.

The fact remains that ROM was and is more open in comparison to traditional elitist and corporatist networks which used to dominate decision-making in this area. So again, the conscious institutional design in ROM presented a relatively open policy-making process. We return briefly to the example of the citizen groups: the institutional designers have set them up and provide financial and administrative support: “These meetings were not easy, but the quality is improving. In the beginning, we went to those groups and it was more a communication from us to them. Now, we give them all necessary support and they themselves chose topics for meetings and now, most of them chair their own meetings. Of course, we filter the agenda until a certain extent. But that is also decreasing. These meetings not only provide support for the policy-making process, they also provide input” (civil servant who is one of the main process managers, interview 23).

**Effectiveness**

The effectiveness of the network is at the heart of the institutional design. Effectiveness is interpreted as the effectiveness at the network level. The main motivation for starting up the network in the beginning was the conclusion that several actors were not able to achieve their goals on their own. Consequently, the policy network can also be regarded as coalition-building, aimed at effectiveness. The interdependence between the actors is also a reason why the accountability and the accessibility are safeguarded: if they would not safeguard the latter,
the effectiveness would be endangered because of possible opposition of actors on which the other actors in the network are dependent. The network is also conceived as a negotiation process to speed up implementation of policy. The institutional design also tries to make sure that all actors have their wins during the process: if this strategy works, actors are expected to perceive a higher effectiveness. But outcomes also depend on the support of the different actors inside and outside the network.

If we focus on the effectiveness of the decision-making process, the (well-known) tension between openness (the more actors join in, the higher the risk of becoming a ‘Network of Babel’) and decision-making capacity is an issue that is high on the agenda of the network managers. To safeguard this effectiveness, new structures (hard infrastructure) and procedures (soft infrastructure) were set up. But also the option to come to positions in consensus is a part of the conscious institutional design aiming at effectiveness. The institutional design also aims at other elements of soft infrastructure, such as the values and meanings: “I am convinced that the actors have developed a better understanding of each others positions. This does not mean that we agree all the time or lose sight of our own interests. ROM also enabled consultation between different actors which would not consult each other before: attitudes have changed.” (senior official, interview 10). Reframing also has its limits, due to exogenous factors and features at the level of the network environment: “A difficult point is that we have only limited success in speeding up procedures. We see that some of the actors, when it comes to the crunch, still have their old reflexes and for example treat the dossier like any other one and thus slowing up the process.” (senior official, interview 10).

In sum, the network tries to influence the effectiveness in a positive way, but in comparison to the first two ‘shortcomings’, the influence of the institutional design regarding effectiveness is less clear.

CONCLUSION

First of all, the shortcomings that are often attributed to policy networks are not universal truths: if a contingent approach is taken, the alleged shortcomings of (new) policy networks (like ROM) in Flanders are questionable because the (new) policy networks are set against the institutional background, old corporatist and closed networks and a strong party-political culture. This however does not mean that these new policy networks are not dealing with the
issues of accountability, participation and effectiveness and to what extent conscious institutional design can improve the quality of the network and the policy-making process. In this paper, we have also designed a preliminary framework that distinguishes between different levels of institutional design and between institutional design of the hard or formal and soft or informal infrastructure of the network. We have illustrated this framework using a case analysis of a policy network regarded as a best practice in Flanders. Using the empirical evidence from this case, we have shown that this framework has some potential to improve our understanding of (institutional design of) complex policy networks. We have also illustrated that conscious institutional design is used in the network to safeguard and improve accountability, participation and effectiveness. However, success is mixed and fluctuates over time: exogenous factors (e.g. elections) are often responsible for the limited success.

NOTES

1 This process should result in a significant improvement of mobility in and around the city in 2010 and involves investments in public infrastructure worth approximately one and a half billion Euros.
2 In the Belgian constitutional design, the federal level produces laws while the regions such as Flanders produce ‘decrees’. These decrees are, in legal terms, equivalent to federal laws.
3 "In the context of a network society it is likely that it is the confrontation with a particular policy programme that first provides the shared basis for discussion, that first brings together the range of individuals in a particular region" (Hajer, 2003: 95).
4 At least, that is what the analysis of policy documents of the Flemish government shows.
5 We use the term ‘subregion’ because in the Belgian constitutional design, the Regions (and Communities) are the constituting parts of the federal state. In other words, the Region is a distinctive governmental tier and applies to Flanders as a whole.
6 In this article, the focus is not on the defining characteristics of networks. Therefore, the notions of policy arrangements, policy network, governance networks are used as interchangeable in this article.
7 ‘ROM’ is an abbreviation of the Dutch words Ruimtelijke Ordening (=spatial planning) and Milieu (=environment). In the course of the process, the ‘e’ of Economie (=economy) was added: ROM(e)-project. In this article, we will continue to use the title ‘ROM-project’.
8 The development of the system of societal pillars started in the late 19th century; for three decades now, the pillarized system has been eroding.
9 During the eighties and the nineties, this approach became labelled as part of ‘old institutionalism’ because of the exclusive focus on institutions that were said to shape individuals, their behavior, their preferences, etc but not the other way around. The old institutionalism was characterized, according to Peters, by legalism, structuralism, holism, historicism and normative analysis (Peters, 1999: 6-11).
10 Regarding supranational and international systems, ‘international institutionalism has developed in the international relations literature (Peters, 1999: 126-140).
11 Peters, trying to bring together the different approaches or ‘versions’ of new institutionalism in political science, defines six approaches: normative, rational choice, historical, empirical, international and societal institutionalism (Peters, 1999: 19-20).
12 They argued that the behavioral and rational choice approaches were characterized by contextualism, reductionism, utilitarianism, instrumentalism and functionalism (March and Olsen, 1992: 2-8) and in response, developed ‘new institutionalism’.
13 Nevertheless, Goodin formulates five principles for ‘good’ institutional design.
14 Peters refers to the example of the civil service reform in New Zealand, which was guided by a rational choice logic and aimed to create principal-agent relationships in government, e.g. via the extensive use of contracts. (59).
15 This is a framework made up by the province of Zeeland (Dutch), of West-Flanders and of East-Flanders (both Flemish) to confer about (cross border) issues concerning the river Scheldt.
16. The SRN is the central body of the network. Other bodies like working groups are also active.

17. Important to note however, is that while different departments and civil servants from the Ministry of Flanders are participating in ROM, the political level (ministers and their staff) are absent in the SRN.

18. Different scholars have operationalized the definition of policy networks, resulting in various typologies, e.g. Rhodes distinguished five types, Agranoff and McGuire distinguished three types, van Waarden analyzed eleven types (Rhodes and Marsh 1992; Agranoff and McGuire 1998; van Waarden).

19. The provincial governor is a pivotal player in this process: he is a commissioner of the Flemish governor in the province on the one hand, but also chairman of the provincial executive. He is perceived as a neutral figure, acceptable to all parties in the process.

20. We discuss this table more extensively in another paper (see De Rynck and Voets 2004).

21. Nevertheless, the interference with the federal (Belgian) government remains strong: the federal level is still competent for local tax policy (e.g. income taxes, property taxes), social security (minimum income), legislation on renting, police, etc. At a secondary level, in concrete procedures, there are even more interferences between federal and regional competences (e.g. traffic regulation).

22. Only a small secretariat is operational.

REFERENCES


INTERVIEWS

27 semi-structured face-to-face interviews with representatives of actors that are or were involved in the policy network on a formal or informal basis (September 2003-March 2004)