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TO MANAGEMENT SCIENCE

Louis Meuleman

Public Management and the Metagovernance of Hierarchies, Networks and Markets

The Feasibility of Designing and Managing Governance Style Combinations

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Prologue

In November 2006, around 15 Dutch public-sector managers met in a restaurant in the Province of Friesland to brainstorm how to best organise regional cooperation between their organisations - the police, local authorities, fire brigades and health organisations - in case of emergencies and disasters. They concluded that the style of cooperation should follow the type of problems typically emerging in different phases of a large incident: During a crisis, a hierarchical command and control style should be in place, because time is crucial and quick decisions are needed. After the crisis, efficiency takes over as the main driving force for cooperation: all organisations then rely on their own remits and autonomy in order to 'clean up' the remains of the incident quickly and thoroughly. Then an intermediate phase starts: the non-incident phase, in which parties cooperate in the form of a network, and work on enhancing mutual trust and understanding, which prepares them for the sudden switch to hierarchy when a new crisis happens.

What these managers discovered was the necessity of being able to exercise metagovernance: designing and managing, shifting between and combining three different styles of governance - hierarchical, network and market governance. The term governance, as will be explained later, should be taken to mean the totality of interactions in which government, other public bodies, and civil society participate, with the objective to solve societal problems or creating societal opportunities.

This example of the dynamics of multi-actor governance processes does not stand alone. For example in community policing – networking in the shadow of hierarchy and market thinking – many cases like the above can be found.[1] Other examples have been described in the case of urban renewal in the UK.[2] The same can be observed with strategic policy making

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[1] E.g. Meuleman (2008): Reflections on metagovernance and community policing: The Utrecht case in the Netherlands and questions about the cultural transferability of governancer approaches and metagovernance.

[2] Lowndes and Skelcher (1998): The dynamics of Multi-Organisational Partnerships: an Analysis of Changing Modes of Governance.

at the national level. Sometimes, hierarchy is used to stimulate network and market governance, in other cases, network governance prepares the floor for a hierarchical 'finish'.

These examples suggest that hierarchies, networks and markets as forms of social coordination these days appear together and in dynamic mixtures inside public-sector organisations and between the public sector and non-state actors. This is good news: it allows for a much richer range of governance combinations than when (public) managers had only access to one or two styles. Nevertheless, there are theoretical and practical problems with the use of such a multi-governance style approach. Public administration literature has been rather inconclusive about the usefulness or even possibility of distinguishing these three governance styles. Moreover, with regard to the practical component: the context in which public administrators work, is a potentially confusing one.

In the first place, the late 1990s and early 2000's have shown a growing societal discontent with the performance of governments and their agencies in Western European democracies. In the Netherlands, public trust in government decreased from 65% in 2000 to 35% in 2002.[3] In 2006 it had increased again, but not to the level of 2000.[4]The success of a populist, anti-establishment political party led to a political earthquake in that year. In 1996, a Belgian poll about the functioning of the political-administrative system showed that 64% of Belgian citizens thought that their democracy was in danger at that time.[5] In addition, a series of financial scandals were uncovered (Augusta, Dassault).[6] This was accompanied by the emergence of a strong new populist political party. In Germany public trust in the government in general, and in politicians particularly decreased drastically in the early 1990's and since then stayed at a low level[7]. France has witnessed riots caused by serious discontent in suburbs in 2005 and 2006. The European Commission faces the same challenge. In 2003 a UK survey showed that only 35% of the British public had a 'great deal or fair amount' of trust that the Commission's senior officials are telling the truth.[8]

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3 SCP (Netherlands Social and Cultural Planning Office)(2003): The social state of the Netherlands 2003.

4 SCP (2007): The social state of the Netherlands 2007.

5 Hondeghem (1997: 25): The national civil service in Belgium.

6 Woyke (2003: 409): Das politische System Belgiens.

7 Ismayr, 2003b: Das politische System Deutschlands.

8 Poll prepared for the Daily Telegraph (www.yougov.com).

A second characteristic of the current situation is what the American scholar Kettl names the emergence of 'fuzzy boundaries'.[9] The rather clear separation of roles between social actors and classical public administration has disappeared. Governments have come to realise, more than in the past, that they cannot solve complex societal problems on their own. They rely on partnerships with other public-sector organisations, private-sector and non-governmental organisations. Hajer even argues that an 'institutional void' has emerged. He claims that more and more important policy problems are dealt with next to or across state-institutions.[10] Public-sector organisations that are not able to adapt to the new situation are in trouble. Collaboration is the new imperative.[11] Moreover, there is not *one* new situation. Sometimes the public and societal organisations ask for clear, authoritative guidance, sometimes they want efficient public services, and in other cases they demand to be intensively involved in the preparation or execution of government measures. Frequently, they want it all.

Fuzzy boundaries and societal discontent are related phenomena in the sense that when it becomes unclear what public-sector organisations stand for and what they take as their responsibility, citizens may become more uncertain about who is going to solve societal problems: the fuzziness of administrative boundaries adds to the social discontent. 'Repairing' the vague boundaries seems an impossible mission. One of the factors that have contributed to civil uncertainty, globalisation, increases the fuzziness of boundaries between state and society, and between states. All over the Western world, the role and nature, as well as the institutional foundations of the public sector have profoundly changed[12]. However, this factor is to an extent beyond reach of (national) government interventions. Therefore, it is imperative to try to deal suitably with the new situation.

Uncertainty and fuzziness have not only developed in the relations between government and society, but also *inside* public-sector organisations. The 'inner world' of the public sector has two typical reactions. One is a fatalist attitude: "Both politicians and citizens are unsatisfied with whatever we do". The other reaction is a defensive managerial reaction: "If we cannot improve 'customer satisfaction', what is left to do is to improve the

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9 Kettl (2002: 59): The transformation of governance.

10 Hajer (2003: 175): Policy without polity? Policy analysis and the institutional void.

11 Kettl (2006): Managing boundaries in American administration: The collaboration imperative.

12 Farazmand (2004: 1): Sound governance in the age of globalization: a conceptual framework.

efficiency of our machinery and copy as much as we can from private sector governance".

In this research we will look for other possible reactions. Which other governance reactions would be possible, and when and where may they be applied?

March 2008 Louis Meuleman

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1 Introduction

Public managers can, to a certain extent, choose between various management paradigms which are provided by public and business administration scholars and by politicians as well. How do they find their way in this confusing supermarket of competing ideas? This book explores how public managers in Western bureaucracies deal with the mutually undermining ideas of hierarchical, network and market governance. Do they possess a specific logic of action, a rationale, when they combine and switch between these governance styles?

This chapter sets the scene for the book as a whole and presents the research topic and the research question.

1.1 Problem setting

Since the Second World War, Western public administration systems have changed drastically. The hierarchical style of governing of the 1950s to the 1970s was partly replaced by market mechanisms, from the 1980s onwards. In the 1990s, a third style of governing, based on networks, further enriched the range of possible steering, coordination and organisation interventions. In the new millennium, public sector organisations seem to apply complex and varying mixtures of all three styles of what we will define as governance in a broad sense. This development has brought about two problems.

Firstly, each of the three styles has an internal logic that is to a substantial extent *incompatible* with the logic of the other styles. Authority (hierarchy), trust (network) and price (market) are contrasting and partly undermining principles. The same applies to other sets of characteristics, for example how actors are considered (as subjects, partners or customers), or regarding the type of relations (dependent, interdependent or independent).

The second problem, which aggravates the first, is that each of the three governance styles is and has been considered to be a *panacea*: the political and/or societal fashion determines how the public sector deals with issues, rather than what works best in a given situation. A Dutch political com-

mentator described the situation in the Netherlands in 2005 as a 'chaos of order': A fundamental confusion among politicians and civil servants about how to design governance mixtures that work. This confusion has produced new and widely criticised mixtures of governance styles, such as market-style competition combined with new hierarchical control mechanisms in policy areas where, for example in the Netherlands, traditionally consent (network governance) has tended to be successful, like in the field of social policy.[13]

It is no wonder that the performance of public-sector organisations has been heavily criticised. It is more surprising that there are still successful public-sector activities, in which the inherent style incompatibilities and the forces of fashion do not seem to play a central role. The question emerges if public managers, who are responsible for successfully dealing with policy issues or organisational problems, are merely lucky. Alternatively, could it be that they have found ways to prevent or mitigate these problems? Or is it a contingent combination of both? Moreover, what is the logic of action of these public managers?

This research investigates how public managers consciously design and manage governance style mixtures that work. We will call this metagovernance, the 'governance of governance', a term coined by Jessop.[14] With reference to the challenge, formulated by Davis and Rhodes, that "the trick will not be to manage contracts or steer networks but to mix the three systems effectively when they conflict with and undermine one another"[15], the topic of this research is the manageability of combinations of hierarchical governance, network governance and market governance, occurring inside 21st Century (Western) public-sector organisations. The influence on the metagovernance challenge of politico-administrative cultures is also investigated: How is metagovernance executed in a market-oriented culture like in England or in the Dutch consensus culture, and to what extent do the underlying hierarchical cultures of Germany and the European Commission influence the possibilities and limitations of metagovernance? Another question that will be analysed is if metagovernance is important and feasible in both strategic and operational policymaking.

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13 Schoo (2005): De ordeningschaos (De Volkskrant, 3 September 2005).

14 Jessop (1997: 7): Capitalism and its future: remarks on regulation, government and governance.

15 Davis and Rhodes (2000: 25): From hierarchy to contracts and back again: Reforming the Australian public service.

1.2 Research focus

Governance as a public management issue appears on three levels. The *macro* level concerns the relations between government and society. The *meso* level is about top managers in the public sector and their relations with politicians. The *micro* level, also inside public sector organisations, concerns the work of middle and project-managers. The macro level has been much better investigated than the meso and the micro level.[16] This book concentrates on governance questions *inside* administration: the meso and micro level, or the *'Innenwelt'* of public administration. [17] The key managing actors on these levels are the directors-general and the secretaries-general[18] (meso level) and middle managers (including project managers) (micro level).

We will use the existing theoretical concept of "governance styles", while adding a new vision on the concept of *metagovernance*. Three 'ideal-type'[19] styles or 'modes' of governance are distinguished that define the roles and lines of responsibility of public-sector and societal players in different ways: hierarchical, network and market governance. [20] These ideal-types are theoretical constructs: in reality, mixed forms tend to appear. Public administration organisations are primarily organised according to hierarchical principles. Public managers are part of this system and have to deal with the characteristics of hierarchy, like authority, legality and accountability: they are used to *hierarchy* as their main style of governing. At the same time, they must deal with another governance style that the New Public Management movement of the 1980s has brought forth: *market* governance, characterised by the idea that public-sector organisations can be run like a business, through the application of efficiency, competition, performance contracts and deregulation, to name a few examples. A third style of governing that public managers must handle

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16 There is a large public administration literature on the governance of the relations between government and society.

17 Müller (1986): Innenwelt der Umweltpolitik: Sozial-Liberale Umweltpolitik, (Ohn)Macht durch Organisation?

18 The head of a ministry (in the UK 'permanent secretary').

19 The adjective 'ideal-type' is used because the three distinguished governance styles are here considered to be theoretical constructs, that 'in reality' only appear in mixed forms.

20 The term 'governance' is also used for the internal component (inside administration), because this aspect cannot be disconnected from the overall concept of governance and has been neglected so far.

is *network* governance: a result of the conviction that the public sector cannot solve complex societal problems alone anymore, and of the growing societal pressure on the public sector to co-operate and co-produce with, rather than rule society. Network governance is characterised by building mutual trust and is based on empathy, by understanding interdependency and by creating consensus.

Tensions and conflicts between hierarchical, network and market governance occur frequently: Governance-style conflicts are a normal, daily phenomenon in the public sector.[21] The types of tensions are influenced by the actual societal, political and administrative context. A common cause of conflicts is the fact that Western public-sector organisations are (still) mainly using hierarchical governance[22], whereas societal actors press increasingly for informal forms of governance[23].

Research on the manageability of conflicts between hierarchical, network and market governance has been restricted until now to the management of tensions between hierarchies on one side and networks and markets on the other side.[24] However, the three ways of governing pose a *triple challenge* to public managers. Which characteristics of each of the three styles should be combined – if possible at all – to create and manage productive mixtures of governance styles, and in which situations?

The objective of this research is to develop a contribution to the theory of metagovernance, a framework for further research as well as suggestions for practical use. The latter will not be given in the form of a 'toolbox', but in the form of, as Bevir et al. formulated it, "an informed conjecture or narrative that projects practices and actions by pointing to the conditional connections between actions, beliefs, traditions and dilemma's."[25]

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21 E.g. Kickert (2003: Beneath consensual corporatism: Traditions of governance in the Netherlands), Kalders et al. (2004: Overheid in spagaat. Over spanningen tussen verticale en horizontale sturing).

22 Hill en Lynn (2005): Is Hierarchical governance in decline? Evidence from empirical research.

23 Peters (2004): Governance and public bureaucracy: New forms of democracy or new forms of control?

24 E.g. De Bruijn and ten Heuvelhof (2004): Management in netwerken.

25 Bevir et al. (2003: 199): Comparative Governance: Prospects and Lessons.

1.3 Research proposition and central question

Most public administration scholars argue that governance style mixtures 'emerge'. Apparently, a governance mixture is often only *post-hoc* recognised. The term 'emerge' assumes that these mixtures are usually not designed *before* and managed *during* policy processes. However, other researchers suggest that governance style mixtures are 'manageable'. Taking this second view as a starting point, the proposition that will be investigated in a qualitative way is**:** Designing and managing governance style mixtures, or exercising 'metagovernance', in relation to the political, institutional, and societal context and to the inherent incompatibilities of governance styles as well as to the nature of the framed (policy) problems, may be an important objective of public-sector management.

If hierarchical, market and network governance are in some ways inherently incompatible, then mixtures of these governance styles must cause problems, independent of the political and institutional context of public-sector organisations and of the type of tasks they execute. This leads to the question, if internal conflicts related to governance style mixtures do appear in different institutional and political settings. Furthermore, do they appear on the level of policymaking as well as on the level of policy implementation? This question will be investigated by reviewing the governance literature, and by analysing several case studies.

If problems caused by governance style mixtures can be recognised as such, is it then plausible that they can, to a certain extent, be consciously dealt with? This leads to the central research question:

> How are internal conflicts and synergies within governance style mixtures managed, and what are the possibilities of influencing these mixtures? In other words: Under which conditions may (internal) metagovernance of governance style mixtures be applied by public managers as metagovernors? What is their logic of action, their rationale?

1.4 Structure of the book

The book is structured as follows (Figure 1).The first Chapter introduces the *research topic* and formulates two guiding questions for the research. In Chapter 2, the *theoretical framework* is developed. First, the term governance is defined and the concepts of governance styles and governance hybrids are discussed (2.1). This leads us to the introduction of three

'ideal-type' governance styles: hierarchical governance, market governance and network governance. The argument will be that the evolution of styles of governing since the 1950s has not led to one new common style, but to complex and dynamic mixtures of governance styles in the relations between public-sector organisations and society, as well as inside these organisations. Some claim that the 'old' bureaucracies have been transformed into 'post-bureaucratic administrations'. However, this has not yet been shown to be a valid proposition. Nevertheless, the new 'mixed bureaucracies' bring about important new challenges for public managers. Section 2.2 describes the three ideal-types more in details. Moreover, more than thirty differences between the three governance styles are presented, illustrating that they are not only very different, but also each have a distinct internal logic (2.3). It will be explained that they form complex and dynamic combinations inside contemporary Western public-sector organisations. Several types of interactions between the 'ideal-types' of governance are described. Some are conflicting and undermining each other, others show how synergies are achieved.

Following on from this, Section 2.4 will discuss the relation between the concepts culture and governance. To which extent is *cultural transferability* of governance styles, of specific governance style mixtures feasible? Answering this question is important for two main reasons. Firstly, for understanding how mutual learning between different (national) administrative systems could be organised suitably. Secondly, analysing this question may lead to better understanding the conflicts that arise in praxis when certain governance style mixtures are copied (from Western democracies to developing countries, for example).

In Section 2.5, the concept of metagovernance is discussed, with a focus on what metagovernance means in the 'inner world' of the public sector. It is argued, that metagovernance as the design and management of governance style mixtures is a concept that is more practical for public managers than other concepts of metagovernance.

In Chapter 3, the *research approach* is presented. The chapter begins with detailed research questions (3.1). A research framework is developed, that combines concepts from governance theory and from organisational science (3.2). The framework is tested in two pilot cases. Section 3.3 introduces the methodology: a qualitative comparison of five case studies against the background of a research framework based on the theoretical observations of Chapter 2. The methodology combines the use of ideal types, case study research and grounded theory. Finally, the selection of cases is clarified (3.4).

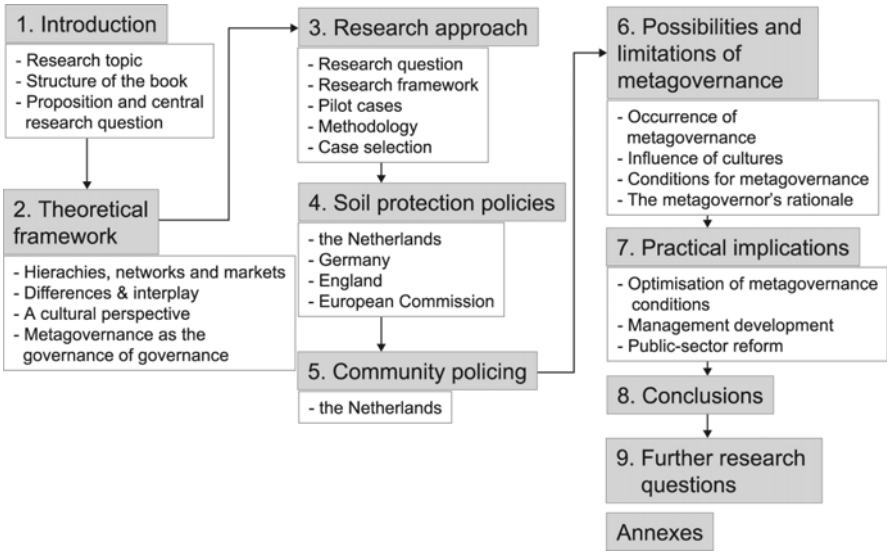

Fig. 1. Structure of the book

Chapter 4 describes the results of four cases studies on strategic *soil protection policies:* It aims to answer the questions of which roles hierarchical, network and market governance played, and if metagovernance occurred. The first case analyses a crucial phase in national soil protection policy in the Netherlands. The second case compares this with a similar case on the federal level in Germany. In the third case the preparation of the Soil Action Plan for England in the UK is analysed, and the fourth case analyses the preparation of the Thematic Soil Strategy of the European Commission.

Chapter 5 analyses the roles of governance styles and metagovernance in a case of policymaking on a 'street level': an example of *community policing* in the Netherlands, and compares this tentatively with recent practice in other Western European countries. The chapter ends with a comparison of the findings in strategic policymaking cases in one sector (soil protection policies) and operational policy making in another policy field (policing).

Chapter 6 discusses the occurrence of governance style mixtures (6.1) and metagovernance (6.2) in the investigated cases. The following sections compare strategic and operational cases (6.3) and different administrative systems from a cultural perspective (6.4). Section 6.5 discusses the *rationale* of public managers when they act as metagovernors, including the

strategies they use. The chapter ends with a section on the qualifications of metagovernors (6.6).

Chapter 7 presents a number of recommendations for public managers, resulting from this research. First it is discussed how the metagovernor's *qualifications* can be improved (7.1) In Section 7.2, the use of *management development* to improve the 'metagovernability' is discussed. Section 7.3 illustrates how metagovernance may be addressed in public sector *reform programmes.* Measures announced in Western European public sector reform programmes since 2000 can be grouped into three types, each of which is related to one of the three governance styles. Interestingly, the programmes do not address conflicts or synergies between hierarchical, network and market types of measures. This raises the question if this is a structural point missing in current reform programmes.

In Chapter 8, a number of conclusions are presented, as a contribution to the emerging theory on the feasibility of metagovernance. Chapter 9 proposes a programme for further research.

2 Theoretical framework

2.1 Governance

2.1.1 A broad definition of a popular concept

How can public-sector activities be coordinated internally and externally if hierarchy, with its dependence on clear boundaries, has weakened? How can public managers be prevented from becoming confused about their roles and intervention capacity? These questions are dealt with under the banner of 'governance'. Governance has become a buzzword, not only among public-administration scholars, but also among practitioners. The term even risks becoming so general that it becomes meaningless and, as Peters warns, "a tautology: something happened, and therefore governance occurred".[26] Governance "has become a rather fuzzy term that can be applied to almost everything and therefore describes and explains nothing".[27]

This critique is understandable: the term governance is defined in dozens of different, and in some respects contrasting ways. Only some of the most influential examples will be mentioned here. Kettl defines *government* as the structure and function of public institutions, and *governance* as the way government gets its job done. [28] In his book 'Understanding Governance', Rhodes distinguishes six uses of the term governance: [29]

- Governance as the minimal state: the use of markets and quasi-markets to deliver 'public' services';
- Governance as corporate governance: this is mainly about transparency, integrity and accountability, by means of control;
- Governance as the new public management: the introduction of private sector management methods and incentive structures such as market competition to the public sector;

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26 Peters (2000: 35): Globalisation, institutions and governance.

27 Jessop (2002: 4): Governance, governance failure and metagovernance.

28 Kettl (2002: xi): The transformation of governance.

29 Rhodes (1997: 47-53): Understanding governance.

- Governance as 'good governance': a 'marriage of the new public management with liberal democracy';
- Governance as a socio-cybernetic system: interdependence among social-political-administrative actors; governance is the result of interactive social-political forms of governing;
- Governance as self-organising networks: networks develop their own policies and shape their environments.

Stoker identifies similar definitions that are in his view complementary.[30] Farazmand stresses the international dimension of governance, as well as the fact that concepts like 'good governance' are highly normative and value-laden.[31] From a socio-cybernetic viewpoint, Kooiman defines governance as "the emerging pattern arising from governing."[32] Lowndes and Skelcher add an actor's perspective: Modes of governance are "the outcome of social processes but also provide the medium through which actors interpret and act to shape their reality".[33] Frederickson prefers to define governance as "the attempt to comprehend the lateral and institutional relations in administration in the context of the disarticulated state"[34]

What unites most of the definitions presented above is that governance is more than 'what governments do to get their jobs done': the term governance refers to the relations between public-sector actors and societal actors when addressing public issues. This relational aspect of governance has stimulated many scholars to use the term governance as a synonym for what others call 'network governance'.[35] Rhodes' list of six approaches to governance however also includes other types of relations than only network relations, namely hierarchical relations and market-style relations. Such a broad perspective is required for this research, because the research topic is the manageability of combinations of hierarchies, networks and markets. A strong argument for a broad use of the term governance is

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30 Stoker (1998): Governance as theory: five propositions.

31 Farazmand (2004: 6): Sound governance in the age of globalization: a conceptual framework.

32 Kooiman (ed.) (1993): Modern governance.

33 Lowndes and Skelcher (1998: 318): The dynamics of Multi-Organizational Partnerships: an Analysis of Changing Styles of Governance.

34 Frederickson and Smith (2003: 226): The public administration theory primer.

35 Also called 'New Governance': Social coordination based on the logic of co-steering and network. See also Lee (2003: 2, Conceptualizing the New Governance: A new institution of social coordination), and Voss (2007: 36) where governance is 'societal self-regulation', in contrast to hierarchy (ibid., p.18).

given by Schuppert: with a narrow governance definition it is impossible to include the historically most successful form of governance, namely hierarchical-bureaucratic governing.[36] Only with a broad governance concept it is possible to analyse the challenge of governance which the Danish public manager Wolf has phrased as follows:

> "What is important is to look beyond the fine-tuning of government machinery and use the wide angle to capture the way in which we organize our societies and the interaction between government, market, civil society and individual citizens."[37]

The definition of governance should not only emphasise the relational aspect but also the institutional aspect; public managers, who are the principal governance actors in this research, work in and with institutions. Mayntz's definition includes this wide angle:

> "Governance is the totality of all co-existing forms of collective coordination of societal issues, from the institutionalised societal self-regulation via several forms of cooperation between governmental and private actors, to the official duties of state actors"[38]

Therefore, in this research the following broad definition of governance is used:

Governance is the totality of interactions, in which government, other public bodies, private sector and civil society participate, aiming at solving societal problems or creating societal opportunities.

In this definition, the institutional dimension is included: the relations between these actors are influenced by their institutions (in a broad sense: their organisations, values and norms, and procedures). Kooiman distinguishes three orders of governance: first order governance (problem solving and opportunity creation), second order governance (care for institutions) and third order governance or metagovernance.[39] Most research on governance focuses on the nature of the relations between public-sector organisations and their societal environment. This belongs to Kooiman's first order governance (the macro-level mentioned in Section 1.1). How governance modes emerge and are organised *inside* public-sector organisa-

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36 Schuppert (2007: 8): Was ist und wozu governance?

37 Wolf (2007: 691): Trends in public administration.

38 Mayntz (2004: 66): Governance im modernen Staat. (translated from German by the author).

39 Kooiman (2003: 182): Governing as governance.

tions (the institutional aspect: second order governance, or the meso and micro level) in relation to first order governance, is still relatively less ill-researched. A case study about the failed introduction of interactive policymaking in the Dutch Ministry of the Environment highlights a possible internal failure factor: tensions between governance approaches inside the organisation, on various dimensions (strategy, structure, competencies, processes and procedures, to name a few).[40] The study suggests that public-sector organisations apply different governance approaches for internal matters, such as human resources management, and for external matters, such as tackling societal problems. This not only adds to an unsatisfactory performance, but also leads to credibility problems.

The next question is how to make this governance concept practicable. Is it possible to distinguish or rather construct a small number of governance approaches that are distinct and together have a large explanatory potential?

2.1.2 Three ideal-types of governance and hybrid forms

Governance *styles* can be defined as "the processes of decision-making and implementation, including the manner in which the organisations involved relate to each other".[41] Although many governance styles have been distinguished, they are usually grouped into three 'ideal-types' of governance, that are considered to have played a role in Western administrations since the 1950s: hierarchical, market and network governance.[42]

Before the 'discovery' of policy networks and the mechanisms of different types of network governance, social coordination was considered to

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40 Meuleman (2003): The Pegasus Principle: reinventing a credible public sector.

41 Van Kersbergen and van Waarden (2004: 143): 'Governance' as a bridge between disciplines.

42 Kaufman et al. (1986: Guidance, control and evaluation in the public sector); Thorelli (1986: Networks: Between markets and hierarchies); Peters (1998: Managing Horizontal Government); Lowndes and Skelcher (1998: The dynamics of Multi-Organisational Partnerships); Thompson et al. (1991: Markets, hierarchies and networks); Thompson (2003: Between hierarchies and markets); Powell (1991: Neither market nor hierarchy: network forms of organisation); Kooiman (2003: Governing as governance), Considine and Lewis (2003: Bureaucracy, Network or Enterprise?); Kickert (2003: Beneath consensual corporatism); Schout and Jordan (2005: Coordinated European governance).

take place in two distinct forms: hierarchies and markets.[43] Market coordination was the second ideal type that was described after Weber's bureaucratic ideal type had become the prototype for a classical hierarchy. Networks were, for a long time, considered a hybrid form of these ideal-types. We find the fiercest defenders of the idea of a hierarchy-market dichotomy among economists. In a publication of 2007, Ruys et al. argue that market contracting (market governance) is the 'original state of affairs', and call the opposite vertical integration (hierarchical governance), while all governance styles between these extremes are called hybrid relationships.[44] However, economists were also among the first to argue that networks form a separate type of social coordination.[45]

Already in 1986, Thorelli stated that the network form is a distinct form of societal coordination, and not 'just' a hybrid form that combines hierarchy and markets. [46] Meanwhile, there is a huge public administration literature based on the idea that network governance, after hierarchical and market governance, has become the third ideal-type. Network governance as an alternative to hierarchical or market governance is not only accepted in public management, but is also widely applied in knowledge-intensive businesses[47] and in private enterprises in general.[48] The network concept has become so popular, that sometimes a new dichotomy emerges, namely hierarchy versus networks, while market governance is neglected.[49] Others

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43 Thompson (2003: 37) makes a useful distinction between 'coordination' (alignment of the elements in a system) and 'governance' (the regulation of their alignment). He places them on a continuum: coordination simply brings together elements in an ordered pattern, and governance does this by direction and design. Hierarchies, networks and markets can be used as coordination mechanisms and as governance structures as well.

44 Ruys et al. (2007): Modes of governance in the Dutch social housing sector.

45 E.g. Powell (1991: Neither market nor hierarchy: Network forms of organization), Thompson (2003: Between hierarchies and markets: The Logic and Limits of Network Forms of Organization).

46 Thorelli (1986): Networks: Between markets and hierarchies.

47 Roobeek (2007): The networking landscape. Navigation for the route to networking organisations.

48 E.g. Assens and Baroncelli (2004, Marché, Réseau, Hiérarchie : à la recherche de l'organisation idéale) and Larson (1992, Network dyads in entrepreneurial setting).

49 E.g. Koffijberg (2005: Getijden van beleid: omslagpunten in de volkshuisvesting), Kalders et al. (2004: Overheid in spagaat. Over spanningen tussen verticale en horizontale sturing).

reserve the term governance for what they call the 'new modes of governance' (i.e. market and network[50]) – which is a *contradictio in terminis*: hierarchy must then also be a governance style, namely the 'old' mode of governance. Peters bridges this contradiction by bringing network and market governance approaches under the umbrella of 'informal governance', besides the 'formal governance' of hierarchies.[51] Notwithstanding the overwhelming empirical evidence that the trichotomy hierarchy-network-market has more analytical power than the hierarchy-market dichotomy or the hierarchy-network dichotomy, there is still a dispute among scholars about whether this trichotomy makes sense. This dispute is emotional and value-laden; not surprisingly, because different world views or belief systems collide in this debate. In Section 2.4 we will discuss this cultural dimension more in-depth.

Before concluding that the three ideal types hierarchical, market and network governance cover the whole field, we have to answer two questions. The first is: should we distinguish successful hybrid forms of governance as separate governance styles? The second question is: how plausible is it that these three styles together, and in combination, cover all governance approaches?

Hybrid forms of governance

Governance hybrids do not necessarily relate to so-called 'hybrid organisations' exclusively. The term hybrid organisations was coined in 1995 by In 't Veld.[52] Usually they are somewhere on a gradient between pure government agencies and pure commercial firms; they operate in a 'twilight zone' between public and private[53]. They can be defined as organisations governed by two or more 'pure' modes of governance.[54] Hybrid organisations,

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50 E.g. European Commission (2002: 7): Report from the Commission on European Governance. Rhodes is ambivalent too: he defines hierarchy as one of the governance structures besides market and network (Rhodes, 1997: 47, Understanding Governance) and elsewhere in the same book defines governance in a network connotation, as an alternative to markets and hierarchies (Rhodes, 1997: 53).

51 Peters (2005: 1): Forms of informal governance: Searching for efficiency and democracy.

52 In 't Veld (2005): Spelen met vuur. Over hybride organisaties.

53 Jörgensen (1999: 570): The public sector in an in-between time: Searching for new public values.

54 Ruys et al. (2007): Modes of governance in the Dutch social housing sector.

as intercultural entities, are able to bridge fragmented and decoupled relations in the public sphere.[55] Hybrid organisations are not new: they have been in existence for quite some time. The British and Dutch East India Companies of the 17th century are often mentioned as early examples.[56] Kickert even estimates that currently most organisations in the public sphere in Western Europe are hybrid organisations.[57]

As stated above, network governance was originally regarded as a hybrid of hierarchical and market governance, until it was distinguished as a separate form. Meanwhile, many other candidates for promotion to the 'Ideal Type League' have appeared. Six hybrid forms of governance that are often mentioned are:

- Oligopolies (a market form of coordination with important network characteristics, that is not restricted to the private sector);
- Public private partnerships (also a combination of market and network governance);
- Chain management (a form of network governance concentrating on functional instead of social relations between actors, which borrows its structure from hierarchical thinking);
- The Open Method of Coordination of the European Commission;
- The related concepts of self-regulation and self-organisation;
- An emerging type with mainly network and market features: 'bazaar governance'.

Oligopolies

An oligopoly is a market characterised by a small number of organisations who realize that they are interdependent in their pricing and output policies. The number of organisations is small enough to give each of them some market power.[58] The behaviour in an oligopoly is based upon self-interest (autonomy, which refers to market governance), but the fact that actors realize their interdependency, makes them behave with more empathy and moderation than in more open markets. This leads them to consider each other like actors do in a network approach. Relations in oligopolies are usually bilateral. They become multilateral when they have a

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55 In 't Veld (1997: 148): Noorderlicht. Over scheiding en samenballing.

56 Wettenhall (2003: 237): Exploring types of public sector organizations.

57 Kickert (2001: 135): Public management of hybrid organizations.

58 Definition OECD (http://stats.oecd.org/glossary/detail.asp?ID=3152, retrieved on 27 September 2007).

formal agreement: this is known as a *cartel.* A situation where there is a single seller in a market is called a *monopoly*.

Public private partnerships

A public private partnership (PPP) is a non-hierarchical system of governance in which public and private actors form a common venture that serves certain policy goals, such as public services or infrastructure development. Börzel and Risse distinguish two basic steering modes of PPP: bargaining (related to market governance) and persuasion or arguing (related to network governance). They formulate four distinct types of PPP: cooptation, delegation, co-regulation and self-regulation in the shadow of hierarchy.[59] Klijn and Teisman criticise the PPP practice in the Netherlands during the 1990s and early 2000s. Although PPP became popular among politicians, in praxis even in PPP arrangements, policymaking "continues to be based on self-referential organisational decisions, rather than on joint inter-organisational policymaking."[60]

Chain management

Chain management is a form of governance similar to network governance. The actors in the chain are interdependent, because of the functional interdependence of the processes that are linked. The governance of chains differs from network governance: a network is defined by social relations, a chain only by functional relations.[61] The chain concept can be useful because it brings a certain order in the relations between actors in processes. The restriction to functional relations however is a risk: a chain perspective gives only part of the whole picture.[62]

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59 Börzel and Risse (2002): Public-Private Partnerships: Effective and legitimate tools of international governance?

60 Teisman and Klijn (2002: 197): Partnership arrangements: Governmental rhetoric or governance scheme?

61 Kort, van Twist and in 't Veld (2000: 30): Over ontwerp en management van processen in ketens.

62 Kort, van Twist and in 't Veld (2000: 38): Over ontwerp en management van processen in ketens.

Open method of Coordination

Another governance style hybrid is the so-called Open Method of Coordination (OMC) of the European Union, which was identified at the Lisbon European Council in 2000.[63] The OMC implies:[64]

- Fixing guidelines for the Union and specific timetables for achieving set goals in the Member States;
- Establishing indicators and benchmarks as a means of comparing best practice;
- Translating the European guidelines into national policy reform actions which are integrated into national action plans (NAPs); and
- Periodic monitoring, evaluation and peer review, organised as mutual learning processes.

This approach is characterised as a 'soft' approach compared to hierarchical governance,[65] and codifies practices taken from market governance thinking such as benchmarking, target-setting and peer reviewing.[66] The OMC can also be seen as a form of network governance: it aims at linking both public and private actors in joint determination of policy.[67] However, this participatory dimension has met much scepticism. It is often claimed that the OMC is a highly technocratic process involving selected actors in a closed policy network.[68]

Self-regulation and self-organisation

Two concepts that are often mentioned in governance literature are *self-regulation* and *self-organisation*. Self-regulation takes the perspective of the politico-administrative system, self-organisation the perspective of so-

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63 Laffan and Shaw (2005): New modes of governance. Classifying and mapping OMC in different policy arenas.

64 European Council (2000): Presidency Conclusions of the European Council in Lisbon, 23 an 24 March 2000.

65 Héritier (2002): New modes of governance in Europe: policymaking without legislation?

66 Hodson and Maher (2001: 719): The Open Method as a new mode of governance.

67 Peters (2005: 8): Forms of informal governance: Searching for efficiency and democracy.

68 E.g. Smismans (2006: 18): New modes of governance and the participatory myth.

cietal organisations.[69] Klijn and Koppenjan define self-regulation as an interventionist form of steering by stimulating and sometimes compelling actors to take care of the quality of output themselves, through reward rules and product rules.[70] Fuchs argues that self-organisation of society relies largely on exclusion, competition and heteronomy.[71] The 'self' in both forms refers to individual autonomy. This links these concepts to market governance, with a touch of hierarchy (self-*regulation* is always regulated self-regulation[72]) and a strong network flavour (self-*organisation* builds on voluntary cooperation and trust).

The term self-organisation is also used in Luhmann's theory of social systems. Self-organising systems are autopoietic: they produce and reproduce the elements they consist of, with the help of those elements themselves. Autpoiesis is a biological model of living systems. The autopoietic approach to public administration stresses the limits of both the hierarchical 'command and control' approach and the market governance approach of public management as a neutral and transferable technology. [73] Kickert has warned that applying such a natural scientific model to a social science is hazardous, but can also inspire new ideas. [74] [75]

Bazaar governance

A new form of self-organisation that seems to emerge is what Demil and Lecocq have coined *bazaar governance.* [76] It was first recognised in the 'market' of open source software. How the internet encyclopaedia Wikipedia is 'governed' is another example of bazaar governance. It is characterised by low levels of control (hierarchy), weak incentives intensity (market) and a network that does not build on trust: community mem-

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69 Puppis et al. (2004: 9): Selbstregulierung und organisation. Schlussbericht.

70 Klijn and Koppenjan (2004: 219): Managing uncertainties in networks.

71 Fuchs (2002: 63): Concepts of social self-organization.

72 Mayntz (2003:4): From government to governance: Political steering in modern societies.

73 Brans and Rossbach (1997: 425, 435): The autopoiesis of administrative systems.

74 Kickert (1991): Autopoiesis and the Science of Administration: Essence, Sense and Nonsense.

75 See also: In 't Veld et al. (eds.) (1991): Autopoiesis and configuration theory: new approaches to societal steering.

76 Demil and Lecocq (2006): Neither market nor hierarchy nor network: The emergence of bazaar governance.

bers seldom know each other and may enter or leave the network unnoticed. This form of governance scores low on key features of all three ideal-typical governance styles (authority, trust and price) but seems, in essence, a special mixture of network governance (co-creation) and market governance (individual autonomy).

2.1.3 Are hierarchies, networks and markets 'all-inclusive'?

The hybrid forms we have mentioned above are indeed mixtures of hierarchical, network and market governance. Benz differentiates 'negotiation' as a fourth governance style, besides hierarchy, network and 'competition' (market).[77] However, in the broad definition of governance we use in this research, each of the three ideal types has its own form of negotiation. Hierarchical negotiation is based on hierarchical positions and instruments; network negotiation is characterized by deliberation and attempts to reach mutual gains, and market negotiation is bargaining based on price and competition. Therefore, distinguishing 'negotiation' as a fourth style of governance seems not necessary and may even blur the clarity we achieve by using ideal types that encompass many dimensions of governance, including the style of negotiation.

Considine defines 'corporate governance' as a fourth style of governance, between 'procedural governance (hierarchy) and market governance.[78] However, the focus on management and targets suggests that corporate governance should be placed in the category of market governance.

The six definitions of governance given by Rhodes[79] are all congruent with combinations of hierarchical, network and market forms of governing. Another example in which the three styles are used to present a simplified but complete picture of governance approaches is the 'Global Scenarios 2025' report of Shell: The three 'utopias' of the corner stones of their model are a 'state centric world', a 'civil society centric world', and a 'market centric world'.[80] Security, coercion and regulation are key features of the first; social cohesion, justice and the force of community determine the second, and efficiency and market incentives characterise the third so-

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77 Benz (2006: 35): Eigendynamik von Governance in der Verwaltung.

78 Considine (2006: 7): The power of networks: Institutional transformations in the global era?

79 Rhodes (1997: 47-53): Understanding governance.

80 Shell (2005: 42): The Shell Global Scenarios to 2025.

cietal force. Trade-offs between two of the three forces are considered the most plausible scenarios for (global) societal development:

- The combination of hierarchy and network leads to the 'Flags' scenario. In this scenario, hierarchy protects communities against a dangerous outside world. 'Gated communities' are a typical expression.
- A trade-off between hierarchy and market results in the 'Low Trust Globalisation' scenario. Checks and control, which are top down measures, protect the economy. It is a legalistic scenario.
- The combination of market and network leads to the third scenario: 'Open Doors'. This is a pragmatic free market scenario, characterised by incentives and building bridges, open standards, and open borders, for example.

The 'Open Doors' scenario bears a strong resemblance to the current societal governance culture in the Western World. Figure 2 shows that the six types of hybrid governance that we described above, should all be pictured in this scenario. This does not mean that the other scenarios do not reflect existing patterns. Gated communities ('Flags') can be found on the level of nations (economic protectionism), but also on the level of organisations. The Dutch Ministry of Agriculture during the 1980s and early 1990s was a gated community: Employees of the Environment Ministry labelled the Agriculture Ministry the 'Kremlin'. There was little or no room in that ministry for differing opinions.[81] 'Low Trust Globalisation' is related to New Public Management (see 2.2.2): it works with 'carrots and sticks', and combines flexibility with top down control.

An important argument supporting the trichotomy concept comes from cultural theory. This is dealt with in Section 2.4.1. Finally, empirical research by Considine and Lewis has shown that public officers indeed experience that there are three separate styles. For them, hierarchy is weakly related to both the other styles, and the market and network styles have a strong negative correlation.[82]

It may now be concluded that hybrid forms of governance may have analytical value and should therefore be used in the analysis of governance cases. It is also possible to conclude that the use of the three ideal-types hierarchy, network and market, provided that they not are presented as monolithic constructs but as sets of related characteristics with a distinct internal logic, can provide a basic analytical tool for understanding gov-

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[81] Kickert (1997: 744): Public governance in the Netherlands.

[82] Considine and Lewis (2003): Bureaucracy, network or enterprise? Comparing models of governance in Australia, Britain, the Netherlands and New Zealand.

ernance. The concepts of hierarchical, network and market governance together offer a complete enough analytical framework for explaining the conflicts and synergies within and between governance approaches.

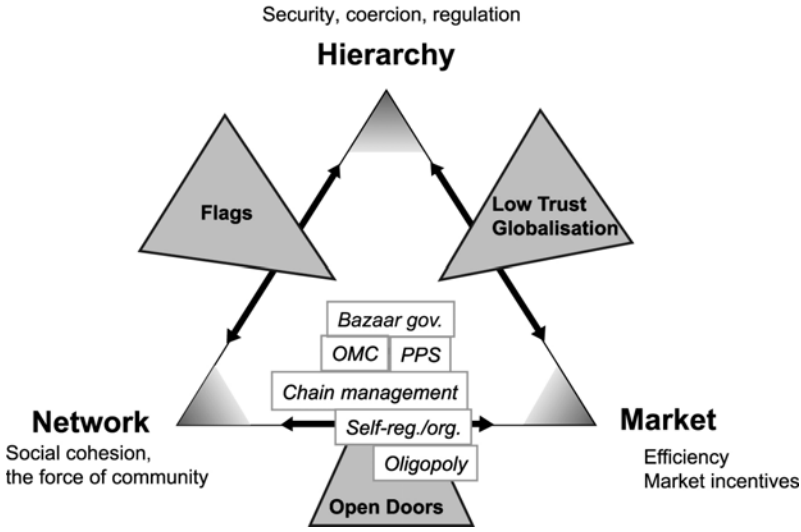

Fig. 2. Hybrid forms of governance and the three 2025 Shell scenarios

2.2 Hierarchical, market and network governance

Since we have now 'cleared the ground', we can take a closer look at each of the three ideal-types.

2.2.1 Hierarchical governance

During the second half of the 20th century in all OECD countries, fundamental changes took place in the organisation of the state and its institutions and in the relations between the state and society. The ideal type of bureaucracy developed by the German sociologist Max Weber[83] became the role model for public administration in the 1950s and 1960s. Weberian

[83] Weber (1952): The essentials of bureaucratic organization: An ideal-type construction.

bureaucracy changed its shape in the 1970s, a decade characterised by a central top-down planning euphoria – but it did not change its fundamentals. Van Gunsteren described the 1970s public sector as a group of organisations that relied on "regulations, obedient organisations and people, and if necessary on force"[84]. In these organisations, functionaries worked within a system of clear hierarchical relations, under uniform rules.[85] The five main points of Weber's model are:[86]

- A carefully defined division of tasks;
- Authority is impersonal, vested in rules that govern official business;
- Employees are recruited based upon proven or at least potential competence;
- Secure jobs and salaries, and promotion according to seniority or merit;
- A disciplined hierarchy in which officials are subject to the authority of their superiors.

Weber's vision of bureaucracy as a rational and objective machine was based on ideas of efficiency drawn from the Prussian army and the mechanisation of the industrial revolution.[87] He believed that efficiency and rationality would lead to the development of essentially similar bureaucratic structures the world over. He thus ignored differences that arose from the political, social and cultural environments of these organisations.[88]

The Weberian bureaucracy has laid out the basic pattern for the current public administration in Western democracies. This pattern is *hierarchical governance*. The hierarchical mode of governance has developed in Europe to "replace arbitrary authoritarianism and nepotism". It "provided a way for standardising government tasks".[89] It was believed, consistent with a mechanistic scientific model, that organisations can be built and made to function as a machine.[90] Mintzberg[91] refers to it as the machine bureaucracy. The primarily hierarchical public-sector organisation typically has

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84 Van Gunsteren (1976: preface): The quest for control.

85 Parris (1969: 22): Constitutional bureaucracy. The development of British central administration since the eighteenth century.

86 Heywood (1997: 220): Politics.

87 Morgan (1986: 21-22): Images of organization.

88 Heywood (1997:347): Politics.

89 Herbst (1976: 16): Alternatives to hierarchies.

90 Herbst (1976: 16): Alternatives to hierarchies.

91 Mintzberg (1993): Structures in Fives: Designing Effective Organizations.

employees with a law background: they are used to reduce complexity by splitting complex problems into smaller sub-problems[92].

The dominance of the Weberian ideal-type in the governance mix was already criticized in the early 1970s. The American scholar Cleveland expected that:

> "…the organisations that get things done will no longer be hierarchical pyramids with most of the control at the top. They will be systems – interlaced webs of tensions in which control is loose, power diffused, and centres of decision plural. "Decision-making" will become an increasingly intricate process of multilateral brokerage both inside and outside the organisation which thinks it has the responsibility for making, or at least announcing, the decision. Because organisations will be horizontal, the way they are governed is likely to be more collegial, consensual, and consultative. The bigger the problems to be tackled, the more real power is diffused and the larger the number of persons who can exercise it – if they work at it".[93]

Thus, a new view of public administration emerged, that was not internally, but externally oriented. Following this view, public administration was, two decades, later defined as "the whole of mediation institutions that mobilize human resources in the service of the state in a given territory".[94]

The hierarchical structure of Weberian bureaucracy implies a monocentric system: one power centre that governs a civil service system. It is an instrumentalist approach: public administration with its hierarchical structure and a hierarchy of value systems is the instrument of governing. However, empirical research in the 1970s led to the conclusion that societal problem solving is a continuous process that is multi- and inter-organisational, and that this necessitates a polycentric system.[95] Hierarchy looses most of its meaning when policymaking is seen as co-production of interdependent policy centres within and outside of the civil service.

The reactions of the public sector to this critique were mixed. It addressed a stereotypical Weberian bureaucracy, which in reality did not exist. However dominant the rational hierarchical paradigm was, public managers had to do their job in a political, social and cultural context that was

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92 Schutter (2007: 40): Was ist und wozu Governance?

93 Cleveland (1972: 13): The Future Executive: A Guide For Tomorrow's Managers. Cited in Frederickson (2004: 2).

94 Morgan and Perry (1988): Re-orienting the comparative study of civil service systems. Cited in Bekke et al. (1996: 2).

95 Hanf and Scharpf (1978): Interorganizational policy-making; limits to central coordination and control. Cited by Toonen (1993: 253): Bestuur en beleid.

pluralist and corporatist (like in Germany), and consensus-oriented (like in the Netherlands). Success of the civil service partially relied on co-operation with societal partners. Herbst described four assumptions of hierarchical organisations that do not match with complex, dynamic environments: [96]

- A task can nearly always be decomposed into smaller and smaller independent parts;
- An organisation has a simple inflexible structure which can be visualised in an organigram with lines of responsibility;
- Organisations are of a uniform type;
- Organisational units have a single, exclusive boundary.

In Germany, the classical Weberian bureaucratic model with its strong emphasis on legality and proper fulfilment of regulatory functions has remained very popular.[97] Therefore, especially at the federal level, there has been little support for changes. Federal administration was (and is) mainly limited to law making and not concerned with service delivery. This reduced the need for administrative reform. However, there were some reforms in the 1960s, which aimed at decentralisation as well as recentralisation. From the 1970s, the reform objective became to simplify the administration. This objective was citizen-oriented: better delivery of public services.[98]

Hierarchical governance lost some of its attraction in the 1980s when the market governance movement New Public Management (NPM) became the focus of both public administration scholars and practitioners (see also 2.2.2, Market governance). During the 1990s, there was a revival of the hierarchical approach. Most OECD countries introduced the reform concept 'New Public Governance' (NPG), partly to replace New Public Management, and partly as an addition to the management movement.

The banner 'public governance' contains an interesting dichotomy. In the majority of (European) public administration literature, the term 'public governance' is used synonymously with the term 'network governance.[99] However, business administration literature[100], finance specialists in

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96 Herbst (1976: 23-28): Alternatives to hierarchy.

97 Kickert and Stillman (2005: 657): The future of European Public Administration Sciences. Part III: Germany.

98 Naschold et al. (1994): Neue Städte braucht das Land. (cited by Pollit and Bouckaert (2003: 238).

99 E.g. Bovaird (2005): Public governance: balancing stakeholder power in a network society. Kickert (1997): Public Governance in the Netherlands: An

ministries and organisations like the World Bank use the term 'public governance' as an umbrella for what they also call 'government governance'[101], or, rather normatively, 'good governance'[102]. This, in contrast to network governance, is essentially a hierarchical approach. Government is considered the key player. Societal actors are influencers of policy implementation and they form a basis for criteria to assess the results of these policies[103]: they are not equal partners of the public sector. Government governance promotes accountability as a solution for the problem that the new service arrangements of government with external parties leads to higher risks for politicians.[104] The mergence of this approach was a reaction to societal issues such as the deficient accountability, transparency and control of the public sector. Its focus on accountability, transparency and integrity was caused by various financial scandals regarding mismanagement and abuse of public money.[105] The core idea is that stakeholders, within and outside the public sector, benefit from good (internal) control and good accountability[106].

Government governance has (like New Public Management) an Anglo-Saxon origin.[107] It is more tailor-made for typical public sector issues than NPM was. According to Hajer, government governance more or less combines NPM-thinking with democratic principles such as participation, justice and equality.[108] Therefore, its primary concern was to improve the compliance with relevant laws and regulations, and financial management

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Alternative to Anglo-American 'Managerialism'.

100 E.g. Bossert (2003: 14): Public Governance. Leidraad voor goed bestuur en management.

101 Ministry of Finance of the Netherlands (2000: 8): Government Governance. Corporate governance in the public sector, why and how?

102 www.worldbank.org .

103 Van den Berg et al. (2001: 11): Professional Judgement. Handen en Voeten. Vormgeving van public governance in de praktijk van de gemeentelijke overheid.

104 Sol (2003: 2): Government governance and beyond. Reconciling flexibility and accountability in labour market policy in the Netherlands.

105 Van den Berg et al. (2001: 13): Professional Judgement.

106 Bossert (2003: 16): Public Governance. Leidraad voor goed bestuur en management.

107 Ministry of Finance of the Netherlands (2000: 6): Government Governance.

108 Hajer et al (2004: 14): Nieuwe vormen van Governance. Een essay over nieuwe vormen van bestuur.

inside the public sector. Thus, government governance typically addresses *internal* organisational issues.

As we will see in Section 2.2.5, hierarchical governance in its different forms still plays a dominant role in Western public-administration organisations, and for good reasons. To quote Peters: "Although analysts have denigrated hierarchy and praised alternatives such as networks and markets, one must remember that there are still virtues in hierarchies". [109] UK urban regeneration practice provides another example: in the 'mix' of market, hierarchy and network, hierarchy is more persuasive than network.[110]

To conclude: Hierarchical governance, applied inside and outside 21st century Western public administration, accounts for top-down decision-making, strict internal and external accountability procedures, a hierarchical organisation structure, an emphasis on project management rather than on process management, strategy styles of a planning and design type, and a strong preference for legal measures.

2.2.2 Market governance

From the 1980s, the 'managerial'[111] and market-oriented reform movement 'New Public Management' (NPM) that was born in a time of economic recession[112], stimulated the development of what has become known *as market governance.* The term 'market' is a metaphor, which refers to market mechanisms and market thinking, not to be confused with the economic market. 'Market governance' is a (public) governance style, whereas 'governance of the market' would mean governance of players active in the private market. Market governance is a way of thinking and acting that is used in both the public and private sector, and in hybrid organisations. The emergence of NPM must be seen against the background of substantial fi-

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[109] Peters (1998: 301): Managing horizontal government: The politics of coordination.

[110] Davies (2002: 301): The governance of urban regeneration: a critique of the 'governing without government' thesis.

[111] The fact that New Public Management encouraged management thinking in the public sector does not mean that management was not an issue until then. However when NPM became influential, management techniques began to dominate other competencies which top civil servants had developed.

[112] Bovaird and Löffler (2001: 5): Emerging trends in public management and governance.

nancial problems that governments had to deal with in the 1980s. Other incentives were the political scandals arising from the complicated intertwinement of government and several business sectors, such as the shipping business in the Netherlands. These scandals weakened ties between government and private sector. NMP therefore had a dual focus: on service (market thinking) and on accountability (hierarchical thinking).[113]

The core belief of NPM is that incorporating efficiency principles, procedures and measures from the private sector, and market mechanisms leads to better performance of public administration.[114] Customer orientation is another important characteristic of NPM.[115] Public choice theory is central to the NPM model: It implies that

> "voters are guided by economic self-interest, interest groups are rent seeking, politicians are entrepreneurs interested in power and perks, and bureaucrats believe in budget maximization and bureau expansion"[116].

Starting in New Zealand and spreading through other Anglo-Saxon countries[117] to other countries and international organisations like the World Bank[118], it did not take long before a NPM-set of administrative doctrines figured prominently in the reform agenda of most OECD countries.[119] Osborne and Gaebler's *Reinventing Government*[120] became the worldwide icon of the movement. Accoding to Kettl[121], the impact of the book was surprising: the authors were a journalist and a former city manager respectively, not academics. The academic Hood, who described NPM as an "uneasy combination of individualism and hierarchism", distinguished seven main characteristics of NPM:[122]

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113 Hernes (2005: 5): Four ideal-type organizational responses to New Public Management reforms and some consequences.

114 Levy (2003): Critical success factors in public management reform: the case of the European Commission.

115 Kickert (2001: 136): Public management of hybrid organizations.

116 Haque (2007: 180): Revisiting the New public Management.

117 It is plausible that NPM started in Anglo-Saxon countries because their 'public service' model of administration is inherently more open to market thinking than the European continental 'Rechtsstaat' model.

118 Kettl (2002: 21): The transformation of governance.

119 Hood (2003: 269): From public bureaucracy state to re-regulated public service: The paradox of British public sector reform.

120 Osborne and Gaebler (1992): Reinventing government.

121 Kettl (2002: 21): The transformation of governance.

122 Hood (1996: 269): Exploring variations in public management reform of the 1980s.

- Hands-on professional management of public organisation;
- Explicit standards and measures of performance;
- Greater emphasis on output controls;
- Shift to segregation of units in the public sector;
- Shift to greater competition in the public sector;
- Stress on private-sector styles of management practices;
- Stress on greater discipline and parsimony in public-sector resource use.

In the Netherlands, as well as in the USA and Great Britain, rightwing politicians pressed for a NPM type of reform[123]. Germany was one of the last Western-European countries to enter the NPM-movement on the federal level. One explanation is that the German administration has a number of institutional features (like multi-level government, decentralisation, multi-functional local government system and subsidiarity) that were already 'NPM-proof' before NPM started as a reform movement. This, plus its good international reputation of performing in terms of legally correct and reliable conduct, served as a cognitive and normative barrier against an easy adaptation of NPM.[124] Only after local, regional and state ('*Länder*') reforms were carried out, and a change of government took place in 1998, was a comprehensive federal reform program was launched.[125] This was also triggered by skyrocketing public debts caused by the German unification.[126] The reform program of 1999 builds on the Clinton/Gore rhetoric of NPM, with a vision of 'an administration which performs better and costs less.'[127]

Although New Public Management was adapted globally[128], there have been many differences[129]. Countries such as Denmark and the Netherlands

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123 Ingraham (1996: 247): The reform agenda for national civil service systems: external stress and internal strains.

124 Wollman (2003): Public-sector reform in Germany: between continuity and change; Oppen (2002): From 'New public management' to 'New public governance'. Restructuring the public administration of tasks in Germany.

125 Bundesregierung (1999): 'Moderner Staat – moderne Verwaltung'.

126 Wollmann (2003): Public-sector reform in Germany, between continuity and change – in international perspective.

127 Ibidem.

128 Osborne and Gaebler (1992: 328): Reinventing government.

129 Hood (1996: 270): Exploring variations in public management reform in the 1980s.

had already developed variable pay (an instrument to enhance competition of civil servants within administration[130]), in the 1980s, whereas the German public sector escaped from such reform.[131] Kickert argues that, from a comparative perspective, the German national administration has an 'exceptional' ability to escape reforms.[132] Only in 2005 did Germany issue a draft Law that aimed at making light forms of variable pay possible.[133] Factors other than macro-economic performance and political preference also affected the degree of emphasis to NPM, such as the size of the administration. The Netherlands, a country with a 'medium' NPM emphasis, had a medium sized government at that time. Downsizing the government was a more prominent issue there than in Germany: a 'low' NPM emphasis country, already with a small government. [134]

Gradually the NPM movement began to receive criticism. Techniques that flourished in the private sector sometimes showed to be inappropriate for the public sector. Many NPM reform activities attempted to create a degree of flexibility and discretion that conflicted sharply with the rigidities created by complicated civil service laws and regulations.[135] NPM was responsible for at least three structural problems (discovered in an international survey on NPM in local governments):[136]

- Quality management often degenerates to a simple instrument of legitimising the administration;
- Ideologically driven privatisation programs end up in short-term, non-durable solutions;
- Outcome-orientation often falls back to the traditional hierarchical steering concept.

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130 Variable pay is an instrument taken from the private sector. It implies a shift from intrinsical motivation (as in Weberian hierarchy) of civil servants towards extrinsical motivation (stimulus-response thinking, which is a common approach in the private sector). In 't Veld (personal communication).

131 Hood (1996: 274, 272): Exploring variations in public management reform in the 1980s.

132 Kickert (2005): Distinctiveness in the Study of Public Management in Europe.

133 Bundesregierung (2005): Entwurf Strukturreformgesetz.

134 Hood (1996: 280): Exploring variations in public management reform in the 1980s.

135 Ingraham (1996: 262-263): The reform agenda for national civil service systems: external stress and internal strains.

136 Naschold et al. (1997): International trend of local government modernisation. An assessment for the mid-1990s.

A fourth problem is that NPM suggests that the private sector is, by definition, superior to the public sector. This contributed to a low morale in public administration.[137] Furthermore, market thinking may threaten democratic processes; just as network governance does (see hereafter).[138]

Finally, who considers citizens as customers, restricts the task of governments to providing services and products, whereas citizens are also subjects, voters and nationals, in which roles they expect more than only service provision.[139]

Despite the current critique on NPM, market governance has remained a very influential ideal-type governance style inside Western public administration. In its ideal-typical form it accounts for decentralisation, the creation of agencies, and furthering the autonomy[140] of existing agencies and other decentralised units. It stimulates the formation of hybrid organisations (mixtures of public-sector and private-sector organisations), and emphasises the management competencies of staff, instead of policymaking competences. It promotes competition instead of co-operation, stimulates benchmarking, stimulates contract management (although contracts are also used in hierarchical and network governance, but not so predominantly), and advocates output instead of outcome.

2.2.3 Network governance

Since the 2nd World War, due to the perceived success of the Weberian model, governments and their administration came to be increasingly guided by principles of hierarchy and standardisation. In contrast, at the same time Western society in general developed into an open democratic system in which networks play an important role.[141] This divergence was problematic because the notion of a network in which actors with different interests bargain, is fundamentally different from the mono-rational mode

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137 Savoie (2000: 8-9): Governance in the twenty-first century: introducing the topic.

138 Perry (2007): Democracy and the new public service.

139 Ringeling (2001: 34): Rare klanten hoor, die klanten van de overhead.

140 Verhoest et al. (2004: 116, The study of organisational autonomy: A conceptual review) distinguish six dimensions of autonomy in market governance: managerial autonomy, policy autonomy, structural autonomy, financial autonomy, legal autonomy and interventional autonomy.

141 Raadschelders and Rutgers (1996: 92): The evolution of civil service systems.

of governance by a single controller.[142] Long before the concept of an emerging 'network society'[143] became popular in the 1990s, politicians and societal stakeholders promoted the involvement of more parties in policy-preparation and decision-making since the 1970s. Scholars and practitioners claimed that the classic hierarchical paradigm had to be replaced – at least for multi-actor, multilevel policymaking - with a network or arena paradigm.[144] Less 'command and control' and more 'open processes' were expected to improve the effectiveness of the governmental organisations.[145] The 'IT-revolution' of the last decades has also increased the importance of networks in social life.

Against this background, from the 1980s (in the Netherlands) and 1990s (in most other western European public administrations), the ideal-type *network governance* developed as an alternative to hierarchical top-down steering by government, and to market governance as promoted under the banner of New Public Management. It provides a third alternative between top-down planning and the anarchy of the market. Whereas market governance offered the alternative of deregulation and privatisation to the inefficiency of hierarchical governance in our complex societies, network governance offered the alternative of horizontal coordination.[146] Network governance is considered to offer advantages for learning and innovation in an ever-changing environment.[147] Powell describes network governance as "more a marriage than a one-night stand, but there is no marriage license, no common household, no pooling of assets".[148]

Network governance can be defined as the 'management' of complex networks, consisting of many different actors from the national, regional and local government, from political groups and from societal groups (pressure, action and interest groups, societal institutions, private and busi-

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142 Hanf and Scharpf (1978): Interorganizational policy-making; limits to central coordination and control. Kickert (1980): Organization of decision-making (cited in Kickert (1991)).

143 Castells (1996): The rise of the network society.

144 Dirven et al. (1998: 14-15): Stuur of overstuur: Over bestuurlijke wisselwerkingen tussen overheid en samenleving.

145 E.g. Ringeling (1997: 16-17): Sturing van het milieubeleid.

146 Börzel (1998: 264): Organizing Babylon – on the different conceptions of policy networks.

147 Jessop (2002: 8): Governance, governance failure and metagovernance.

148 Powell (1991: 269): Neither market nor hierarchy: network forms of organization.

ness organisations).[149] [150] Public sector reform programmes of the early 2000s concentrate on this objective to a substantial extent. Network governance has also become popular in public management consulting.[151] However, this does not imply that network governance has been widely implemented. The introduction of network governance in the public sector is sometimes a symbolic rather than a serious attempt (in Germany, the term 'Ankündigungs-politiken'[152] has been coined to describe this phenomenon)[153]. The reason for this may be that politicians tend to (ab)use participatory approaches as a way of increasing support.[154] An example is the introduction of co-regulation with societal partners by the European Commission. This has been analysed as an attempt to develop more hierarchical power, against the will of the member states.[155] In the Netherlands, it was found that policy processes that begin with a network approach end with a classical top-down approach that destroys the trustful relations. This creates an often-seen network governance paradox: when government only half-heartedly invites citizens and societal partners to participate in policymaking, the result may be a decrease of citizens' trust in government.[156]

Meyer identified four key elements of network regulation: Trust, durability, strategic dependency, and institutionalisation.[157] Trust is a more effective means of dealing with knowledge-intensive organisations than price and authority.[158] Empathy should be added as key element: the will

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149 Kickert (1997: 735): Public governance in the Netherlands.

150 High et al. (2005, Understanding informal institutions) argue that 'network management' is contains a contradiction: networks are characterised by personal and informal relationships, which makes them in to a certain extent resistant to 'management'.

151 Eggers and Goldsmith (2004): Government by network. The new public management imperative.

152 'Policy by proclamation'.

153 Hesse (2003: 199): Stability Turned Rigidity. Paradoxes in German Public Sector Development.

154 Mayer et al. (2005: 197): Interactive policy development: Undermining or sustaining democracy?

155 E.g. Héritier (2002): New modes of governance in Europe: Policy making without legislating?

156 Meuleman (2003: 19): The Pegasus Principle.

157 Meyer (2003), cited in W. Meyer and Baltes (2004: 37): Network failures – How realistic is durable cooperation in global governance?

158 Adler (2001: 215): Market, hierarchy, and trust: The knowledge economy and the future of capitalism.

and ability to understand the interests of other network partners and to act accordingly. Thorelli adds power, a "cousin" of trust, as a central concept in networks: the ability to influence the decisions of others.[159]

Klijn and Koppenjan distinguish five other characteristics of network governance: [160]

- Mutual dependence of actors which leads to sustainable relations between them;
- In the course of interactions, rules are formed which regulate actor behaviour;
- Policy processes are complex and not entirely predictable because of the variety of actors, perceptions and strategies;
- Policy is the result of complex interactions between actors who participate in concrete games in a network;
- Network co-operation is not devoid of problems and needs process and conflict management, and risk reduction.

According to Considine there are three domains in which network governance is making an important contribution to public governance: interorganisational networks (linking public and private organisations), interactor networks (linking leaders and advocates), and inter-agency networks (linking various agents in the provision of services).[161]

The ideal-type network governance currently accounts for interactive policymaking, informal networks such as expertise networks in public administration, and covenants.

Network governance and knowledge based network organisations

The term network governance implies a focus on a certain type (namely interdependent) type of relations, for example between a ministry and societal stakeholders. A network organisation will use, or be a partner in network governance, but differs from other organisations participating in network governance in the sense that its internal organisation is based on networking as the main (or even only) coordination and organisation principle. This type of organisations has been successful in knowledge-intensive businesses, which are sometimes called 'knowledge-based net-

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[159] Thorelli (1986: 38): Networks: between markets and hierarchies.

[160] Based on Klijn and Koppenjan (2000: 142): Public management and policy networks. Foundations of a network approach to governance.

[161] Considine (2002: 7): Joined at the lip? What does network research tell us about governance?

work organisations'[162]. Networks work well in knowledge-rich environments because they have superior information-processing capabilities; they are also more adaptable and flexible than hierarchies because of their loose coupling and openness to information.[163] Such organisations have in common that they focus on content in stead of power, and are designed in a way that their highly professional employees have maximum freedom of operation. The Dutch consultancy organisation 'The Vision Web' that emerged in the late 1990s was an extreme example. There was no internal hierarchy (to the extent that employees decided on their own salaries), no managers; everything was based on trust, people and identity.[164]

Like all styles of governance, network governance also has its typical weak points.[165] Networks are instable constructions that tend to either disintegrate, or convert into a formal organisation. They are not very efficient compared to markets and hierarchies. Furthermore, the advantage (compared to hierarchies) that networks are open, can also be a threat to another key element, namely trust, because trust relates to team building in a network (and therefore, closure is important). Sørensen argues that network governance marginalises politicians and thereby weakens democracy.[166] It 'stretches' democracy and raises issues regarding equity, accountability and democratic legitimacy.[167] Depending on how democracy is defined, this may be problematic. Klijn and Koppenjan differentiate between an instrumental vision (democracy is an efficient way of decision making) and a substantive view (democracy is a societal ideal, a value in itself). Proponents of participatory or direct democracy usually take latter view.[168]

A final weakness of network governance worth mentioning here is inherent to networks. People with a higher than average number of 'links' with others, play an important role in networks. These 'hubs' guarantee high speed communication. However, if such hubs are removed, networks

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162 Term coined by Roobeek.

163 Achrol and Kotler (1999: 146-147): Marketing in the network economy.

164 Derix (2000): The Vision Web. Op reis naar 's werelds spannendste ondernemingsvorm.

165 Meyer and Baltes (2004: 42): Network failures – How realistic is durable cooperation in global governance?

166 Sørensen (2006): Meta-governance: The changing roles of politicians in processes of democratic governance.

167 Bogason and Musso (2006: 3): The democratic prospects of network governance.

168 Klijn and Koppenjan (2000: 376-377): Politicians and interactive decision making: Spoilsports or playmakers.

may break down into isolated pieces.[169] Moreover, hubs establish a kind of hierarchy in a network, and actors who find themselves in such a key position, have an advantage over other players.[170] This makes the selection of participants in network governance processes problematic. In addition, there are no commonly accepted procedures for selection, and the risk is that privileged actors join in technocratic decision making which may result in a decrease of citizens' participation compared to the classical representative forms of democratic decision-making.[171]

2.2.4 Forms of network governance

It is no surprise that a whole range of sub-forms of network governance have developed: large numbers of Western-European public administration and political science scholars have concentrated on the governance implications of Castells' emerging 'network society'. Each of the sub-forms highlights one or more characteristics of network governance. They share the normative idea that networks are the best way of societal coordination.

Participatory governance (or interactive policymaking) is a normative concept[172] that promotes individual and collective participation of state and non-state actors in policy-making and implementation.[173] Because of the focus on participation this concept is usually compared with hierarchical governance (which is in principle not participatory), and not with market governance.[174] During the 1990s, interactive policymaking became en vogue in the Netherlands.[175] Around the Millennium, a revival of hierarchical thinking in the (national) political arena resulted in the end of several

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169 Barabási (2003): Linked. How everything is connected to everything else and what it means for business, science and everyday life.

170 Thompson (2004: 413): Is all the world a complex network?

171 Von Blumenthal (2005: 1165): Governance – eine kritische Zwissenbilanz.

172 Evans (2007): Methodological problems in evaluating democratic participation in local politics.

173 E.g. Lovan et al. (eds.)(2004): Participatory governance: Planning, conflict mediation and public decision-making in civil society. Laws et al. (2001, Public Entrepreneurship Networks) argue that policy development "increasingly occurs in an intermediate arena that is neither governmental nor private".

174 See for example Pröpper and Steenbreek (1998): Interactieve beleidsvoering. Typering, ervaringen en dilemma´s.

175 Van der Arend (2007): Pleitbezorgers, procesmanagers en participanten.

experiments with this form of network governance.[176] *Nodal governance*[177] is a structured form of participatory governance in which state and non-state actors co-operate to provide public services. It operates through networks and partnerships of governance 'nodes' that include state agencies, businesses and NGOs.[178]

Bang's concept of *culture governance*[179] developed in the consensus oriented society of Denmark and is a difficult mixture: it "represents a new form of top-down steering; it is neither hierarchical nor bureaucratic but empowering and self-disciplining". Not only does this seem to neglect some of the inherent incompatibilities between hierarchies and networks, the normative character also includes that this approach is considered to be a generally applicable style combination.

Community governance is a form of governance in which governments appeal to citizens to form communities that look after their own affairs, such as safety. This form is related to community policing (see Chapter 5).[180]

Whereas participatory and nodal governance position government as a key actor in processes of solving societal problems, *deliberative governance* [181] is 'deliberately' anti-statist and focuses on societal processes of deliberation as the crucial 'modern' problem-solving mechanism. It is based on the idealistic view of democracy, distinguished by Klijn and Koppenjans.

Other approaches consider dealing with complexity as the main challenge for (network) governance. They do not concentrate on the interactions between actors. *Reflexive governance* is a form of network governance that builds on Beck's notion of reflexive modernisation:[182] complexity and uncertainty require that governance approaches are reflexive, i.e. the governance approach and the 'governors' itself are influenced, or should

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176 Meuleman (2003): The Pegasus Principle.

177 Shearing (2001): A nodal conception of governance.

178 Froestad and Shearing (2004): Contested authorities, mobilizing local knowledge and capacity for nodal governance participation.

179 Bang (2004): Culture governance: Governing self-reflexive modernity.

180 Schedler (2006: 121): Networked policing: Towards a public marketing approach to urban safety.

181 Hajer et al. (2003): Deliberative policy analysis: understanding governance in the network society.

182 Beck (1994): The reinvention of politics: towards a theory of reflexive modernisation.

be open for influences by the governance environment.[183] In reflexive governance, learning is a central issue. *Adaptive governance* is a way of designing policies that can adapt to a range of anticipated and unanticipated conditions. A key characteristic of adaptive governance is collaborative, flexible and learning-based issue management across different scales[184]. *Adaptive management* is a form of reflexive governance: it is a structured learning process designed to dealing with uncertainty.[185]

2.2.5 Post-bureaucratic administration, a myth?

The internal logic of the three ideal-types makes them so attractive that each of them has been considered a panacea for all administration problems: hierarchy in the post-War decades, market governance during the 1980s and 1990s, and network governance since the mid-1990s. Bouckaert distinguishes three phases in the evolution of public administration in Western states since the 1950s.[186] Between 1950 and 1980 hierarchical governance was central: the public sector should be above all professional and rational. From 1980-1995 market governance was introduced (private sector instruments and procedures: New Public Management (NPM)). In the period of 1995-2000s, New Public Governance emerged: a combination of network governance and hierarchical governance (the latter under the banner of 'good governance').

Was this evolution also a succession of the relative dominance of governance styles over time, from hierarchy to network via market governance? Sol argues that the idea of succession is a simplification and feeds the myth of progress.[187] It is a simplification, because there have been significant differences in the governance history of individual countries, different public-sector organisations inside the same country and even differ-

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183 E.g. Voss et al. (eds) (2006): Reflexive governance for sustainable development.

184 Description retrieved on 9 September 2007 from http://www.ias.unu.edu/sub_page.aspx?catID=155&ddlID=299 (The adaptive governance project, UNU-IAS). See also Nooteboom (2006): Adaptive governance for sustainable development.

185 Sendzimir et al.(2006): Adaptive management to restore ecological and economic resilience in the Tisza river basin.

186 Bouckaert (2004: 27): Die Dynamik von Verwaltungsreformen.

187 Sol (2000): Government governance and beyond. Reconciling flexibility and accountability in labour market policy in the Netherlands.

ent organisational units within one public-sector organisation. The myth of progress is criticized by Hesse in the case of Germany.[188] He notices that public administration reform is characterised by symbolic politics rather then by real reforms. This may be illustrated by the view of the European Commission on the participation of networks (i.e. in this case: non-governmental actors). In its White Paper on Governance, the Commission states: "By making them more open and structuring better their relation with the Institutions, networks could make a more effective contribution to EU policies"[189], which can be considered "rather paternalistic advice".[190] In the White Paper, stakeholder involvement is interpreted as a way of providing the Commission with information and not as a process of dialogue.

If there has not been a succession from hierarchy to network via market governance, then all three modes of governance should exist together. This seems to contradict the popular idea that a 'post-bureaucratic administration' is emerging[191]. The term 'bureaucracy' is used for the politico-administrative system of performance in modern times, which is manifested in a fixed pattern of responsibilities and jurisdictions, and a hierarchical pyramid-shaped structure.[192] The notion of post-bureaucratic administration implies the opposite: abandon the classical bureaucracy, replace fixed responsibilities with fluid ones and hierarchical structure with a flat organisation.[193] The question is: has there been a metamorphosis of the politico-administrative system towards a post-bureaucratic type, or is this wishful thinking?

Many public administration scholars hold that a change has indeed occurred. Their argument has some plausibility. Western societies are said to have transformed into 'network societies'.[194] In addition, it was widely signalled that public-sector organisations needed to change as early as the 1970s and 1980s: "Bureaucracies tend to concentrate on organisational survival rather than on attending problems of governance", and "Bureau-

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188 Hesse (2003: 199): Stability Turned Rigidity. Paradoxes in German Public Sector Development.

189 European Commission (2001: 18): European Governance. A white Paper.

190 In 't Veld (2003: 52): Governance: A new concept leading to policy innovation?

191 Emery, Wyser and Sanchez (2006): Working in a post bureaucratic context: civil servants' perceptions of the main challenges involved and their coping strategies.

192 König (2003: 450): On the typology of public administration.

193 Heckscher (1994): Defining the post-bureaucratic type.

194 Castells (1996): The rise of the network society.

cratic government is a threat to those who see the central position of bureaucracy in modern policy-making as a threat to traditional values. It is also a threat to those who desire an effective government".[195] The Dutch scholar Frissen argues that hierarchical governance is decreasing, because of the IT revolution.[196] Bogason and Toonen conclude that hierarchical control of government over society is not impossible, but is restricted to politically and technologically simple fields that require simple human tasks of intervention.[197] Moreover, they argue, "Not many areas of human activity meet these demands". Others believe, that "the nature of tasks of governments in contemporary complex societies are confronted with will not allow for command and control reactions".[198] None of these authors, however, have produced empirical evidence for the supposedly drastic decrease of hierarchical governance.

There are many more scholars who hold that hierarchy has gone, or at least, is weakened. Kettl identifies a fundamental shift in American public administration.[199] He concludes that the four traditions that together formed the US public administration all depend upon the opportunity to draw clear lines defining the roles and responsibilities of each of the players. [200] However, with entering the 21st century, these boundaries have all become fuzzy. Traditional boundaries can no longer contain big problems.[201] The fluidity of administrative boundaries in Western administrations has led to a move from the familiar institutions "to the edges of organisational activity, negotiations between sovereign bodies, and inter-organisational networks (…)".[202] After governments had discovered the limits of the first alternative to hierarchy, namely a retreat from the public domain by introducing market governance elements such as privatisation and deregulation, the development of network governance was perceived as a new opportunity.[203] According to Kickert[204], it was already in the Netherlands in

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195 Peters (1981: 82): The problem of bureaucratic government.

196 Frissen (1999): De lege staat.

197 Bogason and Toonen (1998: 224): Introduction: Networks in Public Administration.

198 Klijn and Koppenjan (2000a: 154): Public management and policy networks.

199 Kettl (2002: 26-49): The transformation of governance.

200 The Hamiltonian, Jeffersonian, Madisonian and Wilsonian traditions.

201 Kettl (2002: 74): The transformation of governance.

202 Hajer and Wagenaar (2003): Deliberative policy analysis: understanding governance in the network society.

203 Kickert et al. (1997: 2): Public Management and Administrative Reform in

the early 1970s (long before the New Public Management movement) recognised that central top-down steering in a hierarchical organisation does not work in a network of independent actors with different goals, interests and positions. Elsewhere he argues that the early attention in the Netherlands to a network approach is caused by the historically underlying continuity of a corporatist-consensual model of deliberation and pragmatic compromise.[205]

Therefore, if classical bureaucracy is labelled as out-dated, and if there was strong societal and political pressure to change the administration, why would a new 'post-bureaucratic' administration *not* have developed? Kettl's 'fuzzy boundaries' of course do influence the possibility of designing and applying certain governance style mixtures. However, this does not mean that any of the three ideal-types has been put 'out of business'. On the contrary, it seems that public-sector organisations have escaped much of a transition thus far. According to Bouckaert, during the last decades of the 20th century they have developed from a hierarchical Weberian style towards a Neo-Weberian style that is still hierarchical.[206] The Neo-Weberian style has moved further away from the classical hierarchical style in Anglo-Saxon states than in continental European states. Bouckaert distinguishes two types: a Nordic type that emphasises the participation of the citizen-client in a 'citizens' state' with a balance of rights and obligations, and a continental version that insists on the professional dimension of the state, with a citizen who is considered as a client.[207]

Furthermore, recent research shows that hierarchy is still the primary governance style in Western public-sector organisations.[208] A case study in Queensland, Australia, showed that its bureaucracies have not changed into post-bureaucratic organisations, but that public sector organisations have evolved "from one form of bureaucracy based on political controls and values, to a form of bureaucracy associated with market controls and

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Western Europe.

204 Kickert (1997: 737): Public Governance in the Netherlands: An Alternative to Anglo-American 'Managerialism'.

205 Kickert (2003: 127): Beneath consensual corporatism: Traditions of governance in the Netherlands.

206 Bouckaert (2004: 22): Die Dynamik von Verwaltungsreformen.

207 Bouckaert (2003): La réforme de la gestion publique change-t-elle les systèmes administratifs ?

208 Hill and Lynn (2005): Is Hierarchical governance in decline? Evidence from empirical research.

values".[209] An investigation in the UK showed empirically that "King Bureaucracy is actually alive and well and, above all, absolutely necessary if policy is to be implemented on a national basis"[210]. Hierarchy is "in good shape", and like the whisky brand "Johnny Walker" advertises "Born in 1820, still going strong"[211]. Schofield argues that it is useful for politicians to have an "obedient cadre of professional managers who are the interface between themselves and the citizen"; in addition, managers stay obedient because this is rewarding for them. Hill and Lynn state that hierarchy is still "the primary means by which governments govern. The seemingly 'paradigmatic' shift away from hierarchical government toward horizontal governing […] is less fundamental than it is tactical." They conclude that what has taken place is the addition of new tools or administrative technologies that facilitate public (network) governance within hierarchical systems.[212]

Similar observations have been made in Germany, where in the case of control over prisons and over local authority in building administration, hierarchical forms of control moved from the foreground to a 'shadow' from which they still are influential.[213] In the Netherlands, politicians are trying to re-hierarchise the public sector.[214] There may have been a temporary decrease, but the return of hierarchy with new vigour is confirmed for the UK by Taylor and Kelly. They found that there has been an increase in rules and accountability procedures, which has "reduced the rule discretion of the street-level bureaucrat, which crucially, in terms of Lipsky's theory[215], has reduced the policy-making element of discretion"[216].

Another indication that bureaucratic (i.e. hierarchical) governance is still important is that Western governments invest a lot of energy in a battle against 'over-regulation'. 'Better regulation' is the normative slogan,

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209 Parker and Bradley (2004: 197): Bureaucracy or post-bureaucracy? Public sector organizations in a changing context.

210 Schofield (2001: 91): The old ways are the best?

211 Schuppert (2007: 8): Was ist und wozu Governance?

212 Hill and Lynn (2005): Is Hierarchical governance in decline? Evidence from empirical research. The authors synthesized 70 journals and 800 articles on governance and public management over a 12 year period.

213 Lodge and Wegrich (2005: 221): Control over government: Institutional isomorphism and governance dynamics in German public administration.

214 Ringeling (2007: 22): Tussen distantie en betrokkenheid.

215 Lipsky (1980): Street-level bureaucracy.

216 Taylor and Kelly (2006: 639): Professionals, discretion and public sector reform in the UK: re-visiting Lipsky.

which the European Commission uses to bring and keep down the 'administrative burden' of legislation for businesses and citizens. Many European countries developed ambitious deregulation programmes in the early 2000s. These programmes usually have two objectives: creating more freedom for the private sector and a better acceptance of government policies by citizens. Belgium labelled the national anti-bureaucracy programme the 'Kafka' project; also in the Netherlands, 'Kafka brigades' have been established. 'Better regulation' targets are sometimes formulated in terms of a 25 to 40% decrease of legal texts without differentiation.[217] However, (legal) instruments are not neutral devices: they express a certain idea about social control and ways of exercising it.[218]

Finally, König states matter-of-factly that no interpretable material is yet available from which the type of a post-bureaucratic administration might emerge.[219] He adds that even private enterprises (still) have bureaucratic features, because of its low transaction costs. How is it then possible that so many scholars deny that hierarchy is still very influential? One reason may be that they are mainly interested in the non-hierarchical dimensions of governance: all the world is chaos and complexity, and this leads to a new paradigm for public administrators.[220] This focus on complexity alone can be criticised. In the words of Frederickson:

> "Investments in our prevailing institutions, our cities, states and nationals and their established governments are devaluated, as are the accomplishments of those institutions. Order, stability, and predictability are likewise undervalued."[221]

We can conclude that there is no evidence of an emerging post-bureaucratic public sector. There are merely complex mixtures of old and newer forms of governance (Figure 3), and none of them can be considered a panacea.[222] However, the ingredients of the mixtures have always been

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217 Hey (2007): Deregulierung und Entbürokratisierung.

218 Lascoumes and Le Gales (2007: 1): Introduction: Understanding public policy through its instruments.

219 König (2003: 459): On the typology of public administration.

220 Kiel (2005): Embedding chaotic logic into public administration thought: Requisites for the new paradigm.

221 Frederickson (2004:12): Whatever happened to public administration? Governance, governance everywhere.

222 E.g. Nelissen (2002, The administrative capacity of new types of governance) questions the claim that the new modes of governance are a panacea.

there. Even in primarily hierarchical times, consent was often strived for.[223] Hierarchy, or 'bureaucratic management' in a Weberian sense continues to exist in a complicated mixture with market and network thinking, and sometimes disguised as network or market governance. The 'dinosaur scenario', which emphasises that hierarchy is undesirable and not viable, and that a shift toward market or network governance is inevitable, is an insufficient explanation for contemporary public-sector governance: "Bureaucratic organization and the success criteria in which it is embedded are still with us."[224]

Even in the supposedly emerging 'network society' of Castells[225], it seems logical for some public-sector tasks to stick to hierarchy. The financial and salary department of a ministry should be reliable and not networking or entrepreneurial. Besides, bureaucratic procedures can be considered as a safeguard for effectively dealing with crises, disasters, or security issues. On the other hand, hierarchy has proven to not being able to solve multi-actor, multi-sector, multi-level problems: they are too 'fuzzy'.

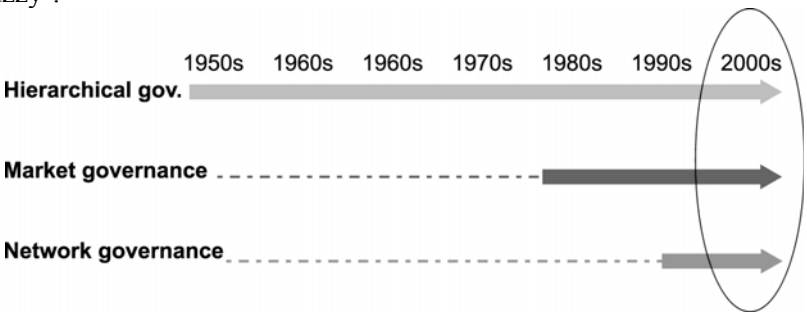

Fig. 3. Development of three governance styles in Western European nations

Nevertheless, the arguments and the empirical findings mentioned above that hierarchy is still an important governance style, may not convince believers in the 'network governance is everything' doctrine. Their vision "assumes that a single, context-free set of principles for organizing

223 Blatter performed empirical research in four transboundary zones in Europe and North America. He considers these zones as laboratories for institutional change. Blatter (2003: 505): Beyond hierarchies and networks: institutional logics and change in transboundary spaces).

224 Olsen (2006: 17-18): Maybe it is time to rediscover bureaucracy.

225 Castells (1996): The rise of the network society.

public administration is functionally and normatively superior."[226] Finally, they may argue that empirical research cannot prove that they are wrong, because the (quantitative and qualitative) evidence produced by such research is based on an analytical concept that fails to recognise that the current society is up to its capillary vessels a network society. Frissen formulates the network doctrine as follows:

> "I am no Darwinist. I think that the world is accidental, that it could have gone differently, that things do not have a purpose. This is a crucial point. When one looks at societal developments from a policy perspective, it makes a big difference if one believes that the world is the result of contingency, or that the world has a logic which is understandable, in which one can intervene with predictable outcomes. That leads to a very different steering behaviour."[227]

To conclude, the arguments in this section suggest that taking one of the three ideal types as a panacea leads to overlooking important characteristics and mechanisms of the functioning of contemporary public-sector organisations. Only by considering all three forms simultaneously, the strengths and weaknesses of each of the forms can be assessed.[228] Therefore, a multi-perspective approach (hierarchies, networks and markets exist together) has more analytical power. Beetham came to the same conclusion when he, in 1991, compared several alternatives to the Weberian model of hierarchy:

> "Each of these conceptions has in its time been presented as the final truth. It would be more plausible, however, to see them, not as mutually exclusive alternatives, either to the Weberian model or to an another, but as each emphasizing an essential aspect of organizational reality, all of which need taking into account and which together necessitate a modification in the strictly bureaucratic conception of organizational efficiency, rather than its outright replacement."[229]

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[226] Olsen (2006: 13): Maybe it is time to rediscover bureaucracy.

[227] Frissen in an interview in the Dutch Staatscourant of 17 May 2006 (translated from Dutch by the author).

[228] Podolny and Page (1998: 74): Network forms of organization.

[229] Beetham (1991: 135): Models of bureaucracy.

2.3 Relations between governance styles

2.3.1 Differences between hierarchical, network and market governance

The three ideal-typical styles of governance are internally consistent: they each have a clear and distinct internal logic. Hierarchy produces legal instruments because they can be controlled hierarchically. A typical network governance outcome like a consensus builds on mutual trust, not on hierarchical power play, and therefore does not fit into the logic of hierarchical thinking, nor in the competitive logic of market governance. As we have argued in 2.2.5, the 'logic of governance'[230] of the ideal-types makes them so attractive, that scholars and practitioners have seen each of them as a panacea for all administration problems. Table 1 (see also Annex 1) presents an overview of 36 differences between the three governance styles that have been collected to support the analytical framework of this research. They are clustered into five groups (see Section 3.2.2): vision (and strategy), orientation, structure (including systems), people and results.

Table 1. Differences between the three ideal types of governance

Governance style Organis. dimension	HIERARCHICAL STYLE	NETWORK STYLE	MARKET STYLE
VISION/STRATEGY			
1. Culture/ 'Way of life' [231]	Hierarchism	Egalitarism	Individualism
2. Theoretical background [232]	Rational, positivist	Socio-constructivist, social config. theory	Rational choice, public choice, principal-agent theory
3. Mode of calcul.[233]	Homo hierarchicus	Homo politicus	Homo economicus

[230] Thompson (2004: 413): Is all the world a complex network?

[231] Thompson et al. (1990: xiii): Cultural Theory.

[232] Dixon and Dogan (2002: 184-185): Hierarchies, networks and markets: responses to societal governance failure. Bevir and Rhodes (2001: 1): A decentred theory of governance: Rational choice, institutionalism, and interpretation. Haque (2007: 180): Revisiting the New Public Management.

[233] Jessop (2003): Governance and metagovernance: On reflexivity, requisite variety, and requisite irony.

Table 1. (continued)

Governance style Organis. dimension	HIERARCHICAL STYLE	NETWORK STYLE	MARKET STYLE
4. Key concept[234]	Public goods	Public value	Public choice
5. Primary virtues[235]	Reliable	Great discretion, flexible	Cost-driven
6. Common motive[236]	Minimising risk	Satisfying identity	Maximising advantage
7. Motive of subordinate actors[237]	Fear of punishment	Belonging to group	Material benefit
8. Roles of government	Government rules society	Government is partner in a network society	Government delivers services to society
9. Metaphors[238]	Machine; stick; iron fist	Brain; sermon; word	Flux; carrot; invisible hand
10. Style of strategy[239]	Planning and design style; compliance to rules and control procedures	Learning style; Chaos style: coping with unpredictability; deliberation	Power style; getting competitive advantage
11. Governors' responses to resistance[240]	Use of legitimate power to coerce rebels to behavioural conformity	Persuasion of rebels to engage, or expel them	Negotiate deals with rebels, using incentives and inducements
ORIENTATION			
12. Orientation of organisations [241]	Top-down, formal, internal	Reciprocity, informal, open-minded, empathy, external	Bottom-up, suspicious, external
13. Actors are seen as	Subjects	Partners	Customers, clients
14. Choice of actors[242]	Controlled by written rules	Free, ruled by trust and reciprocity	Free, ruled by price and negotiation

[234] Hartley (2004): Paradigms, prizes and paradoxes in governance and public management.

Table 1. (continued)

Governance style Organis. dimension	HIERARCHICAL STYLE	NETWORK STYLE	MARKET STYLE
15. Aim of stock-taking of actors	Anticipating protest/obstruction	Involving stake-holders for better results and acceptance	Finding reliable contract partners
STRUCTURE			
16. Structure of organisations	Line organisation, centralised control systems, project teams, stable/fixed	Soft structure, with a minimum level of rules and regulations	Decentralised, semi-autonomous units/ agencies/teams; contracts
17. Unit of decision making[243]	Public authority	Group	Individual

[235] Considine and Lewis (1999: 468): Governance at ground level: the frontline bureaucrat in the age of markets and networks.

[236] Streeck and Schmitter (1985: 122): Community, market, state – and associations?

[237] Streeck and Schmitter (1985: 122): Community, market, state – and associations?

[238] Morgan (1986/1997): Images of organisation. Jessop (2003): Governance and metagovernance: On reflexivity, requisite variety, and requisite irony.

[239] Mintzberg et al. (1998): Strategy safari. A guided tour through the wilderness of strategic management. Knill and Lenschow (2005: 583): Compliance, competition and communication: Different approaches of European governance and their impact on national institutions.

[240] Dixon and Dogan (2002: 184-186): Hierarchies, networks and markets: responses to societal governance failure.

[241] e.g. Jessop (2003): Governance and metagovernance: On reflexivity, requisite variety, and requisite irony. Streeck and Schmitter (1985: 122): Community, market, state – and associations?

[242] Assens and Baroncelli (2004: 7): Marché, Réseau, Hiérarchie : à la recherche de l'organisation idéale.

[243] Arentsen 2001: 501): Negotiated environmental governance in the Netherlands: Logic and illustration.

Table 1. (continued)

Governance style Organis. dimension	HIERARCHICAL STYLE	NETWORK STYLE	MARKET STYLE
18. Control[244]	Authority	Trust	Price
19. Coordination[245]	Imperatives; ex ante coordination	Diplomacy; self-organised coordination	Competition; ex post coordination
20. Transactions[246]	Unilateral	Multilateral	Bi- and multilateral
21. Flexibility[247]	Low	Medium	High
22. Commitment among parties[248]	Medium to high	Medium to high	Low
23. Roles of communication[249]	Communication about policy: giving information	Communication for policy: organising dialogues	Communication as policy: incentives, PR campaigns
24. Roles of knowledge[250]	Expertise for effectiveness of ruling	Knowledge as a shared good	Knowledge for competitive advantage
25. Access to information[251]	Partial: Segregated information	Partial: Fragmented information	Total, determined by price

244 Davis and Rhodes (2000:18): From hierarchy to contracts and back again: Reforming the Australian public service.

245 Thompson (2003: 48): Between hierarchies and markets.

246 Susskind (1999: 6-18): An alternative to Robert's Rules of order for groups, organisations and ad hoc assemblies that want to operate by consensus.

247 Powell (1991: 269): Neither market nor hierarchy: network forms of organisation.

248 Powell (1991: 269): Neither market nor hierarchy: network forms of organisation.

249 Rijnja and Meuleman (2004: 35): Maken we beleid begrijpelijk of maken we begrijpelijk beleid?

250 In 't Veld (2000): Willingly and knowingly. The roles of knowledge about nature and the environment in policy processes. Adler (2001: 215): Market, hierarchy, and trust: the knowledge economy and the future of capitalism.

251 Assens and Baroncelli (2004 : 7): Marché, Réseau, Hiérarchie : à la recherche de l'organisation idéale.

Table 1. (continued)

Governance style Organis. dimension	HIERARCHICAL STYLE	NETWORK STYLE	MARKET STYLE
26. Context[252]	Stable	Continuous change	Competitive
PEOPLE			
27. Leadership[253]	Command and control	Coaching and supporting	Delegating, enabling
28. Empowerment Inside organisation[254]	Low	Empowered lower officials	Empowered senior managers
29. Relations[255]	Dependent	Interdependent	Independent
30. Roles of public managers[256]	'Clerks and martyrs'	'Explorers' producing public value	Efficiency and market maximisers
31. Competences of civil servants	Legal, financial, project management, information management	Network moderation, process management, communication	Economy, marketing, PR
32. Values of civil servants[257]	Law of the jungle	Community	Self-determination
33. Objectives of management development[258]	Training is alternative form of control over subordinates	Training helps 'muddling through'	Training stimulates efficient decisions

[252] Hartley (2004): Paradigms, prizes and paradoxes in governance and public management.

[253] Hersey and Blanchard (1982): Management of organizational behaviors: Utilizing human resources.

[254] Peters (2004: 2): The search for coordination and coherence in public policy.

[255] Kickert (2003: 127): Beneath consensual corporatism: Traditions of governance in the Netherlands.

[256] Hartley (2004): Paradigms, prizes and paradoxes in governance and public management.

[257] Laske (2006: 32): Measuring hidden dimensions. The art and science of fully engaging adults.

[258] Simon (1997: 13): Administrative behaviour. Termeer (1999: 92): Van sturing naar configuratiemanagement.

Table 1. (continued)

RESULTS			
34. Affinity with problem types[259]	Crises, disasters, problems that can be solved by executing force	Complex, unstructured, multi-actor issues	Routine issues, non-sensitive issues
35. Typical failures[260]	Ineffectiveness; red tape	Never-ending talks, no decisions	Inefficiency; market failures
36. Typical types of output and outcome[261]	Laws, regulations, control, procedures, reports, decisions, compliance, output	Consensus, agreements, covenants	Services, products, contracts, out-sourcing, vol. agreements

2.3.2 Governance styles, complexity and ambiguity

Administrative organisations are, maybe even more than business organisations, characterised by complexity and ambiguity. The 'garbage can' model presented by Cohen et al. in 1972 defines an organisation as "a collection of choices looking for problems, issues and feelings looking for decisions and situations in which they might be aired, solutions looking for issues to which they might be the answer, and decision makers looking for work".[262]

The question is how the use of ideal-typical governance styles can help to analyse organisational behaviour. The garbage can model with its four 'streams' that are trying to find each other, predicts that 'pure' hierarchical, network or market governance is not feasible: a fixation on one of the styles would block some of the streams of problems, solutions, choice opportunities and actors. However, if we consider the three governance styles as forces influencing these streams a preoccupation with one of the styles would predict a certain affinity within these streams (Table 2).

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259 EEAC (2003): European governance for the environment.

260 Jessop (2003): Governance and metagovernance: On reflexivity, requisite variety, and requisite irony.

261 De Bruijn and Ten Heuvelhof (1995: Netwerkmanagement); Hood (2003: Exploring variations in public management reform of the 1980s).

262 Cohen et al. (1972: 2): A garbage can model of organizational choice.

Table 2. Governance styles 'inside the garbage can'.

Style Garbage can	Hierarchy	Network	Market
Problems	Crises	Unstructured problems	Routine problems
Solutions	Rules, control procedures	Consent, content, agreements	Contracts, services
Choice opportunities	Focused on rule-making	Focused on result via dialogue	Focused on bargaining
Actors	Subordinates	Partners	Buyers and sellers

As we have seen in the above sections, public administration organisations, as part of the politico-administrative system, apply complex mixtures of three governance styles – hierarchy, network and market – within a dominant hierarchical frame. Such mixtures are not always productive. They may undermine each other, as will be illustrated in the next section.

2.3.3 How hierarchical, network and market governance undermine each other

A mixture of hierarchy, market and network may produce a variety of conflicts. Rhodes considers networks, markets and (hierarchical) bureaucracy as rivalling ways of allocating resources and co-ordinating policy and its implementation.[263] Baltes and Meyer argue that the main source of 'network failures' is the "dualistic pressures from both market and hierarchy" on the network coordination principle.[264] A major reason why the conflict potential is high is, as mentioned before, that the three styles express different types of relations with other parties: dependency (hierarchy), interdependency (network) or independency/autonomy (market).[265] A hierarchical command and control style of leadership will seldom lead to a consensus (network style) – even if this was the only feasible outcome of a policy process, that government is not able to 'steer' with legal instruments. Decentralisation or outsourcing (a typical market governance strategy) makes actors more autonomous. They will be frustrated when detailed

[263] Rhodes (2000: 345): The Governance Narrative: Key Findings and Lessons from the ESRC'S Whitehall Programme.

[264] Meyer and Baltes (2004: 46): Network failures.

[265] Kickert (2003: 127): Beneath consensual corporatism: Traditions of governance in the Netherlands.

control mechanisms are (re)introduced (hierarchical governance). The co-existence of 'new modes of governance' with compulsory regulation, or hierarchy, is problematic.[266]

Other examples of possible conflicts between three pairs of governance styles are given below. Most examples are taken from 'external' governance-mixture conflicts: they emerge in the relation between administration and societal actors.[267] However, they are usually 'mirrored' inside the administration.

Conflicts between hierarchical and network governance

From the perspective of the classical hierarchical governance style, network governance is problematic because "governments, like the church, will find networks messy and carp at the mess".[268] Internal competition with the traditional hierarchical governance style is one of the reasons that the introduction of network governance sometimes fails. This competition has led to obstruction from other public-sector organisations or other parts of the same organisation, and to unreliable behaviour (not keeping promises, sudden withdrawal of negotiation mandate).[269] Network governance has also met some resistance caused by distrust and irritation, when network governance is a disguise for (re)gaining control and (hierarchical) steering information.[270] Klijn and Koppenjan concluded that experiments with network governance in the Netherlands often remain marginal and half-hearted, because government hesitates when abandoning existing routines and to giving up unilateral power.[271]

When hierarchical ('vertical') and network ('horizontal') steering are applied at the same time by one public administration organisation, paradoxical situations appear, in which this organisation ends up in a 'split'. Kalders et al. investigated nine cases in the Dutch public sector and found five typical tensions between hierarchical and network governance:[272]

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266 Eberlein and Kerwer (2004: 121): New Governance in the European Union: A theoretical perspective. Héritier (2002): New Modes of Governance in Europe.

267 Most governance literature focuses on the external component of governance.

268 Bevir et al. (2003: 206): Comparative Governance: Prospects and Lessons.

269 Meuleman (2003: 39-41; 203): The Pegasus principle.

270 Bauer (2002: 778-779): The EU 'Partnership Principle': Still a Sustainable Governance Device Across Multiple Administrative Arenas?

271 Klijn and Koppenjan (2000: 155): Public management and policy network.

272 Kalders et al. (2004: 339-343): Overheid in spagaat. Over spanningen tussen

- The 'double hat' problem: the administration combines hierarchical and network governance in a way that is counter-productive. Voluntary agreements[273] are frustrated by strict accountability procedures for the same policy issue;
- The 'steering split': an actor wants to comply to norms and expectations that come from hierarchical and network relations simultaneously;
- The 'accountability curve': a decentralised government is held accountable for the performance of its partner organisations with whom it does not have hierarchical relations;
- 'Horizontal disguise': a network instrument such as a covenant is used in a hierarchical way, when the central government unilaterally decides on the rules of the game;
- The 'vertical reflex': (a) bottom-up, if decentralised governments ask central government for more direction, or (b) top-down, if central government forces decentralised governments to start network cooperation with its partners, within a very strict framework.

Network-style 'interactive decision-making' can lead to major tensions and conflicts with hierarchy when elected politicians, who have the formal authority to take final decisions, reverse a consensual outcome of an 'interactive' process.[274] Edelenbos and Teisman developed governance mechanisms that link hierarchical and network principles in a productive way.[275] However, like Kalders et al. they did not include an analysis of the third power, the market governance paradigm with drivers like price (cost-effectiveness) and autonomy. To take an example: one of their mechanisms is improving the management of expectations about the degree of influence stakeholders will have on formal decision-making. The problem here may be that hierarchy (rules, formal decision power) may be predictable and reliable, but market thinking is not: a government agency with an autonomous position will be considered still part of government by the public, but does not have to follow hierarchical instructions anymore. In other words, management of expectations is feasible in the relation be-

verticale en horizontale sturing.

[273] Kalders et al. consider voluntary agreements a network governance instrument, but it seems to be more related to market governance: such agreements are forms of performance contracts.

[274] Kickert, 2003: 126): Beneath consensual corporatism: Traditions of governance in the Netherlands.

[275] Edelenbos and Teisman (2004): Interactief beleid en besluitvorming.

tween hierarchy and networks, but not when market thinking is also involved.

Conflicts between hierarchical and market governance

A basic contrast between hierarchical governance and market governance is the respective affinity to centralisation, and to decentralisation.[276] The wish of politicians to exercise hierarchical control over what happens in policy networks is, according to Sørensen and Torfing, often constrained by the market governance discourse that aims to establish a rigid boundary between the 'steering' of politicians and the (autonomous) 'rowing' of public administrators.[277] From a market governance perspective, hierarchy is too inflexible. Classical bureaucracies are considered to try to organise and dominate markets.[278] The market-oriented move to decentralisation and to create more agencies in the Netherlands during the 1980s and 1990s has had negative implications for ministerial responsibility, the political primacy, and democratic control.[279] Considine concludes that accountability procedures (hierarchy), demands of contracting-out and output-based performance (market) in three Anglo-Saxon countries and the Netherlands were contradictory.[280]

Conflicts between market and network governance

Market governance has the potential to conflict with network governance on the way decisions are made. Competition in a market setting asks for quick decisions of independent actors, who strive to optimise their own interests. Decision-making may take a lot of time in a network setting. Moreover, the type of decision, a consensus, may not be the optimal outcome for actors' competitiveness. The interdependency of actors in a network governance setting may conflict with the autonomy a market approach demands. Network governance relies on trust; hierarchical and

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276 Levy (2003: 553): Critical success factors in public management reform: the case of the European Commission.

277 Sørensen and Torfing (2005): Democratic anchorage of governance networks.

278 Machado and Burns (1998): Complex Social Organization: Multiple Organizing Modes, Structural Incongruence, and Mechanisms of Integration.

279 Kickert (2005: 23): Lessen uit het verleden. Onderzoek naar veranderoperaties bij de overheid.

280 Considine (2002): The end of the line? Accountable governance in the age of networks, partnerships and joined-up services.

market attitudes can damage the trust between network partners.

To conclude this section: Governance style conflicts outside and inside public-sector organisations exist and may produce serious performance problems. How, and to what extent, can these conflicts be prevented and mitigated and how can synergy be stimulated inside these organisations?

2.3.4 Combining hierarchical, network and market governance

There is evidence that productive mixtures of elements of hierarchical, network and market governance are possible. In their analysis of the Australian public sector Davis and Rhodes argued that "to mix the three systems effectively when they conflict with and undermine one another" is an important challenge. [281] Steurer argues that policy integration needs a hybrid administrative approach, combining hierarchical, market and network models.[282] The possible synergy of governance styles can be illustrated with an analogy to similar control mechanisms in the business sector: price (market governance), authority (hierarchical governance) and trust (network governance). These control mechanisms in economic transactions between actors "can be combined in a variety of ways"; (…) "In a so-called plural form, organisations simultaneously operate distinct control mechanisms for the same function".[283]

Such mixtures are situational, and the factor of time plays an important role. Lowndes and Skelcher gave an empirical example of how governance style combinations differ in different phases of a process. [284] They distinguish four phases in the life cycle of public partnerships in the field of urban regeneration: pre-partnershop collaboration; partnership creation and consolidation; partnership termination and succession. In the phase of pre-partnership collaboration, networking between individuals and organisations is emphasised. In the phase of partnership creation and consolidation, hierarchy is used to incorporate some organisations, and to formalize authority in a partnership board and associated staff. In the phase of partner-

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[281] Davis and Rhodes (2000: 25): From hierarchy to contracts and back again: Reforming the Australian public service.

[282] Steurer (2004: 1): Strategic public management as holistic approach to policy integration.

[283] Bradach and Eccles (1989: 97): Price, authority, and trust: From ideal types to plural forms.

[284] Lowndes and Skelcher (1998: 320): The dynamics of Multi-Organizational Partnerships: an Analysis of Changing Modes of Governance.

ship programme delivery, market mechanisms of tendering and contractual agreements are applied. Hierarchy takes care of regulation and supervision of contractors, and networking assists in production of bids and management of expenditure programmes. In the last phase, partnership termination and succession, networking between individuals and organisations is used as a means of maintaining agency commitment, community involvement and staff employment.

The temporal dimension of successful governance mixtures is also influenced by other situational factors, such as the type of problems that are addressed. In 2003, the network of European environment and sustainable development advisory councils (EEAC) advised the European Commission and the EU member states to use a heuristic decision scheme for choosing the best governance styles combination.[285] EEAC proposed hierarchical governance as, in general, best suited for urgent issues; network governance for complex multi-stakeholder and multi-level issues; and market governance for emerging issues which, as far as is known, have relatively little impact on other stakeholders.

Complementarity of hierarchy and network

A case study on policy changes in the Dutch Housing Ministry concludes that hierarchical and network types of strategies are often situationally combined.[286] The initiative for a network approach often begins with a hierarchical decision. Another example comes from an analysis of partnerships between police departments and community development corporations. It was noticed that networking strategies were used to establish the hierarchical structures within which action takes place thereafter.[287]

Complementarity of hierarchy and market

An example of synergy between hierarchical and market governance, seen in the United States, is that the promotion of autonomy within the public sector (market governance) was produced by a top-down method that included detailed descriptions of the organisations that would be formed (hierarchical governance).[288]

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285 EEAC (2003: 26): European governance for the environment.

286 Koffijberg (2005: 363): Getijden van beleid: omslagpunten in de volkshuisvesting.

287 Thacher (2004: 123): Interorganisational partnerships as inchoate hierarchies.

288 Hesse et al. (2003: 14): Paradoxes in Public Sector Reform. An International Comparison.

Complementarity of network and market

Synergies have also been found between market and network governance. The introduction of market techniques has resulted in a fragmented institutional infrastructure of the public sector; networks put it back together again.[289] Poppo and Zenger showed empirically, that managers in inter-organisational relationships may use contracts (market) and 'relational governance' (network) as compliments: this results in more customised contracts.[290]

When the ideal-types hierarchical, network and market governance appear in combinations, how do the movements that foster one ideal-type influence these mixtures? The introduction of both market governance and network governance provoked a hierarchical counter-reaction. For example, the introduction of market techniques in the Dutch public administration contributed to the return of traditional Weberian issues in the mid-1990s: integrity, accountability, supervision, control, trust in government and reliability of bureaucracy.[291] And as a reaction to the emergence of network governance, hierarchical concepts like 'ministerial responsibility', 'democratic control' and 'primacy of politics' have been reintroduced in the Netherlands.[292] Some of these Weberian issues (for example control) frustrate horizontal co-operation and others (like integrity, stability, reliability) may be a necessary complement to network techniques.[293]

2.4 Governance: A cultural perspective

2.4.1 Governance styles as 'ways of life'

Why are the ideal types sometimes so fiercely defended? Why are discussions between advocates of market governance and of network governance

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[289] Davis and Rhodes (2000: 21): From hierarchy to contracts and back again: Reforming the Australian public service.

[290] Poppo and Zenger (2002): Do formal contracts and relational governance function as substitutes or complements?

[291] Toonen (2003: 234): Substance came with little hype. Public sector reform in the Netherlands.

[292] Kickert (2003: 127): Beneath consensual corporatism: Traditions of governance in the Netherlands.

[293] Meuleman (2003: 202-203): The Pegasus Principle.

like religious fights? Why do some consider each of the styles as a panacea for all problems? The answer lies in the fact that governance styles are, apart from politico-administrative structures, also belief systems. Governance is a form of social coordination and governance *style*s reflect specific sets of shared values and beliefs and certain patterns of interpersonal relations. This makes them cultures, or at least images of cultures.

Culture is an important aspect of political and public administration science that was neglected for a long time.[294] One of the reasons was that it did not fit in the dominant paradigm of the post-war period: rational choice theory. Aaron Wildavsky was one of the main scholars who focused on reintroducing the importance of culture to political sciences. Together with Thompson and Ellis[295], he distinguished five 'ways of life'. Three have active interpersonal relations, and two do not, but for different reasons. It seems that the three socially *active* ways of life align with the three ideal typical governance styles we have distinguished above: *hierarchism* (hierarchy), *individualism* (market), and *egalitarism* (network[296]). Furthermore, Thompson et al. notice that, like the three governance styles, these three ways of life compete with each other, often in a hostile way, but on the other hand require one another, and they therefore continue to co-exist.[297] This co-existence often takes the shape of mixtures: "That what we today define as free societies – those with the rule of law, alternation in office, and the right to criticise – are a product of the interpenetration of hierarchism, individualism, and egalitarism".

How do the two other 'ways of life' relate to the concept of governance styles? *Fatalism,* a 'no trust' style that is found in Southern Italy for example, and is a risky culture for public administration: "Where fatalism is endemic, democracy cannot survive". Fatalism relates to hierarchism: "Fatalism generates (and is generated by) authoritarian political systems"[298]. However, is fatalism a separate governance style? It looks more like societal behaviour resulting from an extreme hierarchical governance approach. When governance styles are modes of co-ordination, then fatalism cannot

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294 Geva-May (2002: 388): From theory to practice. Policy analysis, cultural bias and organizational arrangements.

295 Thompson et al. (1990: 1, 5): Cultural Theory.

296 Networks, communities, clans or egalitarism are terms used for the 'third' form of coordination, besides hierarchies and markets (Entwistle et al., 2007: 65. The dysfunction of markets, hierarchies and networks in the meta-governance of partnerships).

297 Thompson et al. (1990: 50, 257): Cultural Theory.

298 Thompson et al. (1990: 256): Cultural Theory.

be a mode of governance, because it, according to Wildavsky[299], denies the possibility of co-ordination.[300] A possibly related 'loose' (unstructured) and temporary human behaviour is the phenomenon of *collective empathy,* which emerged for example in the form of the collective mourning of millions of people after Britain's Princess Diana died in 1997.[301] This was, among other things, a reaction to the perceived rational and hierarchical, unsympathetic attitude of the British Queen.

Autonomism, the fifth way of life Thompson et al. distinguish, seems an extreme form of the individualism of market governance. In this way of life "the individual withdraws from coercive or manipulative social involvement altogether"[302]. As autonomists or 'hermits' accept no social responsibility it is difficult to see how this way of life can be considered a governance style: governance requires dealing with public issues.

Clientelism and *nepotism* are other forms of relational behaviour that can be found in governance arrangements, especially in developing countries in which the ruling party represents a clan or a family. Clientelism and nepotism require a hierarchical governance basis and a strong collectivist (networking) culture. They are not 'complete' governance styles like hierarchy, network or market governance, but rather mixtures or hybrids of hierarchical and network governance.

In an earlier publication, Wildavsky argues that the often used left-right dichotomy in political life is full of contradictions and does not hold against cultural theory.[303] Personal preferences – of politicians, civil servants and citizens - are traceable to elements of the trichotomy of hierarchism, egalitarism and individualism. Therefore, if we consider governance styles to be grounded in cultures, and even represent the logic of (mixtures of) cultures (Figure 4), this enforces the argument that it is useful to distinguish three 'ideal-typical' governance styles.

Also Bevir and Rhodes emphasise the cultural dimension of hierarchies, markets and networks, where they propose to treat them alike, "as meaningful practices created and then constantly recreated through contin-

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299 Wildavsky (1987): Choosing preferences by constructing institutions: a cultural theory of preference formation.

300 Tenbensel (2005: 278): Multiple modes of governance.

301 Walter (ed.) (1999): The mourning for Diana.

302 Thompson et al. (1990: 7): Cultural Theory.

303 Wildavsky (1987): Choosing preferences by constructing institutions: a cultural theory of preference formation.

gent actions informed by particular webs of belief"[304]. Ways of life or 'world views' "serve as cognitive instruments of actors in order to select and to interpret events, facts, symbols, etc. [ ] Different world views lead to different problem definitions and to different interests of actors."[305]

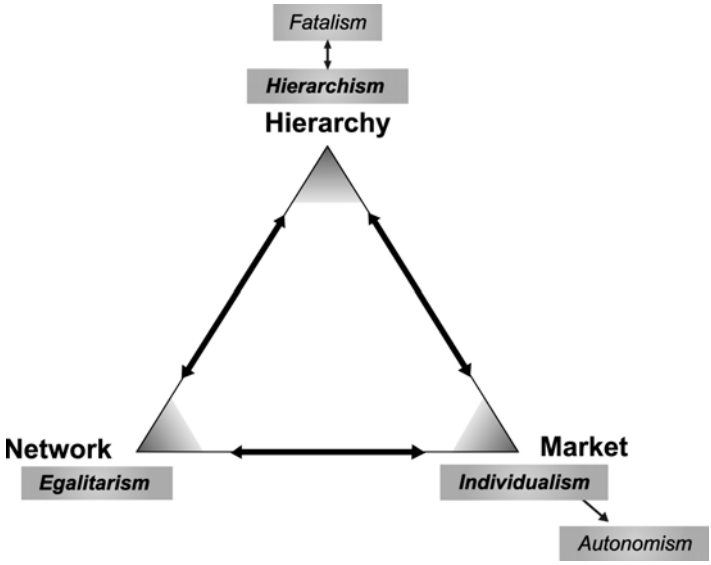

Fig. 4. Relations between the five 'ways of life' (cultural theory) and the three ideal types of governance.

Dixon and Dogan emphasise the incompatibility of these views: Hierarchical, network and market styles of governance

> "… derive their governance certainties from propositions drawn from specific methodological families, which reflect particular configurations of epistemological and ontological perspectives". They "have incompatible contentions about what is knowable in the social world and what does or can exist – the nature of being – in the social world. Thus, they have incompatible contentions about the forms of reasoning that should be the basis for thought and action". [306]

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[304] Bevir and Rhodes (2001: 25): A decentered theory of governance: Rational choice, institutionalism, and interpretation.

[305] Jachtenfuchs (1994): Theoretical reflections on the efficiency and democracy of European governance structures.

[306] Dixon and Dogan (2002: 191): Hierarchies, networks and markets: Responses to societal governance failure.

It is now possible to conclude that there is a strong relationship between the general types of cultures in society ('ways of life') and governance styles and their mixtures. Cultures can be understood on at least four different levels. The first, the level of human society, has already been discussed. Two other levels will be addressed in the following section: Cultures on the level of nations, and cultures on the level of organisations. The fourth dimension, cultures on the level of individuals, will be addressed in Section 7.2.6.

2.4.2 Governance styles and national cultures

In political science and public administration it is not unusual to link national socio-politico-administrative cultures to certain governance styles.[307] For example, in Europe the United Kingdom has a 'public interest' model of administration with a modest role of the state within society. When market governance arrived on the scene in the 1980s it was only logical that the UK was the first European state to embrace this approach. Germany has a typical *Rechtsstaat* administrative culture in which the state is central in society and the 'natural' governance style is hierarchy. The Netherlands belongs to a third category and has moved away from its historical link with the *Rechtsstaat* philosophy (introduced by the French during the Napoleontic occupation in the 18th century) towards a (or maybe: back to the older, 17th century) consensual approach. The Netherlands therefore have a strong affinity with network governance.

Similar forms of governance approaches have developed in countries with a similar socio-politico-administrative culture. A good example is the fast and successful transfer of government reform ideas under the new Public Management banner in all Anglo-Saxon countries. Also Hesse et al., who compared public sector reform in twelve countries and the European Commission (2003), illustrate the impact of national cultures on governance approaches. As Cepiku (2005: 32), in her comparison of the governance of territorial (spatial) issues in seven countries, concludes:

> "Territorial governance (…) depends on the political and legal framework of a country, its geographical conditions and the specific policy field to be addressed."

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[307] E.g. Pollit and Bouckaert (2000: 52-54): Public management reform. A comparative analysis.

Developing countries show very different cultures. Morgan identified three types:[308]

- The integral or hegemonic state, which has a monopoly on resource allocation;
- The patrimonial state, with a monopoly on power and resources through a system of patronage: clientelism based on clan, ethnic or religious criteria;
- The custodial state, in which the political environment is turbulent and the administration takes on a custodian character.

Also sociologists have distinguished national cultures. According to Hofstede national cultures distinguish similar people, institutions and organisations in different countries.[309] Although Hofstede's work is based on extensive empirical research, the concept of 'national cultures' is contested by Thompson et al.: "Differences within each country are at least as striking as the variation among countries".[310] McSweeny considers Hofstede's theory 'profoundly problematic', because of its not underpinned central claim of causality: that national cultures influence how we think.[311] However, Hofstede's five dimensions of national cultures (power distance, the degree of individualism, gender roles, uncertainty avoidance, and long term orientation) do seem to help understand general differences in national cultures that public administration scholars have spotted. As stated earlier, in public administration it is quite common to describe politico-administrative cultures of nations or groups of nations. The Dutch (low power distance: consensus-oriented) are different from the Germans (relatively high power distance: hierarchical), and this is reflected in the higher affinity of the Dutch with network governance. A culturally mixed country like Trinidad and Tobago has a mixed culture on the individualism-collectivism dimension, but at the same time a low power distance and low uncertainty avoidance national culture.[312] Mcsweeny's problem with the

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308 Morgan (1996: 230-232): Analysing fields of change: Civil service systems in developing countries.

309 Hofstede (2001): Culture's consequences: Comparing values, Behaviours, Institutions and Organisations across Nations.

310 Thompson et al. (1990: 248): Cultural Theory.

311 McSweeny (2002): Hofstede's model of national cultural differences and their consequences: A triumph of faith – a failure of analysis.

312 Tidwell (2001): Trinidad and Tobago: Customs and Issues Affecting International Business.

lack of causality between national cultures and how nationals think is void, because in this research not causality is claimed, but a theoretically plausible and if possible empirically underpinned construct of correlations.

> "Reality is socially constructed, but not all constructions have equal claim to our credibility and certainly some constructions prove more durable than others. One important test is correspondence with such empirical evidence as may be available".[313]

Relating Hofstede's five dimensions of national cultures with the three governance styles hierarchy, network and market, might produce an analytical framework for understanding general national differences in preference of governance styles (Table 3).

Table 3. Expected relations between governance styles and five dimensions of intercultural differences (own composition, based on Hofstede and Hofstede (2005).[314]

	Hierarchical governance	Network governance	Market governance
Accepted power distance	HIGH (Power is good, privileges, dependence)	LOW (Equal rights, pluralism, interdependence)	
Individualist/ collectivist		COLLECTIVIST (Equality, relationship-oriented, interdependence)	INDIVIDUALIST (Freedom, autonomy, task-oriented, independent)
Uncertainty avoidance	HIGH (Many laws, low citizen participation)	LOW (Trust, high citizen participation)	
'Masculine/ Feminine'		'FEMININE' (Consensus, equality, relationships)	'MASCULINE' (Performance, competition, equity, recognition)
Long time/short time orientation		LONG (Learning, life-long personal networks)	SHORT (Achievement, meritocracy, freedom)

313 Pollit and Bouckaert (2000: 23): Public management reform. A comparative analysis.

314 Hofstede and Hofstede (2005): Cultures and organizations. Software of the mind.

What Table 3 shows is no surprise. Nations with a relatively low power distance, low insecurity reduction and a 'feminine' culture, like the Netherlands and the Scandinavian countries, also have a tradition of network governance. Traditionally hierarchical nations like Germany and France have, compared to these Nordic countries, a higher power distance and a higher uncertainty avoidance Index. The US, Australia and Great Britain are ranking 1-3 on Hofstede's list of most individualistic countries and they also score highly on 'masculinity'. This correlates with the fact that market governance originated in Anglo-Saxon nations.

To conclude: it seems plausible that governance mixtures in different politico-administrative national systems differ along the lines of 'average' national cultures. If we accept the premise that hierarchical, network and market styles of governing are each suitable for solving different types of problems, than the problem-solving capacity of nations may also vary. It may be a bit speculative, but the capability of governments to solve crises such as a flood disaster may, in hierarchical cultures with a 'well-oiled government machine', be better than in nations with a dominant market governance approach, implying a small and fragmented administration. 'Feminine', consensus-oriented nations with a network style preference have shown to be incapable at successfully dealing with the influx of culturally very different immigrants. An example is the immigration in the Netherlands of people from Arabic countries with a hierarchical culture. They are used to a relatively high power distance, a high level of 'masculinity' and a high level of uncertainty avoidance. They are not at all consensus-oriented. Attempts to make government more efficient by the use of market mechanisms like outsourcing and the creation of independent agencies has met strong (and successful) resistance in nations with a hierarchical culture like Germany.[315]

The 'proof of the pudding' is the role of nationality in a multi-national administration such as the European Commission. Hedetoft sees the broader polity of the European Union as "both an international organisation and a kind of European proto-state"; it likes to model itself on and be judged by nation-state criteria of governance"[316]. A study of Hooghe shows empirically that top Commission officials believe that Europe's diversity should be explicitly recognised in the Commission. She concludes that national diversity "is and will be a fundamental feature of the European pol-

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[315] E.g. Jann et al. (2004: 15): Status-Report Verwaltungsreform. Eine Zwischenbilanz nach zehn Jahren.

[316] Hedetoft (2003: 43): Cultures of states and informal governance in the EU: an exploratory study of elites, power and identity.

ity for a long time to come".[317] Although this might lead to the expectation that the Commission applies a variety of governance styles, others have emphasised that the European Commission is a primarily hierarchical organisation, "half way between a French ministry and the German Economics Ministry".[318]

From the above it can be concluded that there seems to be something like a 'national governance footprint': the more or less stereotypical 'average' composition of the mixture of hierarchy, network and market governance. Therefore, it is questionable if governance style(s) mixtures are transferable from one nation to another (see Section 6.3).

2.4.3 Governance styles and organisational cultures

This research focuses on the exploration of governance style mixtures and metagovernance as a function of public administration organisations, not of society as a whole, or a nation. Therefore, organisational cultures and individual cultures seem to be the most important here. How do cultural theories help to reveal the capabilities of organisations and individuals to apply forms of governance? One way of looking at governance styles is that they are theoretical constructs that are expressions of politico-administrative organisational cultures. From this perspective,

- Hierarchical governance and market governance are related to a rational, positivist attitude. The rational public administrator uses a causal logic and focuses on selecting the (objectively) best means to achieve agreed-upon results.[319] Central in Simon's classic *Administrative Behaviour* (1947) is the concept of purposiveness. This "involves a notion of a *hierarchy of decisions* – each step downward in the hierarchy consisting in an implementation of the goals set forth in the step immediately above".[320]
- Market governance builds on rational choice theory, which views actions of citizens, politicians, and public servants as analogous to the actions of self-interested producers and consumers.[321]

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317 Hooghe (1999: 417): Consociationalists or Weberians? Top Commission officials on nationality.

318 Dimitriakopoulos and Page (2003: 317): Paradoxes in EU Administration.

319 Frederickson and Smith (2003: 162): The administration theory primer.

320 Simon (1997: 4): Administrative Behaviour (Fourth Edition).

321 Frederickson and Smith (2003: 185): The administration theory primer.

- Network governance emphasises the boundedness of rationality in public administration, highlights ambiguity rather than rationality, and is related to a more socio-constructivist approach and social configuration theory.

Organisational cultures differ not on the level of values, but on the level of practices[322]. Fairtlough [323] uses the three active ways of life of Thompson et al. as metaphors for 'three ways to get things done' in organisations: hierarchy (same as Thompson), heterarchy (Thompson's egalitarian) and responsible autonomy (Thompson's individualism). Hierarchy, market and network governance are forms of societal co-ordination that together, in mixed forms, define organisational cultures. This has been confirmed for businesses organisations, public-sector organisations and non-governmental organisations. [324]

A governance style is rooted in, and part of a culture, because it is based upon a certain comprehensive set of values. For example, hierarchy is based upon the belief that there should be a 'subordinate', market governance considers others as 'customers' or 'clients' and network governance believes others to be 'partners' and 'co-creators'. Governance styles also include behaviour rules (such as regulations and control instruments in hierarchy), and a preference for certain types of coordination mechanisms, like trust in networks and competition in markets.

2.5 Metagovernance as the 'governance of governance'

2.5.1 Different views on metagovernance

Each governance style has its own distinctive forms of failure.[325] Combinations of the three ideal-typical governance styles may lead to conflicts, competition and to unsatisfactory outcomes. The question is, if it is possible to design strategies that harness the benefits of these different approaches, whilst minimising the negative consequences. How feasible is

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322 Hofstede (2001): Culture's consequences: Comparing values, Behaviours, Institutions and Organisations across Nations.

323 Fairtlough (2005): Triarchy Theory (www.triarchypress.com).

324 E.g. Thompson et al. (2001): Markets, hierarchies and networks: The coordination of social life. Davis and Rhodes (2005): From hierarchy to contracts and back again: Reforming the Australian public service.

325 Jessop (2004: 228): The political economy of scale and European governance.

Rhodes' challenge that "The future will not lie with markets, or hierarchies or networks but with all three and the trick will not be to manage contracts or steer networks but to mix the three systems effectively when they conflict with and undermine one another."? [326] If designing and managing governance style mixtures was possible to a certain extent, then this would be of great importance. It would make the 'toolbox' of public managers much richer compared to when they are 'stuck' with only one of the governance styles:

> "If you only have a hammer, you tend to see every problem as a nail."[327]

Metagovernance as governance of hierarchies, networks and markets

As early as 1991, Bradach and Eccles distinguished 'plural forms' of coordination, in which distinct control mechanisms (price, authority and trust) may operate simultaneously for the same function (or project) in the same organisation.[328] They point at the new possibilities managers have if they do not have to rely on one style alone, but can use other styles too. In 2002, Eberlein and Kerwer[329] concluded that the major question in the field of European governance is "how new modes of governance can be reconciled with the need for binding rules". This brings us to the term *metagovernance*, which we will define as the 'governance of governance', in line with the common use of the prefix *meta*.[330] Because governance is the result of dynamic combinations of the three ideal types, metagovernance is

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[326] Davis and Rhodes (2005: 25, From hierarchy to contracts and back again: Reforming the Australian public service). The same formulation appears in Fleming and Rhodes (2005: 203): Bureaucracy, contracts and networks: The unholy trinity and the police.

[327] Quote attributed to Abraham Maslov (1907-1970). Citation retrieved from http://www.brainyquote.com on 28 August 2007.

[328] Bradach and Eccles (1991: 288): Price, authority and trust.

[302] Eberlein and Kerwer (2004: 136): New Governance in the European Union: A theoretical perspective.

[330] Meta (Greek: μετά = "after", "beyond"), is a common English prefix, used to indicate a concept which is an abstraction from another concept, used to analyse the latter. "Metaphysics" refers to things beyond physics, and "meta language" refers to a type of language or system which describes language. In epistemology, the prefix meta- is used to mean about (its own category). Metadata are data about data (who has produced it, when, what format the data are in and so on). (Source: www.wikipedia.org).

the governing of mixtures of hierarchical, network and market forms of social coordination.

Metagovernance is a concept positioned 'above' the three main governance styles. It takes a multi-perspective, 'helicopter view' approach. It can be considered as a negotiation process between competitive governance, authoritative governance and cooperative governance.[331] Jessop coined the term metagovernance in 1997 as "coordinating different forms of governance and ensuring a minimal coherence among them".[332] Later, he described metagovernance as "the organisation of the conditions for governance", which involves "the judicious mixing of market, hierarchy, and networks to achieve the best possible outcomes from the viewpoint of those engaged in metagovernance."[333] Metagovernance is about rebalancing market, hierarchy and networks.[334] Like Jessop, Rhodes also argues that governments can choose between the three 'governing structures': hierarchies, markets and networks.[335] In this research the following more precise definition will be used: [336]

> Metagovernance is a means by which to produce some degree of coordinated governance, by designing and managing sound combinations of hierarchical, market and network governance, to achieve the best possible outcomes from the viewpoint of those responsible for the performance of public-sector organisations: public managers as 'metagovernors'.

This definition is on the one hand broad: all possible governance style combinations are included. On the other hand, it is deliberately narrow: In this research one type of metagovernors is central: line and project managers of public-sector organisations. Managers of private companies or NGOs may, as much scholarly literature suggests, experience a rather

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331 Arentsen (2001: 512, Negotiated environmental governance in the Netherlands: Logic and illustration) therefore calls it 'negotiated governance'.

332 Jessop (1997: 7): Capitalism and its future: remarks on regulation, government and governance.

333 Jessop (2003): Governance and metagovernance: On reflexivity, requisite variety, and requisite irony.

334 Jessop (2004: 228): The political economy of scale and European governance.

335 Rhodes (1997: 47): Understanding governance.

336 This definition combines definitions by Kooiman (2003: Governing as governance), Jessop (2003: Governance and metagovernance) and Sørensen (2004: Democratic governance and the role of public administrators).

similar challenge, although there are limitations. Wolf argues that there are several functions of metagovernance that cannot be fulfilled by the private sector, and have to be provided by the public sector:[337]

- Providing and guaranteeing the constitutional legal framework for private self-regulation;
- Providing a 'shadow of hierarchy' to keep self-regulation geared towards the general good;
- Authorising participatory claims of private actors;
- taking part in providing normative environment and therefore legitimacy to goals of private actors;
- Supporting the monitoring of self-regulation;
- Avoiding negative externalities by linking the different sectoral self-regulation efforts with each other.

To what extent is this definition of metagovernance normative? As an analytical concept it is just as non-normative as they three ideal types of governance are. However, as a practical concept (hierarchy, network or market governance as public management), the ideal types become normative: each of the styles is used as a 'best' way of societal coordination. A hierarchical manager may judge that expensive cars are always better than cheap cars, because they are more reliable. A market manager will make a cost-benefit analysis before he decides which car is better. A network manager may judge that any car is good, as long as its use is not limited to superiors or those who are rich. In contrast, metagovernance deliberately takes a situational view: what is 'best' is determined by a range of environmental factors. It does have a 'light' normative dimension, related to the underlying concept of governance, which inherently has several normative assumptions, such as that (1) the intention is to solve collective problems, (2) not for individual profit but for the common good, and (3) that it supposes more or less well defined social groups with rights and duties[338].

The emerging literature on metagovernance since 2000[339] presents two other schools of thought about metagovernance.

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[337] Wolf (2003: 1): Some normative considerations on the potential ans limits of voluntary self-regulation.

[338] Risse (2007: 6-8): Regieren in Räumen begrenzter Staatlichkeit. Zur "Reisefähigkeit" des Governance-Konzeptes.

[339] See Torfing et al. (2003: Nine competing definitions of governance, governance and networks and meta-governance) for a short overview.

Metagovernance framed as network management

The first and most prominent school of thought considers metagovernance to be a way of "enhancing coordinated governance" [340]. They restrict the use of the term 'governance' to network governance. Jessop[341] followed this line of thought when he called the Open Method of Coordination of the European Union a form of metagovernance. Metagovernance is a form of 'network management'.[342] Metagovernance is an "indirect form of top-down governance that is exercised by influencing processes of self-governance through various modes of coordination such as framing, facilitation and negotiation." In this approach, metagovernance aims at enhancing self-governance (with which mainly network governance is meant) by using methods such as framing, facilitation and negotiation. [343] Hierarchical, and to a lesser extent market governance are not considered to be distinct and useful approaches to societal coordination: hierarchy is only used to increase the success of network governance as the superior style. 'Self-governing networks' are the focus: they are implicitly considered as the best way to solve (all) societal problems. From that perspective, it is logical that there can be "too much or too little" metagovernance: Too little and networks risk becoming undemocratic, too much and "the self-regulatory capacity can be undermined and the network actors loose interest in and responsibility for the network activities".[344] 'Democratic metagovernance' therefore is about governments taking responsibility for demanding participation from a broader set of actors and guaranteeing that all major interests are reflected in networks, for example.[345]

This vision is also shared by scholars of the deliberative governance school, of whom some have a state declinist attitude. Metagovernance or

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[340] Sørensen (2006: 100): Metagovernance: The changing roles of politicians in processes of democratic governance. Sørensen and Torfing (2007: 169: Theoretical approaches to metagovernance.

[341] Jessop (2004: 49): Multi-level governance and multi-level metagovernance.

[342] Kickert et al.(eds.)(1997): Managing complex networks: strategies for the public sector; Klijn and Edelenbos (2007: 199): Meta-governance as network management.

[343] Hovik and Vabo (2005: 262): Norwegian local councils as democratic metagovernors?

[344] Westh Nielsen (2007): Metagovernance in the Global Compact – Regulation of a global governance network.

[345] Hovik (2005: 15): Local network governance for sustainable development in Norway.

"smart steering" is then a means of combining instruments of network and market governance.[346] It is a way "to sort of try to get to an understanding (…) of the ability of people to find open spaces (…) in which new forms of action are possible". This means: "Forget about government; start with society, and ask yourself how as society do we steer things?"[347] Laws and van der Heijden noticed that businesses and environmental groups, without the direct involvement of governmental actors, tackle societal problems such as environmental problems for example. Section 2.2.5 argued that there is no empirical evidence that the state does not play a (major) role anymore, and that hierarchy remains the preferred style of coordination of public-sector organisations. Even when hierarchical governance is only a vague 'shadow', this may be a trigger for businesses and NGOs to cooperate without direct government involvement. Therefore, it is important "to bring government back in when analysing governance"[348], as Bell and Park argue.

Similar to the idea that metagovernance is 'enhancing coordinated governance' is the approach of metagovernance as a mechanism that transfers power from politicians to public managers.[349] This approach is however not anti-statist, but anti-political. Jayasuriya has explored this for transnational organisations like the World Bank.[350] He concludes that the World Bank – a non-political body – uses 'metagovernance' to 'colonise' civil society and "depoliticises social and economic life by distancing the allocation of social goods from the centres of political decision making".

Metagovernance framed as supervising network and market governance

This brings us to another school of thought, where metagovernance is a form of regaining state control (hierarchy) over new forms of governance.

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346 Van der Heijden (ed.) (2005: 51): Recombinatie van overheid en samenleving. Denken over innovatieve beleidsvorming.

347 Citations of respectively David Laws (MIT, USA) and Jurgen van der Heijden (University of Amsterdam), retrieved on 2-10-2006 from http://www.lafollette.wisc.edu/research/environmentalpolicy/mswgmetagovernance.html.

348 Bell and Park (2006: 63): The problematic metagovernance of networks: Water reform in New South Wales.

349 Sørensen (2006): Metagovernance: The changing roles of politicians in processes of democratic governance.

350 Jayasuriya (2003: 6): Workfare for the global poor': Anti politics and the New Governance.

It is a new form of hierarchical governance that coordinates network and market styles of governance. It secures governmental influence, command and control within network and market style governance regimes.[351] According to Bell and Park, "metagovernance maintains a continuing role for hierarchical government within any governance regime".[352] They argue that metagovernance should be a response to the "hollowing out of the state thesis" of governance literature that adopts an anti-statist model as mentioned above.[353] Kelly noticed that the UK central government uses metagovernance to "retain its authority and exercise central steering mechanisms in an era of apparent diminishing state power".[354] Damgaard investigated similar cases in Denmark.[355]

Let us return to the form of metagovernance that will be investigated in this research: the organisation and coordination of hierarchies, networks and markets. Problematic relations between metagovernance and democratic institutions may also arise here, as Skelcher et al.[356] argue. They distinguish four types of problematic relations, depending on the national socio-political-administrative context. Mixtures of governance styles can be (1) incompatible, (2) complementary, (3) part of a transitional process of governance, and/or (4) used instrumentally. The impact of different national contexts will be discussed in section 6.3, as well as another crucial issue: the question if public managers have the requisite metagovernance *skills, capacities*[357] and *capabilities*[358], which is at this moment an empirically open question (See section 6.4).

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351 Whitehead (2003: 8): 'In the shadow of hierarchy': metagovernance, policy reform and urban generation in the West Midlands.

352 Bell and Park (2006: 66): The problematic metagovernance of networks: Water reform in New South Wales.

353 Bell and Park (2006: 64).

354 Kelly (2006: 619): Central regulation of English local authorities: An example of metagovernance?

355 Damgaard (2006): Lessons on meta-governance from a longitudinal policy network study.

356 Skelcher et al. (2006): Governance networks, democratic anchorage, and the impact of national political context.

357 Bell and Park (2006: 67): The problematic metagovernance of networks: Water reform in New South Wales.

358 Capabilities are central: capacities and competences derive from capabilities. (Laske, 2006): Measuring hidden dimensions.

Metagovernance and 'sound governance'

In 'Sound Governance'[359], Farazmand designs a 'best of' hierarchical, network and market governance. The fact that he defines 'sound governance' in an abstract way makes it possible to apply the concept in different situations, in different ways. Farazmand's concept aims at overcoming the typical failures of market governance and network forms of governance. In addition, he advocates the re-introduction of key, 'sound' elements of hierarchical governance, such as the importance of a constitution and of robust institutions. He describes the characteristics of a 'sound' combination of governance styles. Metagovernance as it is used in my research is *how* public managers may achieve such useful, smart governance mixtures.

As shown in Figure 5, all forms of governance and metagovernance that are mentioned in this chapter are related to each other. It is a 'family tree' of contemporary thinking about governance. This overview illustrates the 'conceptual crowd' on the middle and right side of the figure.

2.5.2 Internal and external metagovernance

Where should metagovernance be located? If it means dealing well with potential conflicts and synergies between hierarchy, network and market governance, then metagovernance is something that happens in the relation *between* government and societal actors, as well as *inside* government. In literature on metagovernance the term is usually applied to the governing of governance relations between public administration and society, but Sørensen differentiates between the governance challenge inside the political system and between public and private actors.[360] She argues that metagovernance should primarily be a task for politicians, and observes that politicians are hesitant to take up this new task, leaving it to public administrators – "at severe costs for democracy".[361] The question is which form of democracy is meant here. Surely, market governance with its autonomous agencies has produced questions of democratic control.

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[359] Farazmand (ed.) (2004): Sound governance. Policy and administrative innovations.

[360] Sørensen (2004: 107-108): Democratic governance and the role of public administrators.

[361] Sørensen (2006: 112): Metagovernance: The changing roles of politicians in processes of democratic governance.

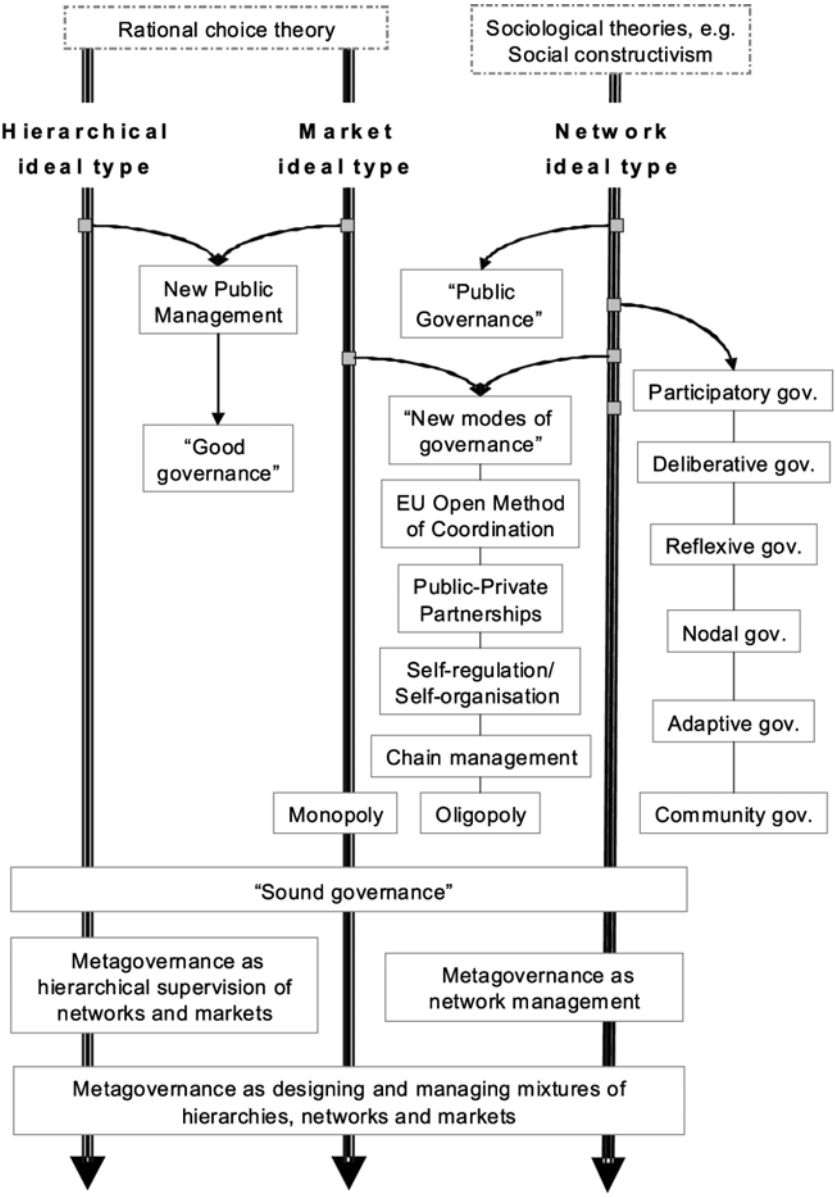

Fig. 5. Governance and metagovernance: a 'conceptual crowd' addressing the 'new modes of governance' (own composition)

When public administrators are supervised by elected politicians, they can do anything that is considered professional, as long as it is accountable in the eyes of the politicians. Most policy preparation takes place *inside* administration, and politicians are usually involved in the beginning and the end.

Management and organisation inside administration cannot be isolated from the societal and political context.[362] Therefore, good *'internal'* metagovernance might be a prerequisite for *'external'* metagovernance. Inside administration, governance style conflicts arising between different policy units, between different ministries, between different administrative levels, and between internally oriented units (like financial and legal departments) and externally oriented policy units, should be dealt with.[363]

Internal metagovernance, when it succeeds in producing more tailor-made, situational governance processes, may enhance the quality of public administration performance and of democratic institutions and processes. When metagovernance is defined as state reconfiguration, then it may have the opposite outcome.

The boundaries between 'internal' and 'external metagovernance are vague. This research focuses on how public managers deal with governance conflicts and synergies, which consequently touches both internal and external metagovernance.

2.5.3 Introducing the public manager as metagovernor

Metagovernance requires a management perspective. 'Public management' is broader than management in the private sector. The latter can be defined as "the search for the best use of resources in pursuit of objectives subject to change".[364] Private sector management "is about getting things done as quickly, cheaply and effectively as possible – and usually about getting things done through other people ('staff', 'the work force', 'personnel', 'human resources')".[365] Management in public administration organisations is not a neutral, technical process, but "intimately and indissolubly en-

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362 Kickert (1997: 738): Public Governance in the Netherlands: An Alternative to Anglo-American 'Managerialism'.

363 E.g. Meuleman (2003): The Pegasus Principle.

364 Keeling (1972): Management in government. Cited by Pollit and Bouckaert (2000: 19).

365 Pollit and Bouckaert (2000: 9): Public Management Reform. A Comparative Analysis.

meshed with politics, law and the wider civil society. It is suffused with value-laden choices and influenced by broader ideologies".[366] In this research we will use Noordegraaf's broad definition of public management as "the influencing of common activities in the public domain or by public-sector organisations and public managers"[367].

Noordegraaf distinguishes four approaches to public management:[368]

- *Business management*; result-oriented, coordinated and efficient managing public-sector organisations as if they are normal enterprises;
- *Organisation management*: leading professional public-sector organisations who operate in complex environments;
- *Policy management*: organising and influencing policy making processes in order to address societal problems;
- *Political management*: influencing political agenda-setting and decision making.

The first approach will 'flourish' best in a market governance environment. The second and third types have more affinity with network governance, and the third can be applied following the logic of each of the three governance styles. From a metagovernance perspective, all four approaches to public management are useful.

Scholars like Bevir and Rhodes have doubted the 'manageability' of metagovernance.[369] The issue is too complex and the possible number of combinations of conflicting or synergetic elements of hierarchy, network and market thinking is overwhelming. Moreover "the ability of the state to manage the mix of hierarchies, markets and networks that have flourished since the 1980s" risks to undermine the bottom-up orientation of societal networks.[370] Some have argued that applying metagovernance can only be done by being aware of the complexity, not by applying crucial success factors.[371] Apart from this practical argument, there is also a theoretical one. Several authors point out that a governance style 'emerges' from a

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366 Pollit and Bouckaert (2000: 16): Public Management Reform. A Comparative Analysis.

367 Noordegraaf (2004: 94): Management in het publieke domein. (Translated from Dutch by the author).

368 Noordegraaf (2004: 95-96): Management in het publieke domein.

369 Bevir and Rhodes (2001: 32-34): A decentred theory of governance.

370 Rhodes (2007: 1257): Understanding Governance – Ten years on.

371 Koffijberg (2005: 365): Getijden van beleid: omslagpunten in de volkshuisvesting.

certain organisational and environmental context. Styles of governance "are the outcome of social processes but also provide the medium through which actors interpret and act to shape their reality".[372] Bevir and Rhodes argue that "patterns of governance arise as the contingent products of diverse actions and political struggles".[373] This view suggests that governance styles and their combinations are not designed or chosen, but are a mere result of some 'invisible governance hand'. This is a risky assumption, because such an 'invisible hand' does not work in the free market. Why then is it claimed to work in government? In their article on shifts in governance styles during the last decades Van Kersbergen and Van Waarden point at external factors as causes of these shifts. They suggest that an important cause may be the fact that governments have to deal with different problems than they had to one or two decades ago.[374] Internal factors such as the attempts of metagovernance are not mentioned. A comparable view with regard to the feasibility of metagovernance is found with Bevir and Rhodes. First they observe three approaches to how the state can manage governance: an instrumental, an interactive and an institutional approach. The instrumental approach is top-down: the state is central and can impose imperatives to reach its objectives. The interactive approach focuses on managing by means of negotiation and diplomacy. The institutional approach concentrates on the use of laws, rules and norms. They then reject these approaches as too positivist: there is not a set of techniques or strategies for managing governance. The only way to 'manage' governance is "to learn by telling and listening to stories".[375] [376]

Earlier, Rhodes suggested that governance style (conflict) management is feasible as well as desirable. In 1997, he took the view that the choice between hierarchy, network and market as 'governing structures', is a matter "of practicality, that is: under what conditions does each governing structure work effectively".[377] Thus, he argued, managing the three styles is about coordinating difficulties. Because markets, hierarchies and networks are not found in their pure form, it is the mixture of governing structures

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372 Lowndes and Skelcher (1998: 318): The dynamics of Multi-Organizational Partnerships: an Analysis of Changing Modes of Governance.

373 Bevir and Rhodes (2003: 59): Searching for civil society: Changing patterns of governance in Britain.

374 Van Kersbergen and van Waarden (2004: 166): 'Governance' as a bridge between disciplines.

375 Bevir and Rhodes (2001: 32-34): A decentered theory of governance.

376 Rhodes (2007: 1257): Understanding Governance – Ten years on.

377 Rhodes (1997: 47): Understanding governance.

that distinguishes services one from the other. These governing structures may "mix like oil and water."[378]

A similar position was taken in an advisory report to the Dutch Environment Ministry: The choice between hierarchical, network and market governance is not the selection of the one right style, but about choosing the situationally best role for the government, taking into account the characteristics of all three governance styles.[379] Lowndes and Skelcher, although they define governance as an 'emerging outcome', consider managing the interaction of different modes of governance a challenge for governance of partnerships between governmental and other parties.[380] Lowndes and Skelcher as well as Rhodes have proposed making *choices* between governance styles, not making *combinations* of elements of hierarchy, network and market governance. However, the latter seems more realistic: in their pure form the three ideal-types are seldom reported to exist. Furthermore, others argue that using the characteristics of all three styles in combination, may lead to the best results, not only for solving policy problems, but also for creating a successful organisation design. Such an organisation would be able to use complementary modes of coordination: authority, competition and mutual adjustment.[381] Mixing hierarchies, networks and markets is analogous to a chemical reaction: "elements may react in different ways under different circumstances"[382]. Outcomes of such governance reactions "will be specific to particular areas and contingent upon prevailing policies".[383] Linker designed a model of situational steering by public-sector organisations that builds on typical characteristics of the three governance styles: control (hierarchy), trust (network) and 'pressure' (for which he advocates market instruments like performance contracts and benchmarking).[384]

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378 Rhodes (1997): From marketisation to diplomacy: it's the mix that matters.

379 VROM-Raad (1998: 52): De sturing van een duurzame samenleving.

380 Lowndes and Skelcher (1998: 313): The dynamics of Multi-Organizational Partnerships: an Analysis of Changing Modes of Governance.

381 Assens and Baroncelli (2004): Marché – Réseau – Hiérarchie. Une réflexion sur les idéaux types organisationels.

382 Exworhty et al. (1999: 20): The NHS: quasi-market, quasi-hierarchy and quasi-network?

383 Exworthy et al. (1999: 20): The NHS: Quasi-market, quasi-hierarchy and quasi-network?

384 Linker (2006): Sturing in de rijksdienst: nieuwe en bestaande inzichten verenigd in hét besturingsmodel.

In 't Veld raises doubt about the feasibility of creating a desired governance mix.[385] He illustrates this with the example of the Dutch university system. In the 1970s, the Dutch universities switched from a hierarchical towards a participatory style of governance, after students had successfully lobbied for such a change. However, this change did not result in improved services to students. The service improved in the 1980s, without a change of governance arrangement. In the 1990s, the old hierarchical arrangement was restored without a noticeable impact on the level of service. In an earlier publication, a review of the Dutch Environment Ministry, In 't Veld observed different governance styles inside the same ministry, in different directorates and also between the top and the lower echelons.[386] According to him, this is inevitable in a professional public administration organisation. However, he argues, the variety has to be managed, the organisation has to learn from the variety, and there should be a 'general' governance style on the meta-level in the organisation.

A recent research evaluating the EU chemicals directive (REACH) shows that a specific governance style mixture was deliberately developed, consisting of regulated self-regulation and regulated standardisation.[387] Peters argues that "metagovernance is not a given process that will occur simply through political will, and must be considered as a management problem". It is a form of 'meta-management', which focuses more on "establishing parameters for action rather than necessarily determining that action".[388]

The above literature overview does not present a clear answer to what extent and how metagovernance is feasible. Scholars seem to be torn between a positive and a negative answer. Rhodes, for example, in 1997 (see above) argued that it is just a matter of practicality, and in 2001 rejected the notion "that there is a set of techniques or strategies for managing governance"; instead, "no matter what rigour or expertise we bring to bear, all we can do is tell a story and judge what the future might bring".[389] In order for this question to be answered, empirical research will be needed. However, the limited literature does lead to the assumption that, to a certain ex-

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385 In 't Veld (Personal communication, February 2006).

386 In 't Veld (1996: 42): Rapportage onderzoek Besturingsconcepten VROM.

387 Hey et al. (2007): REACH als Beispiel für hybride Formen von Steuerung und Governance.

388 Peters (2006: 14): The meta-governance of policy networks: Steering at a distance, but still steering.

389 Bevir and Rhodes (2001): A decentered theory of governance: Rational choice, institutionalism, and interpretation.

tent, it should be possible to define conditions that make the design and management of a desired combination of governance styles within a public administration organisation possible: the should be something like a 'metagovernor's rationale'. Jessop argues that a kind of self-reflexive irony is necessary, "not only for individual governance mechanisms but also for the commitment to metagovernance itself": Metagovernors must realize that their attempts will probably (partly) fail, but should proceed as if success were possible.[390] Likewise, Svensson and Trommel warn that Rhodes' argument that it is "the mix that matters", should not be confused with arguing that "anything goes".[391]

There is not yet much research on the limitations of applying metagovernance. Considine and Lewis showed that there is a limit to the degree of variation in governance styles that can be used inside one organisation:[392] some style elements are inherently incompatible, as we have already seen in Section 2.3.3.

2.5.4 Metagovernance as managing the governance trilemma

Metagovernance is a 'multiple-choice' issue because choices have to be made on a range of governance aspects: strategy type, type of communication, type of policy instruments, etc., while securing that the resulting mixture is working. It also involves solving three interconnected dilemma's: between hierarchy and network, hierarchy and market, and network and market. This makes it a triple dilemma or trilemma: a trade-off between three forces (Figure 6).'Curing' the trilemma not only requires solving the dilemma between two of the forces, as the third force must also be dealt with, or it will endanger the trade-off between the first two forces. A good example is the often observed trade-off between 'new modes of governance' (network and market) in environmental policy, which is a threat to the idea that the environment should also be protected by legislation.[393]

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390 Jessop (1998: 44): The rise of governance and the risk of failure.

391 Svensson and Trommel (2004: 10): Avoiding a messy mix. Hybrid governance in labour reintegration.

392 Considine and Lewis (1999: 475): Governance at ground level: The frontline bureaucrat in the age of markets and networks.

393 Hey (2003: 140): Environmental governance and the Commission White paper: the wider background of the debate.

The term trilemma is used in economic policy[394] and increasingly in governance literature. Jessop uses the term in governance issues pointing at situations when "agents are faced with choices such that they undermine key conditions of their existence and/or their capacities to realise some overall interest."[395] On the level of global governance Slaughter formulates a central trilemma between accountability, participation and profit.[396] Folke et al. use similar apexes of the trilemma triangle - legitimacy, participation and effectiveness – in their analysis of social-ecological systems.[397] Lundqvist uses the same terms in his analysis of the multilevel governance of Swedish water resources in relation to the EU Water Framework Directive.[398] The terms they use are aspects of hierarchy (accountability, legitimacy), network (participation), and market governance (profit, effectiveness), respectively.

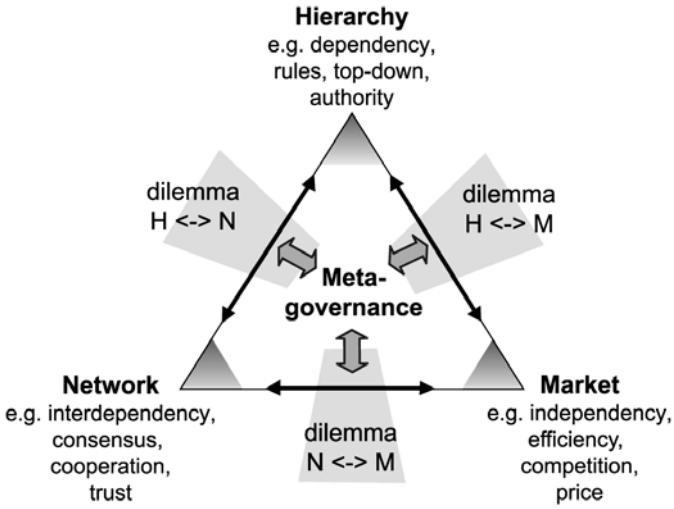

Fig. 6. Metagovernance and the governance trilemma (own composition)

394 Obstfeld et al. (2004): The trilemma in history: Trade-offs among exchange rates, monetary policies, and capital mobility.

395 Jessop (2005): The governance of complexity and the complexity of governance, revisited.

396 Slaughter (2004): A new world order.

397 Folke et al. (2005): Adaptive governance of social-ecological systems.

398 Lundqvist (2004): Integrating Swedish water resource management: a multilevel governance trilemma.

How can the trilemma model be used to understand the mechanisms of metagovernance? A good example is how Shell uses a trilemma in its 'Global Scenarios to 2025'.[399] (See also 2.1.3). The Shell trilemma describes trade-offs between three competing forces, that offer three alternatives (scenarios) of the future that are laid out as 'two-wins, one loss' options. The three forces that make out the apexes of the triangle are similar to the three governance styles this research uses: coercion and regulation (more or less congruent with a hierarchical style), social cohesion and the force of community (congruent with a network style) and market incentives and efficiency (congruent with a market style). Shell distinguishes three analytical layers: actors, objectives and forces. Their scenario study focuses on forces that shape behaviours and expectations, because actors react to different forces and objectives can be reached by using mixtures of all three forces.[400]

Besides the 'two win, one loss' mechanism, the Shell model proposes to use points in the trilemma triangle to show complex policy trade-offs and social choices, "as competing forces pull towards the three triangle apexes." [401]

2.5.5 Metagovernance, line, project and process management

Managing the three ideal types of governance requires adaptation of managers to the logic of the styles. In a hierarchical setting, the organisation form of change processes seldom has the form of an adhocracy[402]: change is achieved by using the standard line organisation. Management is primarily *line management*. More flexible is the project organisation: a temporary team consisting of representatives of units of the line organisation. *Project management* is on the one hand a threat to the line organisation for example because it may lead to jealousy of line managers.[403] On the other hand, besides the different structure, project management builds strongly on the logic of hierarchy. It aims to control resources and typically works in phases towards a result that has been defined in the beginning.[404]

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399 Shell (2005): The Shell Global Scenarios to 2025.

400 Shell (2005: 41): The Shell Global Scenarios to 2025.

401 Shell (2005: 44): The Shell Global Scenarios to 2025.

402 Term coined by Mintzberg (1985): Strategy formation in an adhocracy.

403 In 't Veld (personal communication).

404 Table 11 in Section 7.2.2 summarises the differences between project and process management.

The logic of the ideal type market governance does not prescribe a form of organisation, although often a project organisation will be chosen because its flexibility. The logic of network governance requires a network form of organisation with an emphasis on *process management*. This is a flexible form of management, which builds on the idea that a solution for a certain problem can only be achieved when relevant actors are involved in the process between definition of the problem to the choice of a solution.[405]

None of these types of management (line, project or process management) is better than the other: it depends on the circumstances, such as the type of problem[406], the relative influence of internal and external actors, and the organisational culture[407]. Metagovernance implies mixing the three forms of management in a situationally optimal way. It seems that a successful metagovernance can be a line manager (who has the advantage of clear defined resources), a project manager (who has the advantage of flexibility 'in the shadow of a robust line organisation) or a process manager (who has the advantage of being allowed to bring together all actors that have vested interests in an issue).

2.5.6 Governance, metagovernance and performance

How are tensions and lack of synergy in governance style mixtures related to performance of public administration? Although the concept of public performance measurement has been around for at least a century, it was New Public Management that actively emphasized the significance of it.[408] Performance measures and indicators were meant to improve the efficiency and effectiveness of producing output[409] - a market governance

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405 De Bruijn et al. (2002, Process management. Why project management fails in complex decision making processes) present 15 design principles for good process management.

406 The type of problem is not 'given': problems are framed in a certain way and can be reframed.

407 In a hierarchical organisation, project management will lead to more jealousy than in a market-type organisation, and process management seems unfeasible; in a network organisation project management may lead to irritation because of its relative rigidity (fixed problem definition, fixed project phases, compared to the process rounds typical for network management).

408 Bouckaert and van Dooren (2003): Progress and regress in performance measurement systems.

409 Jackson (1988: 11): The management of performance in the public sector. Boyle (1996: 3): Measuring civil service performance.

term, whereas network governance uses the term outcome. Defining objectives, goals and targets was believed to motivate civil servants and help to restore public confidence in government.[410] Recent research shows that administrative performance may indeed be treated as a precondition to trust in governance.[411]

It has been shown that improving and measuring performance of public administration is very difficult. Bouckaert described thirteen 'management diseases' that point at possible defects in performance measurement systems.[412] Others raised the question of how the impact of an individual public administration organisation on a complex societal problem can be assessed, when other organisations – public, private and non-governmental – also influence the results. Another problem is that striving for maximum performance of a single organisation may lead to a sub-optimal contribution to solving the societal problem completely.[413] The causal logic of rational performance tools that fits well in a combination of hierarchy and market is too 'messy' for a reality in which organisations also work together in networks. Uusikylä and Valovirta suggest a solution that consists of three spheres of performance governance: the organisation's internal perspective (focusing enabling factors for successful operation), single-organisational performance targets, and multi-organisational targets. [414] Jackson draws a similar conclusion. He concludes that for improving public administration performance, neither hierarchy nor market mechanisms provide sufficient solutions. Instead of control and competition, co-operation and participation in networks will help administration to deliver added value.[415] There is a growing literature on performance and network governance.[416] The assumption that a change in the legal status of an organisation (for example from ministerial department to executive agency, a

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410 Jackson (1988: 11). The management of performance in the public sector.

411 Vigoda and Yuval (2003): Managerial quality, administrative performance, and trust in governance revisited. A follow-up study of causality.

412 Bouckaert (1995): Improving performance measurement.

413 Uusikylä and Valovirta (2004: 1): Three spheres of performance governance. Spanning the boundaries from single-organization focus towards a partnership network.

414 Uusikylä and Valovirta (2004: 18): Three spheres of performance governance.

415 Jackson (2001: 5): Public sector added value: Can bureaucracy deliver?

416 E.g. Farquhar (2003): Network governance and performance measurement in Healthcare; Imperial (2004): Collaboration and performance management in network settings: lessons from three watershed Governance Efforts.

market governance approach), per definition improves its performance, has been empirically proven to be not correct.[417]

According to Skelcher and Mathur, governance arrangements, designed from elements of what they call the 'hierarchy-network-market tryptich', are contingent on organisational performance. A governance arrangement is

> "a technical fix to a problem of policy delivery, a temporary structure within which inter-organisational commitments can be generated and delivery managed. When efficiency suffers, the structure is changed. […] Governance arrangements, then, are subsidiary to the imperatives of organisational performance."[418]

Thus, it seems plausible that metagovernance, as designing and managing mixtures of hierarchy, market and network governance, is a prerequisite for improvement of public administration performance. It should also be postulated that performance indicators have to vary with governance mixtures that are applied. Discussing public-sector performance raises the question of how (meta)governance can be measured. This will be briefly discussed in Section 7.3.3.

2.5.7 Metagovernance and individual cultures

Metagovernance requires the ability of metagovernors to look beyond their own perspective, in order to at least 'see' hierarchy, market and network elements as the building stones of their organisation. They also need to have the ability to understand tensions and conflicts between elements of these styles and be able to design and manage mixtures that work well in a certain context. Finally, politicians and public administrators when acting as metagovernors must be able to connect their work with the metagovernance tasks of politicians. Hey et al.[419] highlight this as an important lesson in the case of the hybrid (hierarchy-market-network) design of the EU chemicals policy. Therefore, metagovernance is the outcome of cooperation among many actors.[420] Jessop formulates three key dimensions of me-

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417 Dunshire et al. (1991): Organizational status and performance: Summary of the findings.

418 Skelcher and Mathur (2004: 23-24): Governance arrangements and public sector performance: Reviewing and reformulating the research agenda.

419 Hey et al. (2006: 27): Better regulation by new governance hybrids? Governance styles and the reform of European chemicals policy.

420 Sørensen (2006: 104): Metagovernance. The changing role of politicians in

tagovernors' abilities.[421] Firstly, requisite variety: deliberate cultivation of a flexible repertoire of responses. Secondly, a reflexive orientation: regular re-assessment of to what extent current actions are producing desired outcomes. Thirdly, self-reflexive 'irony': recognition of the likelihood of failure while proceeding as if success were possible.

With this, Jessop acknowledges that metagovernors must be able to handle complexity very well. This requires that metagovernors are, among other things, 'mindful' managers. They must be able to deal well with unexpected events, which includes the counterintuitive act of seeing the significance of weak signals and being able to react strongly to such signals.[422] Chapter 7.2.6 will discuss the implications of the individual personal dimension of governance and metagovernance for management development programmes.

2.6 Conclusions

In this chapter, we have analysed a large body of governance literature. The conclusions are:

- Hierarchical governance is, empirically, still a major way of governing, notwithstanding the abundant literature that claims that 'everything is network' or that 'market concepts are the main solution for public-sector problems'.
- The evidence that hierarchical, network and market governance appear in mixtures in contemporary public-sector organisations, is convincing.
- This implies that public managers have to cope with three competing 'forces'.
- These forces are embedded in cultures, and maybe even more: they very much resemble the main 'ways of life' of cultural theory.
- The question of whether conscious design and management of governance style mixtures is feasible, and if so, to what extent, is disputed. Some claim that governance mixtures are merely contingent; others argue that they are just a matter of practicality.

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processes of democratic governance.

421 Jessop (2002): The network society, new forms of governance, and democratic renewal.

422 Weick and Sutcliffe (2001: 4): Managing the unexpected.

3 Research approach

The theoretical framework of Chapter 2 presented the looking glasses through which the challenge of metagovernance of hierarchies, networks and markets will be investigated. This Chapter presents the approach taken by the empirical part of this research. It introduces the central research question (3.1) and a section presenting the research framework (3.2). The research strategy is then developed (3.3). Section 3.4 explains the selection of cases, and 3.5 describes how the research strategy was applied.

3.1 Research question

In Chapter 2, a broad definition of governance was formulated: Governance is the totality of interactions, in which the public sector, hybrid organisations and civil society participate, aiming at solving societal problems or creating societal opportunities. Three ideal-typical governance styles – hierarchy, network and market - were distinguished, and it was concluded that the often-heard assumption that hierarchical governance, the main pillar of the 'bureaucracy'[423], has become irrelevant, cannot be underpinned with empirical evidence. The three governance styles exclude each other in more than thirty characteristics. Together they form an analytical framework that is comprehensive enough to investigate governance problems inside public-sector organisations. The other styles that are sometimes mentioned are closely related to one of the three main styles, or a specific combination of two or three styles.

Chapter 2 also showed that scholarly literature provides a preliminary and affirmative answer to the first question of this research: Do internal conflicts related to governance style mixtures appear in different institutional and political settings? Furthermore, do they appear on the level of policymaking as well as on the level of policy implementation? In the fol-

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[423] The term bureaucracy has become a synonym for the public sector, when its hierarchical character is emphasised.

lowing chapters, we will discuss if this theoretical answer can be underpinned empirically. An affirmative answer will set the ground for questions about metagovernance.

We have observed that the concept of metagovernance is used by groups of public administration scholars in different ways. The term metagovernance is used as a concept that stands 'above' governance styles: Metagovernance is consciously and carefully designing and managing combinations of hierarchical, network and market governance. Literature suggests that this form of metagovernance is feasible, under conditions that have to be investigated more in depth. Metagovernance seems a prerequisite for the improvement of public-sector performance, and, as was argued in Chapter 2, seems feasible in principle. The central question of this research, formulated in Chapter 1, was: Under which conditions may (internal) metagovernance of governance style mixtures be applied by public managers as metagovernors? What is their logic of action; what is their rationale?

This leads to the following concrete research questions:

1. Is it possible to apply metagovernance: to design and manage these governance style conflicts and synergies? If so, how may public managers do this? And what are the limitations to metagovernance?
2. From a comparative perspective: Have there been different metagovernance attempts in different administrative cultures? If so: in which ways?
3. What are the institutional conditions and other drivers for performing different governance styles by public managers? What is their logic of action?

3.2 Research framework

3.2.1 Analysing metagovernance: An interdisciplinary approach

Organisational structure and processes were the focus of classical public administration scholars, until the public management movement took over, which emphasised decisions and interactions.[424] Boonstra observes that, although the relation between policy failure and the constraints of public-sector organisations is a classical theme in the discipline of public admini-

[424] Kettl (2002: 10): The transformation of governance.

stration, public administration literature pays only limited attention to theories of organisational change and renewal.[425] It is therefore no wonder that public-sector organisations often introduce network arrangements without much reflection on the need to reorganise policymaking processes and to adjust existing institutional structure in order to make network governance feasible.[426] It is also questionable if public administrators – usually well-trained in the competencies of hierarchical governance - have acquired the competencies needed for network governance.[427]

The disciplines of organisational development and of public administration are currently relatively separated. Organisational development concentrates on internal management and organisation and tends to neglect the governance dimension, maybe because the current governance debate emphasises the external dimension. Public administration scholars concentrate on polity, politics and policies and are mainly interested in the *external* consequences of governance, with some exceptions like Kickert in the Netherlands, Rhodes in the UK and Australia, and also Jann in Germany. The conscious and situational use of governance style mixtures requires a good link between the internal and external dimensions of public-sector organisations, and a good understanding of organisational dimensions, especially when, as in this research, the focus lies on the internal aspects of metagovernance, and more specifically: the meaning of metagovernance for public managers. When we consider governance styles as 'ways of life' (cf. Section 2.4.1), we know that they have deep roots. They are important means of making sense for people: for politicians, public administrators and others involved in public affairs. They give or deny entrance to societal groups or networks. Changing a way of life may mean risking loosing many existing social relations, and putting people in an insecure position: who will be their new 'peers'? This also implies that metagovernors who want to introduce a change of the governance style balance in an organisation have to accept that change is slow and that relapses often occur.

Therefore, understanding the possibilities and limitations of applying metagovernance in the 'inner world' of public-sector organisations, requires interdisciplinary research.[428] This is relevant here, because with the

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425 Boonstra (2004: 2): Dynamics of organisational change and learning. Introduction.

426 Teisman and Klijn (2002): Partnership arrangements: Governmental rhetoric or governance scheme?

427 Meuleman (2003: 22): The Pegasus Principle.

428 Ferlie et al. (2003): Changing public service organisations: current perspectives and future prospects.

question: "Can governance style mixtures be designed and managed inside public-sector organisations?" we are crossing the boundary between the disciplines of public administration and of organisational development and change. Because we concentrate on the meso and micro level of governance (see Section 1.2) and not on the macro level of relations between public sector and society, we need to combine analytical concepts from public administration (governance and metagovernance) and analytical concepts of organisational science (organisational structure, culture etcetera).

3.2.2 An organisational perspective on governance

In her dissertation on the organisation of the German federal Environment Ministry, Müller criticises the lack of sensitivity of politicians and civil servants for the influence that the internal organisation has on political decision-making processes. Organisational issues are often considered to be of only secondary interest. The primary process of policymaking is considered separate from the so-called secondary process.[429] Mayntz distinguished five characteristics of public-sector organisations that make them less flexible and less efficient than non-public organisations: dependency from politics, independency from market performance, specific restrictions in employee policy, the public budget system, and problematic performance measurement.[430] These characteristics have to be taken into account when we investigate internal metagovernance mechanisms.

Boonstra presented five points of view to describe the 'stumbling blocks for (organisational) change' in general: inadequate policy-making and strategic management, existing organisational structures, power and politics in organisations, organisational cultures, and individual uncertainties and psychological resistance to change. [431] In 't Veld[432] used five organisational elements in developing a heuristic model to describe the governance approach(es) of the Dutch Environment ministry: mission (vision), steering philosophy (strategy), structure (including procedures), policy content (results: output and outcome) and – as a background element[433] -

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429 Müller (1986: 6): Die Innenwelt der Umweltpolitik.

430 Mayntz (1997: 127-131): Soziologie der öffentlichen Verwaltung.

431 Boonstra (2004: 1-2): Dynamics of organisational change and learning. Introduction.

432 In 't Veld (1996: 12): Rapportage onderzoek besturingsconcepten VROM.

433 Kickert (2005: 33, Overheidshervormingen – lessen uit het verleden) states that organisational culture is at least as important as structure, as far as administrative reform is concerned.

orientation and values (tradition). With the addition of a sixth element, people (staff, education, competencies), the five 'stumbling blocks' of Boonstra are more or less covered.

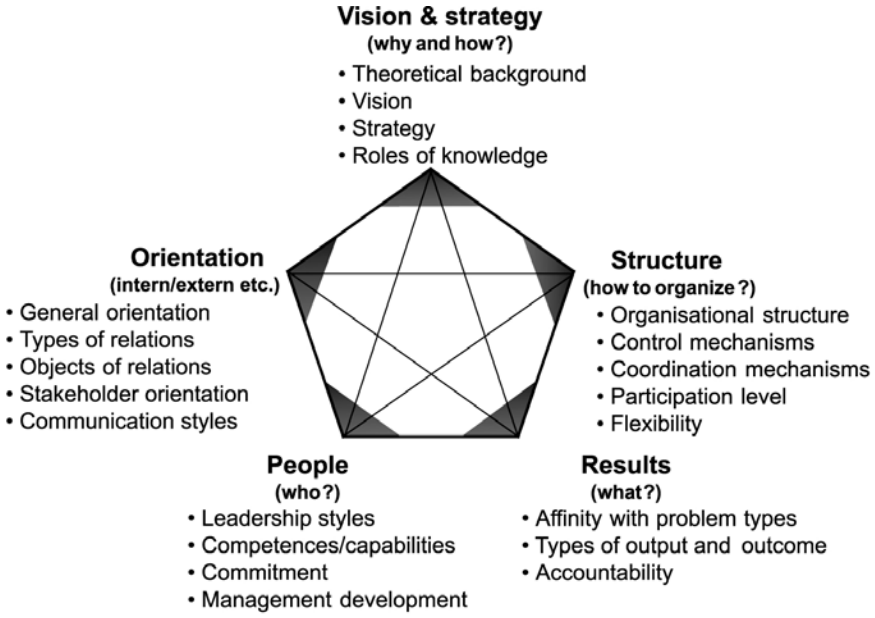

Fig. 7. The governance pentagram (own composition)

If we combine the themes mission and strategy, the result is a heuristic model in the form of a pentagram with five interconnected apexes that can be used to analyse competition and synergy between governance styles. The 36 differences between hierarchical, network and market governance inside administration that were presented in Section 2.3.1 and the first Annex can be allocated to the five points of a pentagram (Figure 7).

For each of the three governance styles different pentagrams can be drawn (Figures 8, 9 and 10). For an analysis of metagovernance, all three models therefore are required. When hierarchy is the primary governance style, the phase models explains best what happens in time. When one of the other styles dominates, one of the other two models should be used. However, when there is a mixture of the three governance styles, all three models of decision-making are useful at the same time.

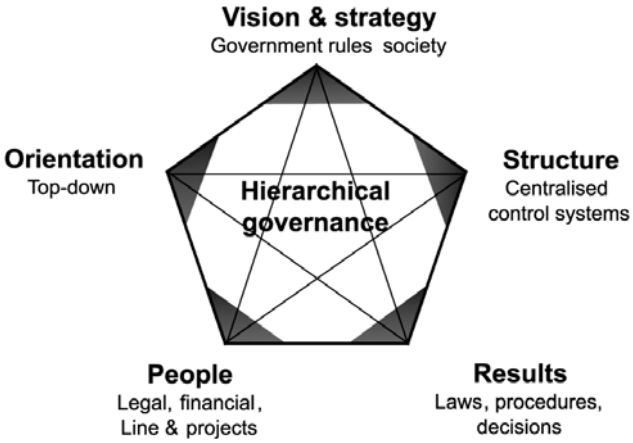

Fig. 8. The hierarchical governance pentagram: rules, power and authority (own composition)

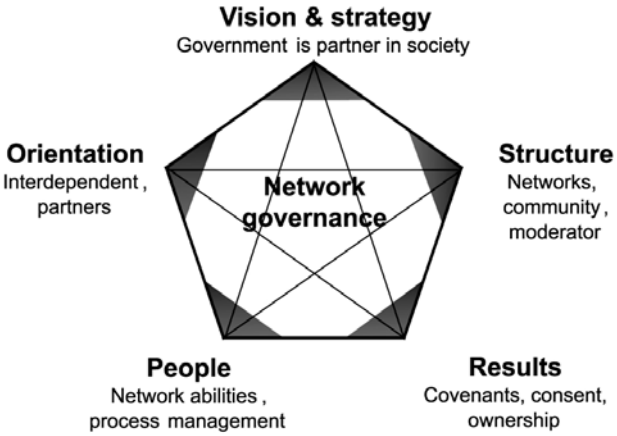

Fig. 9. The network governance pentagram: trust, complexity and content (own composition)

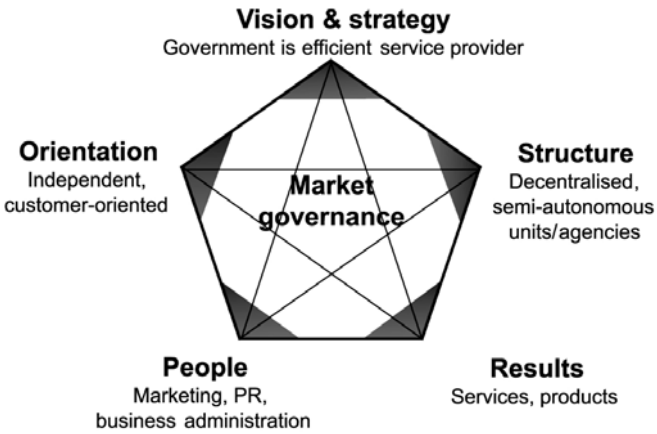

Fig. 10. The market governance pentagram: price, competition and efficiency (own composition)

3.2.4 Research framework

The research framework combines three perspectives:

- The governance pentagram with its five clusters of organisational features;
- The governance trilemma that presents hierarchy, networks and markets as three competing forces;
- The combination of three analytical models on decision making: phases, streams and rounds; this perspective introduces the temporal dynamic.

The governance *pentagram* offers an organisational perspective. The governance *trilemma,* introduced in Section 2.5.4, brings in a perspective of power conflicts. This trilemma has more analytical power than is used in e.g. the Shell scenario study. Apart from their 'two wins, one loss' solution to the trilemma, solutions such as 'one win, two losses', 'three losses' or 'three wins' are also possible, theoretically. For the governance trilemma this is not only theory, but is shown in practice to be possible. The 'one win, two losses' result is observed in situations in which one governance style is predominant. In most cases this is hierarchy, but there are also examples in which network governance has been so dominant that the other styles (hierarchy for legal frameworks and market for efficiency) were the 'losers'. In the Green Heart case (see Section 3.2.5) this led to a

series of new possibilities, but in the BEVER project (see Dutch soil protection case, Section 4.2), this led to stagnation. Market governance is the 'winner' in the currently popular tendering of research and consultancy projects, which has the disadvantage of loss of trust (in established relationships between principal and agent) and accountability (large firms and consortia may be less easy to supervise). The 'three losses' situation is a typical compromise situation: all forces have to give in to some extent. A 'three wins' situation is a possible outcome when a mutual gains approach to negotiation is applied.

The governance trilemma represents the three governance styles as competing forces, which produce dilemmas for decision makers. These dilemmas can be solved by making trade-offs, which can be understood using the organisational dimensions of the three pentagrams. Pollit and Bouckaert define a trade-off as a situation where decision makers are obliged to balance between different things they want, because having more of one means having less of another. A dilemma is a situation in which the manager is faced with a choice of two or more unsatisfactory alternatives; a dilemma is thus the limiting case of a trade-off.[434] Sometimes the tensions between the apexes of the trilemma are more like paradoxes than dilemmas. Paradoxes or seeming contradictions may contain a particular kind of truth. For example, behind the question whether to introduce hierarchical elements like 'house rules' in a network lies a 'tied liberty' paradox: Networks function better when they are not completely unstructured. The dilemma in this case is whether the network ties should be weak or strong. The three *decision making models* (phase, streams, and rounds) represent a time dimension.

With model presented in Figure 11 it should be possible to describe and analyse the political, institutional and organisational barriers, conditions and incentives that mitigate or prevent governance style conflicts, and that stimulate synergy between the different modes. The model also allows us to include historical developments, which are important influencing factors in the cases: Public management (as governance),

> "…cannot be separated from its institutional context, the organisation and functioning of a nation's administration, and the latter cannot be detached from its historical development and traditions." [435]

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[434] Pollit and Bouckaert (2000: 152-153): Public management reform.

[435] Kickert (2002: 1473): Public governance in small continental European states.

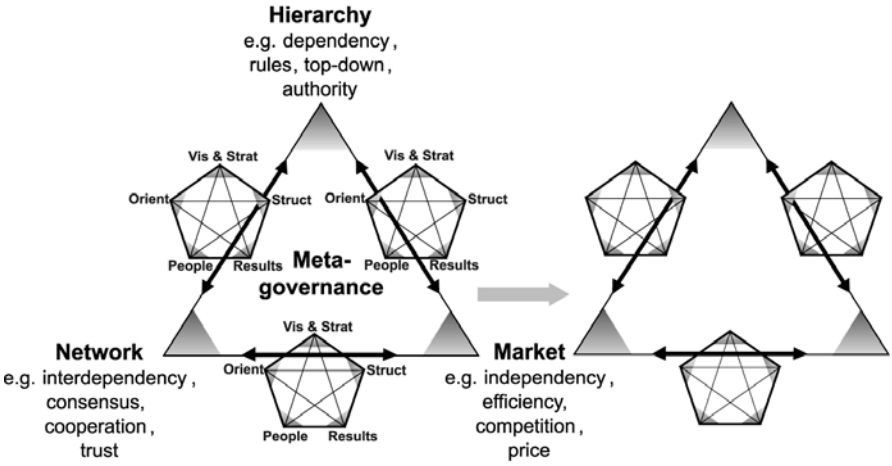

Fig. 11. Research model for the analysis of governance style mixtures

To test if the research model can be helpful in producing interesting answers to the research question(s), it will now be applied to two pilot cases[436]: the Green Heart Talks (January- December 1996) and the Pegasus Programme (May 1997 - December 2000) in the Dutch Ministry for Spatial Planning, Housing and the Environment (VROM). In both cases, the analysis focuses on the design and management of governance style mixtures as far as this happened *inside* the Ministry of VROM.

3.2.5 The Green Heart Talks: Discovering network governance

The Green Heart is a relatively rural area of approximately 1500 km^2 surrounded by a ring of cities.[437] It is a parallel of the Green Belt surrounding London. It is one of the oldest Dutch landscapes and still contains medieval land use and landscape patterns. The rural character has yet to be seen in the Dutch context: The area has about the same population density as the Netherlands as a whole (470 inhabitants per km2), whereas the city

[436] Yin (2003: 78 ff. Case study research) encourages applying the research design to pilot cases, before the actual cases are investigated.

[437] Parts of this case description are taken from Meuleman (2003): The Pegasus Principle. See also Goris and Meuleman (1996): De Groene Hart-gesprekken: een interactief beleidsproces.

ring (the *Randstad*) has 1680 inh/km^2 [438].

The Spatial and Environmental Policy Programme[439] for the protection and development of the Green Heart Area of 1992 was a one billion euro investment program of five Ministries and three provinces. It was an 'integrated area approach' programme that stimulated public partnerships.[440] The objective of the 1992 Green Heart Programme was to keep the centre of the western part of The Netherlands an open area for agriculture, recreation and nature, as a buffer against urban sprawl from the surrounding four large and several smaller cities, in which more than 6.5 million people live.

Vision and strategy

In 1992 the original Green Heart Programme was written as a comprehensive approach with a top-down design (hierarchical governance). The 59 authorities that represent the 650.000 people, who live in the area, were not involved and therefore felt little commitment. The Ministries and provinces who wrote the Programme concentrated on the integration of the *content*, of the societal issues related to the environment and land use, than on stakeholder participation and creating public partnerships. It took a restart in 1995 to change the process into a multi-stakeholder approach. In January 1995 Minister de Boer of Housing, Spatial Planning and the Environment (VROM), signalled that the 35 years of relatively successful (and internationally praised) spatial policy of keeping the Green heart area a green and open area, was in danger. She learned that city planners and real estate developers considered it as too rigid a concept. They wanted urban development to be permitted in the Green Heart.

The project contained an interesting paradox: it was successful because it failed. It started as a publicity campaign, but it turned into an informal, open policy making process. The focus on communication provoked the formulation of interests and information by stakeholders who had not been involved in the policymaking process. This led to a number of changes in the policy that would enhance the support for the overall protection policy for the area. One of the strategic success factors was that the minister in a very early phase chaired an expert meeting with about twenty experts who

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438 Van der Cammen and Witsen (1995): Tweeëntwintig vaak gestelde vragen over het Groene Hart.

439 One of the eleven so-called ROM-projects (Ruimtelijke Ordening en Milieu or Spatial Planning and Environment).

440 Teisman and Klijn (2002: 201): Partnership arrangements: Governmental rhetoric of governance schema?

were invited *a titre personnel*. The goal of the meeting was to share knowledge and information, in order to be able to define the strategy of the process. All experts were asked to describe their vision on the issue: is there a problem, and if so, why? With which interests is the issue related? Are there evident solutions? The impact of this high level meeting was not only so that a better process could be designed, but that the process had already begun. All experts would start talking about it with people in their organisations and with the organisations they had liaisons with. In this example two forms of expertise were merged into a transdisciplinary approach: scientific expertise (for example a top professor from one of the universities), and practical expertise (for example a provincial governor, or a city alderman, or a major).

Structure

The Minister commissioned a small project team, which was commissioned to design an interactive process of nine months at the most, with the objective to increase support for the existing policy of keeping the Green Heart 'open and green'. The Minister believed that the fairly elitist character of the 'polder model' approach that excluded many stakeholders was one of the reasons that the Green Heart policy had so little support from the public and local authorities. Therefore, *The Green Heart Talks*, as the process was named, had to be an 'open' process in terms of the participation of stakeholders and individual citizens. Because the project had to start immediately, there was no time to develop a detailed project structure, which in a way turned out to be a blessing in disguise: it allowed for far more flexibility than the usual project teams had. Another important factor was the authorised freedom of operation. The team reported directly to the minister, which resulted in a situation in which there were almost no conflicts with other teams or the line of organisation inside the Ministry.

Orientation

The project team had a shared vision on how to interact with outside partners: make clear our basic policy, but keep an open mind in order to improve the policy and to understand how the interests of most people could be served better through measures that were going to be prepared. The expertise of the internal colleagues in VROM was welcomed, but at the same time, it was acknowledged that outside partners had far more expertise in many of the issues the process covered. This open attitude towards the knowledge and opinions of external actors made it in the first place a network governance approach.

People

One of the reasons that the implementation of the Green Heart Programme of 1992 made so little progress was that it had been run by people who had the competency to develop a vision but lacked the competencies to manage all aspects of a complex process. The project managers of around twenty regional projects were content driven and technical experts: regional planners, ecologists, environmentalists, and landscape ecologists. Most of them did not know how to find the money to implement their plans, or to get access to the other resources they needed. They lacked the skills and experience of working with hierarchical organisations. This conclusion was drawn in the Green Heart Steering Committee several times, but no steps were taken: the Steering Committee had little implementation power. This Green Heart Steering Committee (1992-1996) consisted of political representatives of the three involved provinces and non-political representatives of five Ministries. The Committee had an annual budget of less than five million euro and no formal power. Although it supervised an ambitious investment program of almost one billion euro, this was a bit of an empty shell, because the budget was not yet allocated and was planned to come partly out of the pockets of organisations that were not represented in the Steering Committee. This did not prevent the Committee from meeting every other month and take decisions that altogether created the feeling in the Committee that they really were in charge. In terms of governance styles, the Steering Committee was a network cooperation of provincial and central authorities that lacked the hierarchical power and the entrepreneurial attitude of market governance, needed in order to fulfil its task. During the *Green Heart Talks,* the Committee acted as a sounding board, and became only stronger when the minister of VROM volunteered to become the chair (which was accepted).

The *Green Heart Talks* project team had the communicative competences necessary for a network approach, which was one of the success factors. Their general attitude can be paraphrased as: "We believe that the existing policy is sound, but we want to understand what people think is wrong about it. If we listen well, we might be able to change the policy in a way that the negative aspects (or images) can be mitigated. And maybe (part of) the existing policy turns out to be not as sound as we think now."

Results

The original idea was that a publicity campaign would enhance the support for the Green Heart policy. The planned *output* changed drastically, but the aimed *outcome* was achieved. A majority of the Dutch parliament in 1996

endorsed the proposal of one of the Members of Parliament to establish extra protection for the area by declaring it a 'National Landscape'. Local authorities also started to support the existing protection policy after a change in housing policy was announced. The ministry's policy was to prevent local authorities from creating new building areas in the open landscape of the Green Heart. However, it was a policy with a 'double lock': they were not only denied possession of the open area, but as an extra security the number of new houses they were allowed to build was also restricted. This second lock turned out to be unnecessary in relation to the main purpose: keeping the open area open and green. This conclusion emerged during a debate with representatives of the local authorities. Within two days, the minister decided to do away with the 'second lock'. Now the communities could begin building again, on open spots in the existing residential area, or change one house into two apartments for the elderly.
The Green Heart Talks started as a communication campaign with clear phases. Gradually it turned into a more 'fuzzy' policy making process with several unpredicted rounds. The project team used the windows of opportunity that arose from the meeting of ideas, problems and actors.

Metagovernance: Managing trade-offs between governance styles

The project team had an unusually close relationship with the minister, with whom a weekly meeting took place. 'This made it easier for the project team members to act as metagovernors: it enhanced their ability to prevent and solve governance conflicts, for example by bypassing the inflexible hierarchical procedures for deciding on subsidies. In two cases, it was possible to stimulate stakeholder groups to better formulate their interests with an 'instant subsidy'. This happened for example with a group of individuals and small organisations in the field of cultural history who had organised them selves around the complaint that nobody listened to them or would ever take them seriously. They were challenged to stop complaining and instead deliver, within six months, an expert report on the cultural history of the Green Heart area. They were also 'robbed' of the argument that they had no money by instantly awarding them the funds they needed. They were surprised but delivered an influential report in time. The trade-offs between network governance and the other two styles were decided with a 'win' of the network approach and 'losses' of the hierarchical and market approaches.

The Green Heart Talks became an unintended discovery of the power of network governance. There was a window of opportunity in which the minister, convinced that dialogue should be the main instrument, kept hierarchy in the dark shadows of the ministry. Many of the lessons learned

from this project were applied in the following pilot case, which started in May 1997.

3.2.6 Pegasus: The limits of networking in a hierarchical context

The Pegasus Programme aimed to change the policymaking style of the Dutch ministry of VROM towards greater involvement of stakeholders in an early stage of policy preparation and give them (some degree of) influence.

Vision and strategy

The programmes *mission* was to promote a network mode of governance. The Ministry's management team's general mission was, however, more hierarchical. Pegasus used this position to ensure a basic attitude of cooperation: the directors-general decided that 15 policy projects would serve as pilots for the Pegasus project. When a new minister entered the Ministry with a more hierarchical vision and stated that he disliked interactive policymaking, middle and higher managers stopped supporting the project abruptly. The 'political zone' turned out to be dominating what had happened. In addition, soon the Ministry's secretary-general who had been the initiator of the project, left his job. This was another signal that network governance was not going to be implemented as the new 'house-style' of the Ministry. The trade-off between hierarchical and network governance turned, in the end, into a 'loss' for the network style.

The project's *strategy* was in line with its mission: change through co-creation and 'action learning'. Besides this, elements of market governance were used: contracts with the 15 pilot project managers, in which they promised to use interactive methods and received in return e.g. free 'intervision' service from five public administration professors, whom the Pegasus team had contracted. A learning strategy was not common in the ministry. Internal affairs and external policies were laid down in inflexible strategic plans. This was one reason why many of the pilot projects were not successful: in becoming more interactive than they were originally designed. Their rigid time schedule as well as the fixed aims prohibited stakeholder involvement. Surprises – that often appear in network processes – were not considered an enrichment of the policy projects, but rather as a threat.

Orientation

In an administrative *tradition* in which, as was jokingly told, a minister never started a policy development before he/she knew the 'right' policy solution, network governance was a risky adventure. Policymaking was not searching for an optimal outcome, but rather accommodating an already made policy decision. The field of environmental policy was a bit of an exception: stakeholder participation and voluntary agreements had been successfully applied already since the beginning of the 1990s for certain environmental issues. Therefore, inside VROM a relatively more external orientation had developed than in other ministries. However, this external orientation was always subsidiary to internal interests.

Structure

A small project team was created that reported directly to the ministry's secretary-general. The ministry's organisational *structure* was hierarchical, with some influence of market governance. The latter was reflected in the decentralised responsibility of managers for 'running' policy issues, budget and personnel. Strategic decision-making was hierarchically organised. *Formally* the minister made all decisions, but before she or he was involved, an intricate system of control had ensured that no proposals were made that would endanger the status quo. For some major issues project teams were installed, but they always had to compete with the line organisation. The Pegasus programme had a project organisation too – but it was less threatening because it did not compete on the policy content – the 'primary' process of the ministry. Where Pegasus intervened on issues that were also considered a 'line-responsibility', conflicts developed. This was the case regarding human resources management policy (e.g. training programs for policymakers), strategic agenda management ('owned' by the secretariat-general) and communication policy. These are all issues of the 'intra-action zone'[441] of the ministry.

People

The *people* who worked in the ministry had skills in line management and, to a lesser extent, project management (hierarchy). Pegasus' aim was to develop process management skills (networking). An external evaluation report of the Pegasus project described the situation in the ministry as quite unsatisfactory:

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[441] Meuleman (2003): The Pegasus Principle.

> "The Ministry has no recognisable process approach based on which potential internal and external partners know how the ministry works and how it deals with other parties. Its amateurism and devotion to 'hobbies' in process design and process management is intolerable and prohibits the building of trust with parties."[442]

The programme team put lessons learned from pilot projects (action learning), combined with experiences from elsewhere, together in brochures about all dimensions of public process management.[443] This was in general welcomed by policymakers who worked in the externally oriented 'interaction zone', but less by their managers who thought that this would decrease their power. Furthermore, it was not considered right by controllers in the 'intra-action zone': they expected that more flexibility in policy processes would produce more budget problems and weak accountability. Trade-offs between hierarchical and network governance did not really take place: the twain never met.

Results

The aimed *outcome* of the Pegasus project was ambitious: a new administrative culture, strategy, structure, and skills. This was threatening to the existing organisation. On the other hand, the existence of the programme helped the Ministry in developing a 'modern' image. In the 1990s, stimulating network governance was developing into a 'standard' advice that consultants and public administration scholars gave to Dutch public-sector organisations When the Pegasus programme ended in December 1999, the Ministry's management team adopted a series of follow-up activities. However, they were not implemented. As soon as the programme team had been dismantled, the Ministry went 'back to normal', with a few exceptions. Only one follow-up proposal was realized: the establishment of a temporary inter-departmental expertise centre for innovative policy making.[444] An unintended result was that the Pegasus brochures were ordered by more than 80 local and provincial authorities.

In terms of the governance trilemma, it was in the end a 'one win, two losses' result. Market governance did not play a distinct role because this style was in the first place used for internal processes and procedures (effi-

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442 Teisman (1999: 26): Pegasus. Een gevleugeld begrip en een voorbij vliegend verschijnsel. Paradepaard van een lerend ministerie of vooral een circusact.

443 These brochures were later translated, rewritten and illustrated with new examples in Meuleman (2003): The Pegasus Principle.

444 The XPIN project, established by the Ministry of the Interior (2000-2005).

ciency measures). Network governance did not become the new 'main' governance style of the Ministry.

Metagovernance: Managing trade-offs between governance styles

In this pilot case, the research framework helped to structure the story about essential successes and failures of the project. But does it shed a new light on what has happened? Does it help to answer the research questions?

In the Pegasus case there were indeed governance style conflicts, mainly between hierarchy and networking. In the beginning, the secretary-general acted as a 'metagovernor'. He protected the project when necessary – which had the downside that the project became to be considered as his 'personal toy'. But the dominating governance style – hierarchy – prevailed in almost all conflicts. The Pegasus project tried to 'reconcile' different governance views. An example was the initiative to create a 'bond' with another project (the project 'Result-driven management'), that aimed at improving accountability and control. The Finance directorate of the ministry led this project. It turned out that there was no way to convince its project manager that co-operation might lead to a win-win situation. This was certainly also due to communication problems. The other project manager used the terms of 'Good governance' – a new version of hierarchical governance - whereas the Pegasus team was 'talking network governance'. It might have been useful if someone had intervened who understood both perspectives and tried to teach the two project managers to understand each other's language. However, such a 'metagovernor' was not available.

The Pegasus project was a reform project. Looking back, more explicitly addressing governance style competition, and having had a metagovernor or metagoverning system in place, could have led to much better results. After the Green Heart case also, this second pilot case shows that the research framework can produce useful answers to the research questions.

Both pilot cases are analysed on the basis of existing material and on the interpretation of an involved practitioner. The analysis of the 'real' cases in Chapter 4 and 5, are of course based on newly collected data. In addition, these cases will be introduced with a summary of the institutional and cultural (historical and actual) context, and a chronology of events.

3.3 Research strategy

The choice of a methodological path in a research project influences not only which explanations we may find, but also which mechanisms we may tend to neglect. The aim of this research is to derive some general princi-

ples about metagovernance by studying a number of practical examples. This process is referred to as the inductive-empirical approach to theory building. This epistemological road has been paved in ancient days by craftspeople and merchants. Their international contacts had caused them to move away from ideologies and dogmas, more than farmers, who based their success on age-old traditions.[445]

Research topics that are highly complex, lack structure and are ambiguous, like the topic of the research (dealing with governance style mixtures), should best be investigated with a qualitative and relatively *constructivist* approach. [446] The approach would have to be primarily interpretative, because it aims at analysing the meanings, beliefs and culture behind social and political practices of public managers when they apply governance approaches. This cannot be explained as the outcome of 'law-like, causal relations as in natural sciences'.[447] The choice of a primarily interpretative approach implies that the result of the research will not be a 'toolbox' for the design and management of governance style combinations, but will have characteristics of a narrative about how public managers exercise governance, following beliefs, traditions and dilemmas. Suppositions of this type "are stories, understood as provisional narratives about possible futures".[448] However, a structured approach was strived for as much as possible, in order to develop conclusions as sound and robust as possible, and make it possible for others to repeat the research.

It would be a missed opportunity to completely exclude a more *positivist, rational-causal* approach. In a dissertation investigating the Dutch 'passport affair', it is argued that both scientific lines of approach can be relevant for conflict management. They can be seen as supplementary, as two sides of the same coin.[449] In the current research topic, rational-causal thinking is a typical phenomenon of hierarchical governance and less of network governance. Network governance builds on the idea that rationality is bounded and on the construction of trustful relationships. Market governance might be in the middle: it is a combination of rational econom-

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445 Eberhard (1999: 33): Einführung in die Erkenntnis- und Wissenschaftstheorie.

446 E.g. Rhodes (1997, Understanding governance), Peters (1998, Comparative politics. Theory and methods), and Kickert and Toonen (2006, Public Management in the Netherlands: Expansion, diversification and consolidation).

447 Bevir et al. (2003: 197): Comparative Governance: Prospects and Lessons.

448 Bevir et al. (2003: 199): Comparative Governance: Prospects and Lessons.

449 Van der Zijde (1998: 167). Over het managen van complexe projecten in politieke context.

ics and the famous 'invisible hand'. The latter concept is not rational-causal but rather 'magical-causal'.

The research also borrows from the *new institutionalist* approach which departs from the assumption that institutions have a 'logic of appropriateness'[450]. The existence of a dominating governance style in a public-sector organisation, such as hierarchical governance in the European Commission (see Chapter 4.5), is an illustration that such logic has far-reaching consequences: it is transmitted to the people who work for the organisation, who then "in turn use it to structure their own behaviour"[451]. In a recent article Rhodes argues for a shift in focus from studying institutions to studying meanings in action, which entails listening to actors' own interpretation of their beliefs and practices may reveal the contingency of governance narratives and a more diverse view on state authority and its exercise.[452] This research tries to find a balance of the new institutional view and Rhodes' 'meanings in action' approach.

In social sciences, it has become good practice to combine different methods into a "methodological mix" designed for the specific characteristics of the research: no one 'ideal way' exists for approaching every topic.[453] Elements of three complementary research strategies are used: ideal types, case study research and grounded theory. Ideal types because they are practical 'measuring rods'. Case study research because it enables us to investigate real-life situations in a structured way. Grounded theory because the existing literature on metagovernance as a public management task does not contain empirically grounded theories, and it seems important to gather building blocks for such a theory.

Ideal types

Hierarchical, network and market governance are, as we have discussed in Chapter 2, three ideal types of governance that seem to co-exist, though probably in different combinations in different administrative systems or organisations, and/or at different times. Peters argues that a methodology based on ideal types can be especially useful for comparative research. Ideal types "provide a stand against which real world systems can be com-

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450 March and Olsen (1989): Rediscovering institutions: Organisational factors in political life.

451 Peters (1998: 122): Comparative politics. Theory and Methods.

452 Rhodes (2007: 1259): Understanding Governance – Ten years on.

453 Wollmann (2005: 505): Evaluierung von Verwaltungsmodernisierung.

pared"[454]. Ideal types integrate multiple attributes into a holistic definition. This makes it possible to represent synergetic effects that result form the consistency among the attributes that are used to describe each ideal type.[455] The method refers to Weber's design and use of the ideal type that we now call hierarchical governance. Peters warns that the use of ideal types may lead to normative rather than empirical constructs: an ideal type developed in a Western context may only be 'ideal' in such a setting.[456]

The three ideal-typical governance styles are the *measuring rods* we will use to analyse real-life governance style mixtures. The *data* will be found by using the second method, case study research.

Case study research

The research questions are explanatory: How do hierarchical, network and market governance interrelate? When is metagovernance feasible and when not? Furthermore, they focus on contemporary events: the governance and metagovernance by public-sector organisations during the first years after the millennium. Thirdly, a research strategy based on social experiments is not possible: The complexity of the research topic does not allow for control over events, which is a precondition for experiments. The combination of these three characteristics accounts for the choice of case study research.[457] A case study is "an empirical inquiry that investigates a contemporary phenomenon within its real-life context, especially when the boundaries between phenomenon and context are not clearly evident."[458] Studies with more than one case are able to produce more robust findings than a single case study. The cases that are selected, are expected to produce similar answers to certain questions, such as the need and feasibility of metagovernance *(literal replication),* and contrasting answers, to other questions (for predictable reasons), such as how governance style mixtures may differ in different politico-administrative systems *(theoretical replication)*.[459]

The complexity of the research topic makes it impossible to investigate complete administrative systems, or complete public-sector organisations.

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454 Peters (1998: 29): Comparative politics. Theory and Methods.

455 Doty and Glick (1994: 244): Typologies as a unique form of theory building.

456 Peters (1998: 30): Comparative politics. Theory and Methods.

457 Yin (2003: 5-9): Case study research. Design and models.

458 Yin (2003: 13): Case study research. Design and models.

459 Yin (2003: 47): Case study research. Design and models.

The focus lies on selected policy processes, and the perspective is that of the public manager. Consequently, the embedded case study design is chosen instead of a holistic case study design.[460] Embedded case studies involve more than one unit or object of analysis (in this research, the five dimensions vision, structure, orientation, people and results are units of analysis), and usually are not limited to qualitative analysis alone (although the research is mainly qualitative, for the dimension 'results', a quantitative view is presented).[461]

In order to be able to generalise from case studies the description of the cases has to be 'thick'. This requires triangulation: Any finding or conclusion in a case study is likely to be more convincing and accurate if it is based on several different methods and data sources that are all used to analyse the research questions.[462] The methods and data types used in the case studies include in-depth semi-structured interviews of key informants, internal and external documents, discussion with public administration scholars and comparison of the findings with similar and contrasting findings in scholarly literature.

How *representative* are the studied cases? A problem is that a case does not 'exist' but must by socially constructed by the researcher: "What cases it will be similar to will be defined by the conceptual framework that is chosen and how the researcher constructs the case"[463]. Each case is in some ways unique and in other ways similar to other cases. Therefore it is useful to investigate cases that are 'most similar' on the independent variable(s) and 'most different' on the dependent variable(s). That is, *if* variables are important 'wheels' in the 'machinery' of a case. The use of the term variable suggests mono-causal relations in case studies that are very complex and in which contingency (for example the influence of the personal drives of the key actors), ambiguity (e.g. related to the dynamics of the political agenda) and personal sense-making play a role. Nevertheless, the concept of variables will be used because it helps structuring the research.

The issue of representativeness refers to the question if there are many similar cases and if similar research results would be achieved in all or most of these cases. Four cases of strategic environmental policy making in Western Europe, Germany, the Netherlands and The UK were chosen in

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460 Yin (2003: 42-43): Case study research. Design and models.

461 Scholz and Tietje (2002: 9): Embedded Case Study Methods: Integrating Quantitative and Qualitative Knowledge.

462 Yin (2003: 98) Case study research. Design and models.

463 Peters (1998: 146): Comparative politics. Theory and Methods.

order to see the impact of the east-west gradient described in literature from an underlying hierarchical style (Germany), via an underlying network style (the Netherlands), to an underlying market governance preference (UK), on similar cases of policy making (theoretical replication). A similar gradient may be expected to emerge if the choice had been to investigate cases from France (hierarchy), Denmark (network), and Ireland (market). The fourth case is a policy process in the European Commission, an administration that, like the Germany federal administration, is reported to have a primarily hierarchical style.

The fifth case is an example of community policing in the Netherlands. This case is used for literal replication: it should help answering the question of whether or not governance style interactions on a 'street level' policy are really different from those on a strategic policy making level in national ministries.

Grounded theory

In addition to using the 'measuring rods' of ideal types and data collection by case studies, the research questions require a research approach that provides the possibility of theory building. Therefore, the last element of the research strategy is the use of elements of 'grounded theory'. Grounded theory is a research strategy for developing theories based on the comparison of cases, developed by Glaser and Strauss in the 1960s.[464] Grounded theorists continuously compare cases with themselves and with starting ideas in order to generate a theory. This implies a constant interplay between data collection and analysis. A grounded theory strategy does not wait until all data are collected before analysis starts. Yin argues that case study research and grounded theory are difficult to combine, because case study research starts with the construction of a preliminary theory, whereas grounded theory avoids this.[465] Others argue that this does not have to be the case. Grounded theory research requires an understanding of related theoretical and empirical work.[466] In addition, the authors of the original book in which they report the 'discovery' of grounded theory, assume that this research strategy starts with some initial ideas. In this research the initial idea is, that public managers have to cope with sometimes mutually undermining dimensions of hierarchical, network and market

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464 Glaser and Strauss (1967): The discovery of grounded theory.

465 Yin (2003: 28): Case study research. Design and models.

466 Goulding (1999: 7): Grounded theory: some reflections on paradigm, procedures and misconceptions.

governance, three ideal-typical governance modes which usually appear simultaneously.

The original grounded theory strategy contained positivist assumptions like an objective, external rationality, the discovery of objective data, and the fact that the researcher can operate as unbiased and objective. However, even this is sometimes contested as not positivist enough to "develop testable hypotheses and theory which are generalisable across settings"[467].

Others argue that research in real-life social systems is always context-bound and facts are both theory laden and value laden: knowledge about social processes is actively and socially constructed.[468] Glaser, one of the founders of the grounded theory methodology, also disapproved of the even more positivist route his colleague Strauss had chosen later [469] and developed a less positivist version.[470] He claims that grounded theory "is a perspective based methodology, and people's perspectives vary". Charmaz offered an alternative approach that keeps the iteration between data collection and analysis of the ground theory approach, but is more constructivist in nature. [471] Glaser, however, fiercely rejected this attempt to 'pull' grounded theory in the constructivist camp.[472] Notwithstanding the disputes around grounded theory, this approach has some valuable aspects. Two elements of it will be used in the research strategy: the constant iteration

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467 Eisenhardt (1989): Building theories from case study research.

468 Goulding (1999: 17): Grounded theory: some reflections on paradigm, procedures and misconceptions.

469 E.g. in Strauss and Corbin (1999): Basics of qualitative research: grounded theory procedures and techniques.

470 Glaser (1992): Basics of grounded theory analysis: emergence versus forcing.

471 Charmaz (2000: 510): Grounded Theory: Objectivist and Constructivist Methods. Cited by Goulding (1999).

472 Glaser (2002: Constructivist Grounded Theory?) relecting on Charmaz: "So we can see that constructivism—joint build of an interactive, interpreted, produced data—is an epistemological bias to achieve a credible, accurate description of data collection—sometimes. But it depends on the data. If the data is garnered through an interview guide that forces and feeds interviewee responses then it is constructed to a degree by interviewer imposed interactive bias. However, as argued above, with the passive, non-structured interviewing or listening of the grounded theory interview-observation method, constructivism is held to a minimum. It appears that constructivism is an effort to dignify the data and to avoid the work of confronting researcher bias."

between data collection and analysis, and the attempt to develop 'codes': "distinct units of meaning which are labelled to generate concepts".[473]

3.4 Case selection

3.4.1 Case selection criteria

Variables

Three independent variables are distinguished which are similar in different Western European administrative systems: The occurrence of the three ideal-typical governance styles, the societal influences on the public sector in the same policy fields (because of globalisation and ICT, to name two main factors), and the framing of the policy problem. The politico-institutional context is considered as the *dependent* variable.

It was decided to select cases in two fields: strategic (national and supranational) environmental policy and operational (local) inner security policy.

Environmental policy is considered a 'laboratory' for policy innovation. This accounts for a high conflict potential between 'old' and 'new' styles of governance. Within the field of strategic environmental policy, soil protection was chosen, because it is a relative late-comer that had to be developed during the late 1990s and early 2000s, which was a period in which governance style conflict potential had reached a high level. Four cases of soil protection policy making were selected in different politico-administrative systems (the UK, the Netherlands, Germany and the European Commission), in order to investigate the influence of the traditions and cultures of these systems on the feasibility of metagovernance.

Inner security is a traditionally hierarchical policy field. Within this field, local community policing is a special case, because it is primarily based on network governance. A local case of community policing in the Netherlands was selected, in order to be able to compare the occurrence of metagovernance in (national) strategic policymaking and in (local) operational policy execution, in different policy fields but in the same national politico-administrative context.

The criteria for the selection of the cases are:[474]

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[473] Goulding (1999: 17): Grounded theory: some reflections on paradigm, procedures and misconceptions.

[474] Peters (1998: 83-86): Comparative Politics: Theory and Methods; Niestroy

1. Good comparability of the independent variables;
2. Variation in the dependent variable (the way governance style problems are dealt with in different politico-administrative systems).
3. Conceptual equivalence;
4. Accessibility to data and willingness of key informants to be interviewed;
5. Scientific and societal topicality of the issue.

The case selection is confronted with the selection criteria as follows.

Good comparability of the independent variables

Comparative research with a small number of cases is appropriate in 'most similar' designs, when 'the similarity of the countries selected can be demonstrated very clearly and convincingly', which is the case here, regarding the independent variables:[475]

- With regard to the existence of governance style competition in the Netherlands, Germany, the UK and the European Commission[476] problematic governance style competition has been observed.
- Concerning the societal influences on governance, within Western Europe, Germany, the Netherlands and the UK share a long tradition of professional civil service, and a relatively strong post materialistic world orientation.[477] In all three countries and in the EC, a serious decrease of public trust in public-sector institutions and politicians has taken place during the 1990s and early 2000s. The European Commission "suffers" from similar governance challenges as national public-sector organisations, and has published comparably ambiguous reform programs. The European Commission is a fragmented organisation without uniform administrative procedures and practices – another dimension that makes it similar to most national civil services. The Commission has 'matured from a small agency to an extended bureaucracy', and 'individual DG's have turned from organisational

(2000: 49): Die Strategische UVP als Instrument zur Integration von Umweltbelangen in andere Politikbereiche.

475 Peters (1998: 69): Comparative Politics: Theory and Methods.

476 Héritier (2002): New Modes of Governance in Europe: policy making without legislating?

477 Ismayr (2003: 472): Das politische System Deutschlands. Lepszy (2003: 376). Das politische System der Niederlande.

sub-sections into quasi-ministries in their own rights'.[478] In all four public-sector systems comprehensive reform programs have started since 2000[479].

- With regard to the issue of soil protection, the problem is very similarly framed in all four administrative systems. In all cases soil protection is a late-comer on the environmental policy agenda, and the main problems are similar, although the European Commission also has to deal with soil problems emerging in Southern European countries, such as land erosion. The selection of one policy sector (and within that, one policy issue, namely soil protection) is an important requisite, because there may be more differences in governance styles across sectors than there are across nations.[480]

Variation in the dependent variable

In comparative social sciences the most frequently used method of selecting cases is to find systems that are most similar (as opposed to 'most different') in as many ways as possible, but vary most in the dependent variable (theoretical replication), which in this research is how governance style conflicts are dealt with. Cases were selected that were expected to show a clear variation in the politico-administrative context. Therefore, concrete cases were sought in four different administrative systems: The Netherland, The United Kingdom, Germany and the European Commission.

The data Hofstede has collected about the Netherlands, Germany and the UK already give a first impression on general cultural differences between these three nations (Figure 12).[481]

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478 Christiansen (1996: 86), cited in Malek and Hilkermeijer (2001: The European Commission as a learning organisation? Theoretical considerations and empirical ideas).

479 The 'Different Government' program (Ministry of the Interior, 2003) in the Netherlands, the 'Modern State, Modern Government' program (Bundesregierung, 1999) in Germany and the 'Reforming the Commission' (European Commission, 2000) and 'European Governance' (European Commission, 2001) White Papers of the European Commission.

480 Bovens et al. (2001: 648): The state of governance in six European states.

481 Data retrieved from http://www.geert-hofstede.com on 13 August 2007.

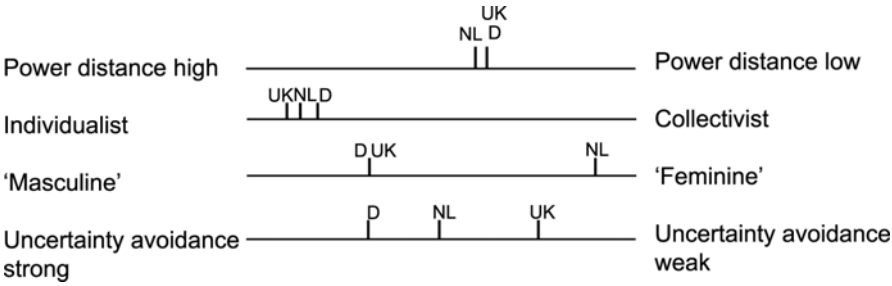

Fig. 12. National cultures according to Hofstede

The values and traditions of administrative systems are likely to have a large influence on the affinity with specific (combinations of) governance styles.[482] Therefore, it is no surprise that in the consensual tradition of Sweden and the Netherlands, calls for more emphasis on network governance were heard earlier than in more traditional countries as (for example) Germany and France. According to Wollmann, the institutional and cultural traditions of a country's institutional world strongly influence reform decisions.[483]. Kickert states that there is a need for in-depth empirical studies to investigate the implications of a legalistic institutional situation (e.g. Germany) on the particular managerial reforms that were adopted.

The Dutch public sector has an underlying corporatist-consensual style of deliberation and pragmatic compromise, that has stayed influential even during phases of relative dominance of hierarchical or market governance.[484] In the Netherlands, like in Great Britain, the administration developed into a neutral and loyal body of generalists that remains in office when a new government is sworn in[485]. In the Netherlands (1988) 29% of the civil servants had a law degree, 30% a social science background, 19% a technical science and 12% an economics degree. The percentage of civil servants with a legal training was 75% in 1930 and has since then de-

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482 Kickert (2002: 1473): Public governance in small continental European states.

483 Wollmann (2001:4): Public sector reforms and evaluation in Germany – advances and lags.

484 Kickert (2003: 127): Beneath consensual corporatism: Traditions of governance in the Netherlands.

485 Raadschelders and Rutgers (1996: 86-87): The evolution of civil service systems.

creased.[486] In the Dutch public sector therefore, a basic cultural affinity with *network governance* would be expected.

The German federal administration was the prototype of a *hierarchical* organisation. The German word *'Rechtsstaat'* is internationally used to describe administrations with a strong legal tradition. In addition, the German administration is relatively autonomous and has in the legalistic culture a specific information monopoly about procedures.[487] The UK's national administration has a natural affinity with *market governance.* The administration is called the public *service*, and the country has no basic legal framework in the form of a constitution.

The Netherlands is economically and socially intertwined with Germany. Nevertheless, the Netherlands is influence more than Germany by Anglo-Saxon and Scandinavian culture and therefore forms an interesting deviation from the German 'prototype'. The Netherlands has, like other small North-European countries such as Belgium, Norway and Denmark, three characteristics that are relevant for the type of governance (mixtures): (1) a consociationalist[488] type of consensus democracy, (2) a neo-corporatist type of democracy, and (3) socio-political cleavages and fragmented political and social subcultures.[489]

Despite these differences there are also similarities. Germany and the Netherlands share a closely related cultural history and a relatively well-developed civil society and degree of public participation from societal groups.[490] The Netherlands and Germany both belong to the group of countries that have incremental reform programmes, as compared with the comprehensive, more radical reform programmes of the UK, Australia and New Zealand[491]. Like in Germany[492], in the Netherlands local authorities

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486 Van der Meer et al. (1997): The Dutch civil service system.

487 Knill (2001: 12): Institutionelle Indikatoren für die Entwicklungsdynamik nationaler Verwaltungen: Administrative Reformkapazität in föderalen und unitarischen Systemen.

488 Term coined by Lijphart (1968): Typologies of Democratic Systems.

489 Kickert (2002: 1474-1475): Public governance in small continental European states.

490 Ismayr (2003: 471): Das politische System Deutschlands; Lepszy (2003: 375): Das politische System der Niederlande.

491 Knox (2002, Review of public administration. Briefing paper public service reform) places the Netherlands in the incrementalist group and Germany in a 'limited reform' group with Norway and Switzerland. However, other authors point out that Germany is a typical incrementalist reform country (e.g. Knill, 1999: Autonomous and instrumental bureaucracies: institutional indicators for

took the lead in civil service reforms. Germany and (to a lesser extent[493]) the Netherlands both belong to the group of continental European countries with a *Rechtsstaat* tradition and an accepted emphasis on the legal regulation and judicial review of public-sector operations (issues that remained outside the limelight of New Public Management), which is different in the Anglo-Saxon common law countries[494]. Whereas NPM reduced the role of local authorities in Anglo-Saxon countries, this was not the case in Germany, Sweden and other countries with a traditionally strong local public sector[495].

Fig. 13. A gradient of underlying governance style preferences in three Western-European countries

Together Germany, the Netherlands and the UK form an interesting gradient from East to West, showing preferences of respectively hierarchi-

the explanation of administrative change).

492 Oppen (2002): From 'New Public Management' to 'New Public Governance'. Restructuring the public administration of tasks in Germany. An international comparison. Wollmann (2003): Public-sector reform in Germany, between continuity and change – in international perspective.

493 Pollit and Bouckaert state that the Netherlands, Finland and Sweden moved away from the legalistic Rechtsstaat form, but not towards a straightforward public interest model. The Dutch administrative culture is a complex mixture. Decision-making is essentially a consensus approach, and civil servants have a wide variety of disciplinary backgrounds.

494 Wollmann (2003): Public-sector reform in Germany, between continuity and change – in international perspective.

495 Wollmann (2003): Public-sector reform in Germany, between continuity and change – in international perspective.

cal, network and market governance, though always in the shadow of hierarchy as the main background style (Figure 13). The Netherlands lie between – and form a combination of - the 'supermarket state' of the UK and the 'sovereign state' of Germany[496].

The *European Commission* is an interesting outsider. In 2001, Trondal concluded that relatively "few studies have empirically penetrated the inner life of the European Commission."[497] It is a multinational bureaucracy, with a dominance of hierarchical *Rechtsstaat* influences (France, Germany)[498] [499], enriched by market approaches (UK influence) and network thinking (influence of the Scandinavian countries and the Netherlands). Nevertheless, the affinity with *hierarchical governance* is dominating. The Commission faces similar challenges and internal ambiguity as national public-sector organisations. Its tasks, working methods and bureaucratic organisation make them better comparable with national ministries than with other supra-national bodies.[500] The Commission differs from the national public sector in the Netherlands, Germany and the UK because it has no elected political leaders and it not directly accountable to any elected institution.[501]

Conceptual equivalence

Using case studies in a qualitative comparison of public sector systems of different countries requires *conceptual equivalence*: one needs to be sure that compared issues are really comparable. Three types of problems can be differentiated and should be addressed.

The first are linguistic problems. Translating survey instruments into other languages is difficult, because many concepts and words have mean-

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496 Terms coined by Olsen (1988), cited by Wollmann (2003): Public-sector reform in Germany between continuity and change – in international perspective.

497 Trondal (2001: 21): The 'parallel administration' of the European Commission. Towards a framework for analysis.

498 Dimitriakopoulos and Page (2000: 317): Paradoxes in EU Administration.

499 Cassese (1987: 13, cited in Dimitriakopoulos and Page, 2000: 317), describes the organisation and working rules of the EC as "halfway between a French ministry and the German Economics Ministry".

500 E.g. Dimitriakopoulos and Page (2000: 317): Paradoxes in EU Administration.

501 Page and Wouters (1994: 445): Bureaucratic politics and political leadership in Brussels.

ings deeply influenced by culture. Therefore the vocabulary used in this research has to be tested for these underlying misunderstandings.[502] For instance, German and some other European languages do not have different words for 'policy' and 'politics' as are found in English. In German, the term *Programm* is one of the equivalents used for what the English term 'policy' and the Dutch term *'beleid'* express. Another example is that in Germany the term 'management' has a connotation with the private sector: it stands for markets and entrepreneurs, whereas in English it is more neutral and used as 'the organisation and direction of resources to achieve a desired result'[503], which is in German more equivalent with the term *'Steuerung'*.[504] Fortunately, linguistic problems can be solved by using the extensive literature in English about governance in Germany, the Netherlands, the UK and the European Commission, also in comparative perspective. Some of this literature explicitly addresses these problems.

The most important problems are conceptual problems.[505] Do the same concepts have the same meaning in different cases? To avoid this problem the interviews started with a short explanation of the three ideal types of governance. In addition, comparative literature was checked.

The third and last problem is the travelling problem[506]. Are measures that are constructed for use in one political setting, and that are based upon the experience of one society or culture, necessarily meaningful or useful in another setting? This problem can exist in cross-national comparisons, especially when the concepts travel a long distance, but also when the distance is less extreme, for example, in assuming that French and German politics are in essence based on similar principles, since the two countries happen to be neighbours. Comparative literature by scholars like Kickert,[507] Hesse et al.[508] and Pollit and Bouckaert[509], which includes Germany,

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502 Peters (1998: 83-86): Comparative Politics: Theory and Methods.

503 Allison (1979, Public and private management: are they fundamentally alike in all unimportant aspects), cited in Jann (2000: 89).

504 Jann (2000: 89): Public management reform in Germany: a revolution without a theory?

505 Peters (1998: 83-86): Comparative politics.

506 Sartori (1970; 1991), cited in Peters (1998: 86).

507 Kickert (ed.) (1997): Public management and administrative reform in Western Europe.

508 Hesse et al. (2003): Paradoxes in public sector reform. An international comparison.

509 Pollit and Bouckaert (2000): Public management reform. A comparative analysis.

the Netherlands the UK and the European Commission, provides a basis for preventing the travelling problem from blurring the analysis in this research.

Accessibility to data and willingness of key informants to be interviewed

For all cases data are available, such as evaluation studies, comparative studies, and official publications issued by public-sector organisations. My work as a practitioner in both policy development[510] and al change[511] in the Dutch administration, my knowledge of, practical experience and contacts with the German public administration and the European Commission[512], as well as my ability to work in German, English, Dutch and, to a lesser extend, French, made it relatively easy to find key informants who were willing to give interviews. However, some interviewees explained that they were not able to be speaking completely open:

> "Although one part of me wants to be sort of open and objective and step back, the other part of me recognises that I still have a job to do. I don't want to make it more difficult to do it." [513]

Topicality of the issue

From a scientific perspective, the topicality of the research issue is huge. Most scholarly literature either concentrates on the internal organisation

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[510] As head of the Rural Areas division in the Dutch Ministry of Housing, Spatial Planning and the Environment (1991-1997), involved in policy development on a wide range of issues (e.g. spatial planning, nature conservation, integrated area-development, planning of military use of areas, planning of sand excavations areas). In the regional government of Gelderland (1989-1991) the author worked on integrated environmental planning, soil and drinking water areas protection, and environmental policies related to agriculture.

[511] As project director of a reform programme that aimed at introducing network governance in the Dutch Ministry of the Environment and Spatial Planning (1997-2000) and as chair of the Dutch Association for Public Management (2002-current).

[512] E.g. as president of the transnational working group flood management Rhine and Meuse (1995-1997) in which six countries, including Germany and the Netherlands, and the European Commission were involved, and as member of the steering group of the European network of environmental and sustainable development advisory councils (EEAC) (2002-2004).

[513] Interview 19, 30 March 2007.

(structure, processes, leadership, political impact, efficiency, effectiveness), or on roles of the public sector in policy networks. Connecting internal organising and external organising has been given little attention so far.[514] Sørensen believes that public administration scholars have not been interested in the issues of democracy, and students of democracy have not shown interest in the role of administration in democracy. According to her, this disciplinary split may be caused by the Weberian view than one can separate politics and administration.[515]

Other scholars also plead for the involvement of a wider set of scientific disciplines in the study of public-sector organisations than the disciplines of organisational behaviour and public management: these disciplines should be connected with political science and with practical knowledge from stakeholders.[516] Also from a societal and political perspective, successfully understanding and managing the interactions between different governance styles and the possibilities and limitations of metagovernance, seems important.

3.4.2 National soil policies and local community policing

As explained earlier, 'simple' questions may be solved with primarily hierarchical governance, and 'routine' questions with market governance. Dealing with so-called *wicked* problems that are complex and persistent, takes place in great uncertainty about causal relations. Most authors base their approach to wicked problems on policy network theory.[517] As was argued before, this might be too narrow an approach for a research project on the meaning of metagovernance for public managers: network governance takes place in the shadow of hierarchical[518] and market governance.

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514 E.g. Bauer (2002: 2, Reforming the European Commission: A (missed) Academic opportunity) describes the management deficit (including the missing strategic capabilities for managing EU policy networks) of the European Commission as an important research gap.

515 Sørensen (2002: 8): Democratic theory and network governance.

516 Ferlie et al. (2003): Changing public service organisations: current perspectives and future prospects.

517 E.g. Kickert, Klijn and Koppenjan (1997): Managing complex networks: strategies for the public sector; Rhodes (1997): Understanding governance.

518 Damgaard (2006: 673, Do policy networks lead to network governing?) found that – in Danish employment policy nationally mandated local policy networks are dominated by hierarchical governing.

Tensions between networking, hierarchical and market thinking may frustrate a problem-based network approach. Therefore, it seems that taking wicked problems as cases will provide the most useful insight in the (im)possibility of metagovernance. Typical examples of wicked problems can be found in the fields of environment, health and safety.[519]

National soil protection policies

In environmental policies, the external 'environment' usually plays a large role. Many societal interests are involved and environmental problems have often produced strong societal emotions. Part of these emotional and interest conflicts are probably mirrored inside administration.

The issue of soil protection policy, especially when it comes to the impacts of hazardous waste deposition, is no exception. The diversity of societal interests and the emotional aspect may have contributed to the fact that environmental policy issues have often been front-runners in governance innovation: Environmental policy has been and still is a laboratory for modernising governance. According to Jänecke[520] a "culture of dialogue and consensus" is an important condition for successful environmental policy. This implies that network governance plays a critical role in the governance style mixture. European environmental policy illustrates this: Most European Commission measures that can be considered 'new modes of governance' (i.e. network and market, as compared to hierarchy) around the new millennium were found in the areas of environmental policy and social policy[521]. At the same time, environmental policy is a relatively young field that has had to compete with other fields using the governance style of 'power play' – hierarchy – inside administration, and started like other environmental policies had done before, by building a legal framework and central, uniform norms.

A case of local community policing

Another *wicked* case is taken from the field of inner security, and focuses on community policing, a network governance approach that takes place in

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519 Klijn, Koppenjan and Van Bueren (2003): Dealing with wicked problems in networks: analysing an environmental debate from a network perspective.

520 Jänecke (2005: 137): Trend-setters in environmental policy: the character and role of pioneer countries.

521 Héritier (2003: 3): New Modes of Governance in Europe: policy making without legislating?

the shadow of hierarchical and market governance. In contrast to national environmental policymakers, police officers are typical operational 'street-level bureaucrats': they are in direct contact with citizens and usually have more discretion than (national) policy maker[522]. However, in a recent study, Taylor and Kelly found that these 'street level bureaucrats' have less discretion than when Lipsky investigated them in 1980, due to New Public Management induced systems of accountability and scrutiny.[523]

3.5 Application of the research strategy

The gathering of data and the analysis took place in five rounds.

First round: Building a theoretical basis through literature analysis

The first step was an analysis of the existing extensive literature on governance styles and the small body of literature on metagovernance. Several interesting phenomena turned up:

- Since the mid-1990s public administration research concentrates on the 'new modes of governance'. Much research seems to have adopted a 'network is everything' paradigm and in general neglects the study of contemporary hierarchical governance. Many scholars argue that hierarchy is not an influential governance style anymore.
- A great deal of current public administration literature holds that public-sector organisations in the 2000s are only small players in the solving of societal problems, if at all.
- Although governance styles are closely related to cultures, the cultural dimension of governance is seldom investigated in public administration research.
- Furthermore, public sector organisations, including international organisations like the World Bank and the OECD, tend to believe that Western governance models can be applied in all countries. However, public administration scholars widely recognise that the politico-administrative context influences the capability of public managers to

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522 Lipsky (1980): Street-Level bureaucracy: Dilemmas of the individual in public services.

523 Taylor and Kelly (2006: 639): Professionals, discretion and public sector reform in the UK: re-visiting Lipsky.

design and manage desired governance approaches. Nevertheless, this is also a gap in contemporary research.

The first findings and ideas were discussed with several public administration scholars in the Netherlands, Denmark, Germany and the UK.

Second round: Scoping by developing a research framework

The following step was to develop a research framework, based on the analysis of literature presented in Chapter 2, allowed for narrowing down the numerous possible perspectives to a small number of dimensions. This was guided by the scope of this research on

- The meaning of governance style combinations for public managers and not for other actors in the world of governance,
- The ability of public managers to consciously design and manage situationally optimal governance style mixtures, and
- Governance dimensions of public management as a coherent issue, with a focus on the interactions between vision and strategy, structure, orientation, people and results.

The research framework thus developed (presented in Section 3.2) was tested for its ability to help generate new conclusions in two Dutch cases. Another round of testing consisted of presenting a paper, with a focus on management development implications, at an international conference in France, shortly after this.[524]

Third round: Selection of cases

The third round of interlinked data-gathering and analysis consisted of the selection of case studies. It begun with the formulation of criteria for case selection and looking for interesting cases. Because environmental policy making is known for its complexity (and therefore has been investigated more than most other policy fields), primarily cases in this area were sought. After rejecting case study candidates which were too young and dynamic (such as the national implementation of the EU directive on CO^2 emission trading), or who were institutionally too complex and diverse (such as sustainable development strategies[525]), a set of cases in the area of strategic soil protection policy-making was chosen.

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[524] Meuleman (2006): Internal metagovernance as a new challenge for management development in public administration.

[525] Niestroy (2005): Sustaining sustainability.

A contrasting case in another policy field was found in 'community policing': a network approach that, might show the internal tensions with hierarchical and market governance inside the police organisation. Due to time restrictions only in the Netherlands such a case was selected. However, a quick literature analysis (a loop back to round 2) showed that there is a large body of literature on community policing in almost all (Western) countries.

Fourth round: Data gathering about the selected cases

Each case study began by gathering formal and informal documents on the case, and holding background interviews with experts (scholars or high-level practitioners) who had a good insight in the politico-administrative context of the case but had not been involved in the cases themselves. The next step was to find public managers who had played key roles in the cases, and hold semi-structured interviews with them. These interviews concentrated on the chronology of the case. Semi-structured interviews allow respondents to elaborate on themes and issues that they feel were important to their experience.[526] All respondents, after the conceptual framework and its terminology were explained, within 10 minutes 'embarked' on this terminology. It was close to what they were thinking, although they had never framed their work in these terms. The respondents who were the most 'resistant' to the governance-style terminology were those who were 'natural metagovernors': they did not see the problem. Carefully designing and managing mixtures of hierarchical, network and market governance was what they did all the time.

First, the Dutch soil protection case was investigate (June 2006). Following on this, the German soil protection case (October 2006), and the UK case (March 2007), which was in fact a case of strategic policy making for England.[527] The last case in this series was the case of soil policy making by the European Commission (June 2007).

Finally, the Dutch community policing case was investigated (June 2007).[528]

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[526] Goulding (1999: 10): Grounded theory: some reflections on paradigm, procedures and misconceptions.

[527] The UK Environment Ministry is the English Environment Ministry at the same time.

[528] Meuleman (2008): Reflections on metagovernance and community policing: The Utrecht case in the Netherlands and questions about the cultural transferability of governancer approaches and metagovernance.

Fifth round: Analysis of the case study material and generating propositions for a grounded theory

The last round focused on the comparative analysis of the case study material. Although already a fair bit of writing was done, and every case study ended with a preliminary analysis of the insight it gave to answering the research questions, this was the time to 'connect it all'. Bits of 'grounded' theoretical concepts had already emerged: several observations were made in all cases, but in this last round many new iterations had to be made between the case study material, the research questions, the research framework, and the literature analysis. The process of 'theoretical saturation' described by Glaser and Strauss:[529] accounted for the observation that every new case brought fewer new insights. Examples from praxis were added, following the argument of Mintzberg, that "while systematic data create the foundation of our theories, it is the anecdotal data that enable us to do the building".[530]

[529] Glaser and Strauss (1967): The discovery of grounded theory.

[530] Mintzberg (1979: 587): An emerging strategy of "direct" research.

4 Strategic policy making: Four soil protection cases

4.1 Soil protection: A late-comer in environmental policy

This chapter analyses four cases of soil protection policy making that took place around the new millennium.

Soil protection policy is usually split into two areas: prevention of new pollution and remediation of existing contamination. Germany and the UK, two of the cases that have be investigated, belong to the top 5 EU countries in terms of the quantity of contaminated soils.[531] Several structural characteristics set soil protection policy apart from air and water protection policy:[532] Firstly, soil pollution is often not visible and the polluter structure is very complex. Furthermore, there are only a small number of acutely affected parties, there are inadequate and highly fragmented governmental competencies, and there is a strong interdependence between politically and economically significant polluters. The last characteristic is the general absence of technical standard solutions.

Soil policy arrived relatively late on the political agenda.[533] Although the protection of the many functions of the soil has been a topic of environmental policy since the 1970s, until the 1990s it did not have the political attention air and water pollution policy received. In the Netherlands, policies focusing on the remediation of *contaminated soils* were initiated in 1980, in Germany in 1981 and in the UK in 1990[534]. In the EU[535] it took

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[531] Christie and Teeuw (2000: 25): Policy and administration of contaminated land within the EU.

[532] Kern et al. (2002): The diffusion of environmental policy innovation.

[533] Weale, Albert (1992): The new politics of pollution.

[534] Christie and Teeuw (2000: 25): Policy and administration of contaminated land within the EU.

[535] European Parliament and Council (2002): Sixth Community Environment Action Programme. In the 6th EAP, a thematic strategy on soil protection is announced.

more than 10 years longer to initiate such a policy. Soil pollution *prevention* measures were issued even later (the Netherlands 1987, Germany 1999, the UK/England 2004 and the EU 2006).

One of the reasons for the delay was the so-called 'law of preservation of misery': in the early years of environmental policy, environmental issues were treated as separate items, and problems were solved by shifting pollutants from air and water to soils[536]. Soils were, like the seas, the 'sinks' of environmental pollution. The difficulty getting soil protection on the political agenda is one of reasons why soil pollution is a so-called 'persistent' environmental problem. Soil protection is not a very 'sexy' political issue. One interviewee called the responsible ministerial unit a typical 'graveyard unit': not the most promising place in the administration for a civil servant's career, compared to for example climate change policy since the early 2000s. The organisation of the politico-administrative system in EU countries also influences the level of priority that soil protection receives. France and the UK are centralised states, where local concerns such as contaminated land are less likely to reach the national policy agenda.[537]

In Western Europe the governance of soil pollution problems started, like in most environmental sectors, with legal measures and a 'command and control' pattern of governing (as Jörgensen[538] observes in the case of Germany and Zito[539] for the Netherlands). These measures were a reaction to the discovery of a series of heavily contaminated sites, sometimes under newly built houses. During the 1980s, a shift took place in the Dutch environmental policy. Following the New Public Management 'doctrine', the use of market dynamics was considered to be necessary in order to involve market parties in environmental policy. Environmental policies focused on 'target groups' such as consumers, industry and farmers. Another new development, also starting in the 1980s[540], involved the use of so-called (environmental) covenants – voluntary agreements that fitted well in the un-

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536 Schoof and Meuleman (1983): Experiences with comprehensive regional environmental planning in the Netherlands.

537 Christie and Teeuw (1998: 9): Contaminated land policy within the European Union.

538 Jörgensen (2002): Ökologisch nachhaltige Entwicklung im föderativen Staat. Das Beispiel der deutschen Bundesländer.

539 Zito (2001): Patters of innovation in 'new' environmental policy instruments: The case of the Netherlands.

540 Zito (2001: 12-14): Patters of innovation in 'new' environmental policy instruments: The case of the Netherlands.

derlying Dutch culture of consensus-building. These agreements are, however, in the first place a product of market thinking: self-commitment of industries, laid down in a negotiated agreement or contract between government and industry.[541]

The early 2000s display a mixture of hierarchical, market- and network style policy instruments, tailor-made to a particular context.[542] Style-mixtures not only exist in policy instruments, but also in the wider governance context. Connecting the hierarchical style of governance with network- and market governance is considered to be one of the most important questions in Dutch environmental policy during the 2000s.[543] This challenge is reflected in the first case that is presented: the preparation of a revised, comprehensive soil protection policy published by the Dutch Environment Ministry in December 2003.[544]

4.2 Soil protection policy in the Netherlands

The Netherlands was the first European Union country to issue a Soil Protection Act.[545] An important reason for this forerunner role had been the *Lekkerkerk* scandal in 1980. The discovery of severely polluted soils under many houses in a newly built suburb created huge media attention[546]. In the same year, an Interim Soil Remediation Act[547] was issued.

Around 1995 this policy sector was considered to be in the last phase of the ‘policy life-cycle’, the ‘management phase’. The Ministry of Housing, Spatial Planning and the Environment (VROM) concentrates on streamlining of procedures, and monitoring of soil conditions. Although many problems have not yet been solved, most are being tackled. Developments since the mid 1990s include the integration of budgets for the remediation of old contamination cases with budgets for urban renewal. The fourth National Environmental Policy Plan (NEPP-4) does not include soil protection as

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541 Knill and Lenschow (2003): Modes of regulation in the governance of the EU.

542 Zito (2001: 25): Patters of innovation in 'new' environmental policy instruments: The case of the Netherlands.

543 Driessen (2005: 20): Sturen op kwaliteit. Over veranderende ambities en strategieën in het omgevingsbeleid.

544 Ministry of VROM (2003): Beleidsbrief Bodem, 24-12-2003.

545 Heuser (2005: 363): Europäisches Bodenschutzrecht.

546 Souren (2006: 15): Standards, soil, science and policy.

547 Interimwet Bodemsanering.

one of the seven persistent problems that it lists one of a list of seven persistent problems. [548] Also, NEPP-4 does not provide any progress information on soil policy. Gradually, an integration and coordination deficit developed.

This case study describes and analyses the governance dimensions of the preparation process of the 2003 Soil Policy Letter. Interviews were held in June and July 2006 with nine key (managing) officers from VROM who had been involved in the process.

4.2.1 Institutional and cultural context

Understanding governance requires knowledge of a nations' institutional context, as it has developed in history.[549] The Dutch state organisation is based on a consensus model of democracy. Lijphart[550] distinguishes this from the Anglo-Saxon Westminster or majoritorian model, in which power is concentrated in the hands of the majority. In a consensus democracy, power is shared in broad coalition cabinets, and a majority will always try not to exclude minorities. The Netherlands has a strong underlying corporatist-consensual model of deliberation with interest groups and pragmatic compromise.[551] This is reflected in the existence of many advisory councils, characteristic of a 'negotiation democracy'.[552] Thorbecke, who wrote the Dutch constitution of 1848, aimed at developing a complex institutional system for consensus building.[553] The state delegates authority in order to ensure social peace and order.[554] Although hierarchical governance and market governance have had a strong influence on governance mixtures used by Dutch administration, historical analysis shows a remarkable continuity of network governance, i.e. a consensus approach, flanked by

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548 Ministry of VROM (2001): National Environment Policy Plan 4.

549 Kickert (2002: 1473): Public governance in small continental European States.

550 Lijphart (1999: 31): Patterns of democracy.

551 Kickert (2003: 127): Beneath consensual corporatism: Traditions of governance in the Netherlands.

552 Kleinfeldt (1993): Verbände und Verbandssysteme in Westeuropa: Niederlande.

553 Toonen (1996: 618): On the administrative condition of politics: Administrative reform in the Netherlands.

554 Kickert (2002: 1477): Public governance in small continental European States.

two other characteristics: pragmatism and tolerance.[555] This is also illustrated by Hofstede's general profile of the Dutch culture: A high level of individuality (fourth rank, after the USA, the UK and Australia), a moderate uncertainty avoidance level and a very low level of differentiation between genders ('masculinity') compared to Germany and the UK for example. Hofstede places the Netherlands in a group with the Scandinavian countries[556], which are also known to have a non-hierarchical governance structure.

The Minister VROM is responsible for policies on both soil protection and remediation, for setting standards and producing criteria for decision-making.[557] The twelve provinces and four largest cities supervise remediation and implement several parts of the Soil Protection Act.[558] VROM is one of the thirteen Ministries. The Environmental Directorate-General (DG Environment) in the Ministry was created relatively late, which accounts for an underlying 'street-fighting culture' and technocratic attitude (with an affinity with hierarchical governance). It has a centralised culture with a focus on rule making.[559] At the same time, environmental policy has also been relying on good relations with a range of societal actors, from business and NGOs. Network governance was needed to create coalitions with non-governmental partners, especially during the period when DG Environment still occupied a low place in the pecking order of the national administration. Elements of market governance were already applied in the 1980s.[560] In the 1990s, 'self regulation within frames' was introduced. This approach combined hierarchical goal setting, with by network governance (co-production of government with other parties) or market governance (voluntary agreements).

Around 1995, the Ministry became aware of a need to modernise its steering philosophy. For example, VROM was advised to understand steering styles in relation to other organisational dimensions, to invest more in

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555 Kickert (2004: 94-95): History of governance in the Netherlands.

556 Data from http://www.geert-hofstede.com/hofstede_netherlands.shtml, retrieved on 5 August 2007.

557 From 2002-2007, inside VROM, environmental policy was represented by a junior minister *(staatssecretaris)*, who could use the title of minister outside the Netherlands.

558 Christie and Teeuw (2000: 28): Policy and administration of contaminated land within the EU.

559 Vrakking et al. (1998: 19): Evaluatie project Milieu & Ruimte.

560 E.g. deregulation of environmental legislation and stimulating self-regulation: VROM/EZ (1983): Actieprogramma DROM.

interactive policy-making,[561] and to mix hierarchical, network, and market steering depending on the situation. [562]

Involved actors

Inside DG Environment, two units inside the Soil Directorate (the Soil Protection Unit and the Area Policies Unit) and one unit in the Local Environmental Quality Directorate (the Soil Remediation Unit) were involved, as well as the respective directors. Other actors included representatives of provinces, local authorities, water boards, the Ministries of Agriculture and Nature, and of Transport and Water. NGOs and private sector organisations are involved from a distance.

4.2.2 Chronology of the case

Soil protection policy in the Netherlands has a long history. Chronologically, it is worthwhile mentioning the following steps. In 1962, a scientific committee was established to advise government on legal measures for groundwater and soil protection.[563] Nine years later a draft of a *Preliminary Soil Pollution* Act[564] was submitted, but due to problems that have shown to be typical for soil protection policy (such as the fact that soils are privately owned), this Act is not finalised. A new draft of a Soil Pollution Act was presented in 1980, but because this did not sufficiently deal with the urgent issue of contaminated soils, an *Interim Act Soil Remediation* was issued first. Sixteen years after the first draft a *Soil Protection* Act[565] came into force. This was a framework act with a general outline of how soils would be protected. Procedural and substantial requirements (such as standards) were presented in the form of governmental decrees (AMvBs)[566]. The Act contained a strong prevention policy, which was based on the so-called 'multifunctionality principle'[567]. The Interim Act Soil Remediation

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561 In 't Veld et al (1996): Rapportage onderzoek Besturingsconcepten VROM. (This advice was implemented with the Pegasus Programme, see Ch. 3.2.6).

562 VROM-Raad (1998: 21-25): De sturing van een duurzame samenleving.

563 Judd and Nathanail (1999): Protecting Europe's groundwater: legislative approaches and policy initiatives.

564 Voorontwerp van een Wet inzake de bodemverontreiniging.

565 Wet Bodembescherming.

566 AMvB: Algemene Maatregel van Bestuur.

567 *Multifunctional remediation* means that the soil, after cleaning, should be

was incorporated into the Soil Protection Act in 1994.

In the 1990s, provinces and local authorities grew worried about the impact of stringent soil policy on urban renewal that caused stagnation. Market parties, especially urban developers, started developing political pressure, because they were responsible for funding a large part of the costs required for the remediation of contaminated soils in urban areas. As a consequence, the Minister of VROM initiated the *Policy renewal soil remediation* project (named by its Dutch acronym BEVER) (1995-2000). This resulted in a change of policy for contaminated soils, from the ambitious but not practicable *multifunctionality* principle to *functional remediation*[568]. However, decentred governments proposed to develop an even more flexible system, regarding the whole soil policy field. The new flexible approach of dealing with contaminated soils collided with the still centralised and highly complex soil protection policy.

As an off-spring of the BEVER project, the standing intergovernmental committee of sub-national and national governments, 'DUIV'[569], in 2000 started a project aiming to change soil protection policy from a 'hindrance force' towards a 'development force'. The project aimed at making soil protection more flexible, at deregulation and decentralisation, and a move from vertical towards horizontal accountability. The project reached a dead end in April 2003, before a common conclusion had been reached. According to the decentred authorities, the Environment Ministry blocked a change in the governance mixture. They found that the Environment directorate-general of the Ministry first had to 'get its story together' – and find a way to unite the three distinct 'sub-cultures' that existed in different Soil policy units in DG Environment. Now the initiative lied with VROM. A new junior Minister (*Staatssecretaris)* (since 2002), Van Geel, from a party with at that time rather market-liberal ideas, and a change of management in the Soil Directorate had then already paved the way for a new

usable for any function, such as farming or housing. It was the environmentalist's "ultimate party" as one regional policy-maker said.

568 *Functional remediation* means that contaminated soil is cleaned up to the level the projected new function requires. This is 35-50% cheaper than multifunctional remediation, which is not an official requirement anymore since the 2002 Cabinet statement on the conclusions of the BEVER project. (information retrieved from http://www.vrom.nl/pagina.html?id=9735 on 5 August 2007).

569 DUIV: DGM, UVW, IPO, VNG: the acronyms of DG Environment, and of the unions of the water boards, the provinces and the local authorities.

attempt. In July 2003 a new project started, that aimed to produce a new, comprehensive, national soil protection policy, reflecting

- A shift of focus from government to society ('make the users of soil central');
- The introduction of a systems approach (a broader view on soil protection across sectors);
- Better influencing and attuning to the upcoming EU soil policy – the announced Thematic Strategy on Soil Protection.

The 2000 project failed to combine a network approach with a tight time schedule. Despite this, another attempt was made. However, this time the time schedule was prioritised. The terms of reference for the project includes a maximum number of pages in which the policy letter had to be written, and a fixed timeframe of six months (beginning in the summer holidays of 2003; net three months). Another requirement was that the other involved Ministries, the provinces and local authorities would have endorsed the text by the end of December 2003. A project manager was commissioned who reported directly to the coordinating director.

In December 2003, the Staatssecretaris of VROM sent the result of the project, a 'Policy Letter'[570], to Parliament.[571] A parliamentary commission formulated 50 questions[572] in preparation for a committee meeting with the Minister of VROM in June 2004. One of the questions asked for an ex-ante evaluation of the Policy Letter.[573] On the request of the Staatssecretaris, the Dutch Environment Agency presented such an evaluation prior to the June meeting.[574] The Parliamentary Committee endorsed the Policy Letter in June 2004.

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570 A 'policy letter' is a document announcing (legal and other) measures, that is only politically binding for a Minister. In this case, commitment of decentred governments was also strived for.

571 VROM (2003): 'Beleidsbrief Bodem'. The Hague, 24-12-2003.

572 Tweede Kamer, Commission VROM. Letter to Minister of VROM of 5-2-2004.

573 The idea came from the environment NGO *Natuur en Milieu* (Letter to Parliament, 16-1-2004).

574 Tiktak et al. (2004): Ex-ante evaluatie van de Beleidsbrief Bodem.

4.2.3 Hierarchical, network and market governance

After the network approach of the 2000 project had failed, pressure rose to stop the 'endless' internal discussions and reach a common standpoint within the Ministry as soon as possible. This led to the *hierarchical* internal decision-making style and the command and control leadership style that the coordinating director applied to the 2003 project. A fixed period was set that did not leave time for stakeholder participation. During the six months long preparation period of the Soil Policy Letter, VROM kept a "radio silence": Until the very end no external communication activities were executed, not even the issuing of newsletters. The motto was: 'all hands on deck, we will deal with comments later'. In a way, VROM used the distrust that had developed after the failure of the pre-project, to create an internal policy break-through.

> "It was difficult to find a balance: on the one hand, VROM had to take the lead, and on the other hand, everybody had to be involved. At the same time, the net production time for the Soil Policy Letter was only three months. In addition, we also had to do some 'damage control': the relations with the decentred governments had been disturbed." [575]

This hierarchical approach was feasible because the decentred government partners of the 2000 project all blamed the Ministry for the failure and wanted that VROM solved the problems internally first Decentred governments, businesses and NGOs only received a draft text for comments towards the very end, leaving only a few weeks in which to react.

The internal hierarchical steering of the Soil project left some 'bruises and scars' inside DG Environment. An internal evaluation meeting, set up to 'heal the wounds', resulted in the following 'lessons learned':

- Better formulation of the project goal and good management of expectations;
- Clear, unambiguous commissioning of project responsibilities;
- Awareness of the tension between the inflexibility of a project approach and the flexibility needed for process management.

After the parliamentary endorsement of the Policy Letter in 2004, an implementation programme started with a programme manager who, like the project manager of the 2003 project, reports directly to the coordinating director. The programme manager coordinated 12 projects in which

[575] Interview 8, held on 8 July 2006 (translated from Dutch by the author).

decentred governments and the Ministries of Agriculture & Nature, and Transport & Water participated.

Although *network governance* was the normal style that determined the relations between the Ministry and external actors, this was (temporarily) almost absent in the preparation of the Soil Policy Letter, because of the lack of trust following the failure of the 2000 project. However, inside the Ministry, elements of network governance did play a role. Networking was the preferred governance style of one of the three Soil policy units – the Area Policies Unit that aimed towards more sustainable use and management of soils. This unit relied on good contacts with the farmers' organisation and other societal actors.

Apart from the aforementioned autonomy thinking of policy-makers, *market governance* elements are found in the 'no-nonsense', 'hands-on' culture of the Soil Remediation Unit. Market thinking also dominates the policy vision of the Minister and the top management: they prefer market measures first, then network, followed by hierarchical as a last resort. This is also reflected in the measures announced in the Soil Policy letter, of which more than 60% have a market governance similarity (see Figure 13). More complicated was the situation in the Soil Protection Unit. They acted as professsionals who typically consider hierarchy being forced upon them as unacceptable, because it conflicts with their 'professional autonomy'. The latter is an expression of market thinking. At the same time, they strongly preferred the production of policy measures that impose hierarchy on others – in this case societal actors and decentred governments.

Interplay of hierarchical, network and market governance

The next question is, whether conflicts between governance styles occurred. The nine key senior VROM officers that were interviewed mentioned 14 conflicts that emerged during the preparation of the Soil Policy Letter. Four involved all three governance styles, four can be described as clashes between hierarchical and network governance, five as clashes between hierarchical and market governance, and one example referred to tensions between network and market governance. A range of organisational dimensions was involved, which can be grouped into five clusters (see 3.2.2): vision and strategy, orientation, structure, people and results.

Vision and strategy

Two types of tensions on the dimension of *vision and strategy* may be identified. The first stems from the incompatibility of hierarchical and network governance. Concerning the multi-level 2000 project of VROM

and decentralised authorities: though the process was organised as a network co-operation, there was also an underlying hierarchical vision. The original objective was to 'cut some remaining ties' that had not yet been cut during the previous 'BEVER' project. This created a tension between speed (hierarchy) versus a slower multi-actor approach (network). In terms of the policy content, the 2000 project aimed to initiate a shift from hierarchical governance towards a more market style approach, combined with network elements.

Also inside VROM, tensions emerged. Although the policy measures in the Soil Policy Letter are 80% market-style, within the Environment directorate-general of VROM the main governance styles since the mid-1980s were hierarchy and network. Hierarchy was the primary governance style used internally by the top-management team.

The director-general was said to apply hierarchy internally and a network attitude externally. This was a situation that policy-makers and middle managers with a hierarchical preference would have preferred the other way around: network internally, hierarchy externally. For the policy content, hierarchy was the preferred style of soil professionals who considered themselves the 'best experts'. Some top and middle managers, and policy-makers who consider co-operation with societal actors as a success factor, preferred network governance. The main conflicts emerged between two camps: the 'precise' and the 'pliable' (in Dutch: the *'preciesen'* and the *'rekkelijken)'*[576]. The former advocated hierarchical governance: legal norms, permits and regulations. The latter were convinced that soil protection policy should in the first place be a negotiation process of societal interests; they had a strong preference for network and/or market governance. Network and market governance both consider it important to cooperate with other actors - although in different ways – one aspect that distinguishes these styles from hierarchical governance.

Keeping a productive balance between governance styles has been difficult over the years. Network-projects such as the 'BEVER' project were criticised because of their slowness and low cost-effectiveness. Hierarchy was criticised because it produced too detailed and sometimes contradictory regulation that was impossible to implement. One interviewee reflected:

> "Although DG Environment has a modern image, hierarchy plays a role here. You might say that there is an invisible 'H-limit' to everything here. The problem is that you only get to know this hierarchical side when you

[576] In German there are similar expressions: *'Fundi's'* and *'Realo's'*.

get into conflict. On the other hand, what happened with the BEVER project, makes sense. Every advantage of a network approach has a disadvantage, which provokes a hierarchical reaction."[577]

A final example of the incompatibility of hierarchical and network governance is found in the terms of reference of the project. They reflected an internal tension: the tight period did not leave time for negotiation, whereas at the same time the endorsement of decentred authorities – who had blamed VROM for the failure of the 2000 project - and two Ministries was needed before the Letter could be sent to Parliament. As this endorsement could not be forced, some kind of mutual trust had to be restored. The project manager tried to build new trust through informal meetings.

The second type of conflict emerged from the simultaneous use of hierarchical and market governance. The failure of the 2000 project seems partly due to the fact that decentred governments (in general and also in this case) have difficulties developing a common standpoint. This view was also held by a 'monster coalition' of business organisations and the national environment NGO SNM. Both preferred doing business with national government, because they did not trust decentred governments, though for different reasons. The environmentalists were afraid they would weaken environmental regulations, while business representatives thought they would make regulations that were too strong and destroy the level playing field they found important. The latter led to an interesting paradox: the business-oriented neo-liberal government that entered in 2002 promoted deregulation and devolution (market governance), while business actors preferred a more centralised approach (hierarchy). Business organisations were ambivalent: on the one hand, they preferred market freedom, but on the other hand they pushed for a level playing field (which means central regulations) and complained about the low level of competencies of local authorities. Another cause mentioned for the failure of the 2000 project is that it had had, as an offspring of the 'BEVER' project, an overpowering network-orientation. VROM managers considered it a problem that hierarchical steering became difficult when their own policy-makers had identified themselves with the project and became separated from their formal line organisation.

Orientation

On the dimension of *orientation*, several examples of problematic interplay between the three governance styles were reported, Firstly, the 2000

[577] Interview 4, held on 8 June 2006 (translated from Dutch by the author).

project was an expression of an open, external orientation of VROM. The 2003 project was quite the opposite. Inside VROM, only the environment director-general, two directors, four unit heads and a number of policy makers were involved in the preparation of the Soil Policy Letter. The director of Soil Policy took a coordination responsibility. The (spatial) planning Directorate-General which is, unlike in Germany and in the UK, part the same Ministry as the DG Environment, was involved but not as a key player. From other ministries, only two directors participated (one from Agriculture and Nature, the other from Transport and Water). The involvement of Parliament was confined to the last phase: a discussion with the Parliamentary Environment Committee. The range of governmental actors was limited, primarily because the project was a revision of existing policies into the direction of the general market-liberal political mood of the time. Secondly, a 'policy letter' is a type of policy document, which has no direct legal consequences. There was some involvement from the provinces and local authorities, through the aforementioned DUIV Committee. Due to the 'closed shop' approach of the project, no non-governmental actors were involved actively. The environment NGO SNM was invited to comment on the final draft of the Letter.

The second example of contrasting orientations is that inside VROM, distinct 'sub-cultures' had emerged in the units responsible for different aspects of soil protection policy:

- The Soil Protection Unit reflected a *hierarchical* culture. With its expertise and scientific knowledge, it considered itself as the guardian of basic policy principles such as the precautionary and the multi-functionality principles, and they favoured legislation. In contrast, the unit head had a network style of leadership.
- The Area Policies Unit had developed a mixed hierarchical-network culture, in which *network* governance was most prominent. Stakeholder organisations representing farmers and nature conservationists, as well as regional water boards, provinces and local authorities, were their main 'partners'. This unit had been established from three former units during a reorganisation in 2000, and by 2003 had not yet found a common vision. Producing a Soil Policy Letter with a broad scope was expected to help establish such a vision. This unit and the Area Policies Unit showed a strong loyalty to protecting the environment. The unit head's attitude was in line with the dual culture of the unit.
- The Soil Remediation Unit had developed a no-nonsense culture, with a mixed *hierarchical* and *market style* attitude. Its 'clients' were mainly local authorities, who had to apply for subsidies for cleaning

operations. This unit was not placed in the Soil directorate but in the Local Environmental Policy directorate, which accounts for their pragmatic mentality, and their understanding of problems local authorities faced because of the complicated soil protection regulations. The unit had a pragmatic and a commanding attitude, which can be a source of tensions when pragmatism is the main measure used to assess action.

Structure

The hierarchical strategy approach of the 2003 project was reflected in the project *structure*. *Project* management was considered the most efficient way to reach the objective, not *process* management. This is a reflection of market ideology[578] mixed with hierarchy. Interestingly, the hierarchical approach did not lead to using the line organisation (which, in an ideal-typical hierarchical vision, would have been considered sufficient because it functioned like a 'machine'), but to establish a project organisation. A project manager was appointed who had to report directly to one of the directors. This caused a decrease in the influence of the three unit heads, who had been involved in long discussions without being able to find a common approach. Despite their lead in the pre-projects, decentred governments were not invited to participate in the project organisation. This was more or less acceptable for the provinces and communities, because they had handed over the initiative to the Ministry, which in their eyes was responsible for the failure of the pre-project. The two directors formed a steering group in which the Ministry of Agriculture and Nature and the Ministry of Water Management participated.

The project manager, who had the task of getting the decentred authorities to agree on the final version of the Soil Policy Letter, had to also cope with a lack of resources. There was, for example, not enough time to work according to the network approach he considered necessary in order to produce the required multi-level consensus.

A general organisational 'weaving mistake' as one unit head called it, created problems from the moment the implementation of the Policy Letter started. Policy units have many responsibilities for the Ministry's primary process, but only little authority when it comes to financial and account-

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578 New Public Management in the Dutch Administration gave way to a movement toward 'result-oriented management', aiming at efficiency and showing a preference for a 'lean and mean' project organisation instead of the slow line organisation.

ability matters. Financial units are in the opposite situation: much authority, but little responsibility. They tend to operate with market-governance efficiency objectives, and implement these through inflexible hierarchical control and reporting measures. This conflicts with the flexibility, which the policy units require because they have to work with many external parties that they don't have dangling on a string.[579] The 'weaving mistake' of disconnecting responsibility and authority in a context in which different governance styles are applied on both sides, could be the reason for the endurance of these tensions.

People

On the *people* dimension, the following observations can be made. Whereas the higher ranks of the Ministry considered the personal governance style of the *Staatssecretaris* relatively influential, lower ranked managers and especially policy-makers assessed this influence as low:

> "Environment Minister Pronk once said in a radio interview that he didn't need his civil servants. Some time later, I told him that he only gets to see 1% of my work, and that I decide 99% of the rest myself. Ministers or a *'Staatssecretaris'* are mainly notice boards for the Ministry. They primarily have to ensure that you have money and other resources."[580]

They therefore estimated that the switch in 2002 from the rather hierarchical social-democrat Minister Pronk to the more neo-liberal Christian-democrat *Staatssecretaris* Van Geel had not really influenced the Soil policy renewal agenda. This different appreciation of the 'usefulness' of a Minister or *Staatssecretaris* is a possible source of conflict.[581] However, the higher-ranking managers, who frequently meet the political top, have a

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579 The high conflict potential in the relation between internal units such as financial and legal units, and policy units, has been mentioned as an important cause of policy-making failures. See Meuleman (2003: 89): The Pegasus Principle.

580 Interview 3, held on 7 June 2006 (translated from Dutch by the author).

581 This conflict potential may be relatively high in systems such as the Dutch administration, in which Ministers have no ministerial cabinet office to help them put their mark on policies. On the other hand, it could also be an argument against the establishment of ministerial cabinet offices which exist in Denmark and Belgium for example. There, the distance between politicians and bureaucrats is even bigger, even to the point where the Cabinet is considered to be the 'real' Ministry and the Ministry is called 'administration', i.e. turns into a kind of agency.

different opinion. Their experience is that Ministers are usually not directly involved in specific issues that policy-makers are working on, but focus, like the top managers, on crosscutting, strategic issues. One might say that a 'reversed reverence' principle applies to the influence of the Minister.

The leadership style that was usually applied in DG Environment, namely coaching and supporting of professional policy-makers (network governance), switched to a more hierarchical (command and control) style when the 2003 project started. This was considered to be necessary because some of the policy-makers resisted the change of policy philosophy from the rules-oriented hierarchical style to a decentred market-type of governance. Unit heads were offered a coach to help them change the culture in their units where necessary. This management development objective was in line with the hierarchical viewpoint that training is an alternative form of control over subordinates.[582] In the implementation phase of the new soil policy, after Parliament had endorsed the policy letter, a market-type style of leadership focusing on delegation and empowerment developed.

It can be concluded that professionals in at least one policy unit applied a situational mixture of governance styles: they showed a network preference for their internal coordination, a market attitude as far as their professional judgement was involved, and a hierarchical preference when it came to developing types of policy measures.

The last type of governance style tension involved firmness (hierarchy) versus flexibility (market). Some of the involved policy-makers had a long-time experience in the soil policy field and were used to making decisions based on their expertise. They were reluctant to adapt to new circumstances. Their willingness to change increased when a general budget cut within the Ministry threatened their units: it became clear to them that a policy field that operated in the shadow of the political agenda, was more in danger than one which moved along with that agenda. A director 'played this card' when he started to write daily progress letters that were also sent to the director-general. Even the most reluctant policy-makers became aware that it was important that these letters should mention progress in their field. This 'invitation' toward a more flexible attitude was also strongly stimulated by the director-general, who believed that if the Ministry did not become more flexible, external parties (industries and NGOs) would work out solutions together without involving the admini-

[582] Simon (1997: 13): Administrative behaviour.

stration, which, from a political point of view, might lead to suboptimal outcomes.

Results

What were the results of the policy process? When we look at the type of policy measures announced in the Policy Letter, it seems that the advocates of market governance were especially successful. Almost two thirds of the 24 measures may be classified as market governance. Table 4 connects these measures with the respective governance styles. Figure 14 presents a graphical overview.

The Soil Policy Letter explained that the old policy was too rigid and hierarchical and that deregulation, decentralisation, and more freedom for citizens and the private sector to take their own responsibility for soil protection should be strived for. These are all market governance ideas. In the discussion with the parliamentary committee, the *Staatssecretaris* states that there is a growing need for instruments that use market mechanisms, "because they are easier for citizens to understand and are more modern".[583] In line with the 'anti-regulation' political mood of the early 2000s, the *Staatssecretaris* of VROM opposes the European Commission's plans to propose a new binding regulation. Another example of this 'marked mood' is that the Ministry of Finance criticized the draft Policy Letter during the preparation period because it was not convinced that no new national 'administrative burdens' will be introduced.[584]

The Soil Policy Letter announced that an in 2004 an inventory would be made of societal opinions on soil protection. This would be one year after the presentation of the new policy. From a network governance viewpoint, it would have been more plausible to do this the other way around first a citizens' opinion scan, then the new policy paper, and *then* improvement of the policy implementation. The fact that a citizens opinions scan was announced to be carried out *after* the issuing of the new policy, illustrates that the preparation of the Policy Letter took place in a more hierarchical internal setting than the policy measures reflect.

The *Staatssecretaris* explained the order of action by stating that he considered citizens' responsibility in the *implementation* phase of the policy more important.[585] The Ministry had given him the alternative of a so-

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583 Tweede Kamer, vergaderjaar 2003-2004, 28199 nr. 7, p. 7. : Verslag van een algemeen overleg op 10 juni 2004.

584 VROM DGM/BWL dossier 1225464.

585 VROM (2004: 2): Letter Minister of VROM to Parliament of 26-3-2004.

called honest answer: "We have not had time yet to ask citizens' opinions"[586], which shows that it had been a matter of priorities. Also an 'explanatory' option was presented: "We have, until now, primarily worked within government, the 'soil world' (i.e. experts) and with the main stakeholders".[587] After the Parliamentary Endorsement of the Policy letter, the announced citizen's project was carried out.

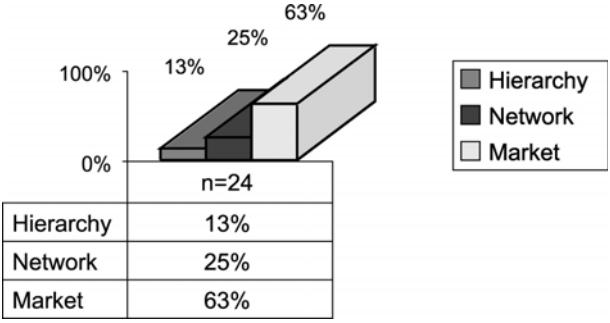

Fig. 14. Governance footprint: Dutch soil measures (2003) per governance style

During the preparation of the Soil Policy Letter strong tensions emerged between those who (successfully) argued that a broad, overarching vision was needed ('all inclusive'), and those who preferred a short, simple policy letter ('No Christmas Tree'). The success of the 'all-inclusive' approach was partly due to the (conscious) strategy of the top management that, whenever a soil policy issue came up in discussions with the *Staatssecretaris* or Parliament, it was promised that the issue would be dealt with in the Soil Policy Letter. This gradually created a strong sense of urgency for the project. The promises that were made came with deadlines, and this in turn made the *Staatssecretaris* more interested in the project.

586 VROM (2004): Internal dossier for the Minister of VROM, in preparation of the Parliament Committee meeting of 10-6-2004.

587 The main environment NGO SNM apparently had not been among the main stakeholders, because in an email on 27-11-2003 to VROM they complain that they are only then able to react to a draft Letter (which on 16-12 was agreed upon in the Cabinet's environmental sub-committee RROM).

Table 4. Dutch soil protection measures announced in 2003, related to hierarchical (H), network (N) and market (M) governance

Measure	Type	Style
1. Indicators for soil functioning	Indicators	M
2. Improve caretaking principle, with stakeholders	Promotion	N
3. Account for soil condition in land use planning	Regulation	H
4. Guidelines for soil assessment	Guideline	M
5. Reviewing societal opinions on soil value	Research	N
6. Use CAP review as incentive for sust. soil use	Incentive	M
7. Consider financial incentives for sust. soil use	Incentive	M
8. Knowledge development with farmers' organisations	Research	N
9. Financial incentives for good soil management	Incentive	M
10. Better integration soil and water policies	Co-operation	N
11. More research on subterranean soil use	Research	M
12. Decentralisation of soil standards; establishing support organisation	Decentralisation	M
13. Tailor-made criteria dealing with contamin.soil	Indicators	M
14. More flexible rules for slush and cont.soil manag.	Deregulation	M
15. Quick scan measures restoring contam.soils	Research	M
16. Simplifying regulation on use of building materials	Deregulation	M
17. Maximum room for self regulation private sector	Deregulation	M
18. Support 'knowledge platforms' of all parties	Incentive	M
19. Annual budget for knowledge and training	Incentive	M
20. More research on soil and soil use	Research	M
21. Integrate soil research infrastr. and programmes	Restructure	H
22. Disclose all information on soil conditions	Informing	N
23. Establish a central registry office for soils	Restructure	N
24. Evaluation of costs contam.soil policy	Budgeting	H

Finally, what was originally framed as a complex policy issue with many disputed items (which was dealt with in a networking way during the 2000 project), had to be reframed after this project came to a halt. The Ministry reconstructed the issue as a clear and urgent problem (less complex because of cutting it into sub-problems), which could then be addressed in a primarily hierarchical way. This illustrates that policy problems are not simple or complex, but they are *constructed*, framed that way. It is also an example of what Sørensen calls metagovernance through framing.[588]

[588] Sørensen (2006: 101-102): Metagovernance: The changing roles of politicians in processes of democratic governance.

4.2.4 Application of metagovernance

Many examples of metagovernance can be observed in the Dutch Soil Policy case. Two forms emerged: metagovernance as designing and as managing a governance context.

Metagovernance as designing governance style mixtures

The idea that government plays a variety of roles in society – a metagovernance way of formulation a vision - is clearly visible in this case. The core objective of the Soil Policy Letter case can be formulated as a metagovernance issue: turning around the preferred order of governance styles from *hierarchical* via *network* to *market governance* toward a reversed order. This was no less than a 'paradigm shift', as one interviewee called it.

The insight that a reverse order of styles was necessary had gradually developed among most of the involved managers within the Ministry, influenced by a changing policy environment. Firstly, the original hierarchical approach of the 1980s and 1990s had led to a complicated, confusing and contradictory set of legal measures and norms. Decentred governments and local business actors increased pressure on the Ministry to loosen the hierarchical ties, and commented that a gap had been developed between central policy preparation and decentred policy implementation. Secondly, experiences with the network approach during the BEVER project (from 1995 to 2000), had created a 'participation-tiredness' within the Ministry: although this project had led to acceptable results in the end, the general feeling was that it had a low cost-effectiveness and had taken too long. Thirdly, the general neo-liberal political mood since the late 1990s in the Dutch government started to influence indirectly the soil policy. Market governance with its focus on decentralisation, deregulation and autonomy became the primary political governance style of the Government (the Balkenende Cabinet that was established in 2002). The new order of preference was transparent (it was an example of what In 't Veld advocates as a "general governance style on the meta-level in the organisation"[589]), but did not bring more flexibility: it was again a rather fixed order of governance styles, which ignored the fact that different problems may require different governance approaches.[590] In other fields of Dutch environmental

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589 In 't Veld (1996: 42): Rapportage onderzoek Besturingsconcepten VROM.

590 E.g. hierarchy for crises and clear government tasks, network for complex, unstructured problems, and market for clear, not complex routine problems.

policy (energy saving and CO_2 reduction policies), the same order of governance styles was observed around 2000 as in the Soil Policy Letter: "competitive governance if allowed, cooperative governance if needed, and authoritative governance if necessary"[591].

The question of whether or not such a dramatic change in the governance mixture would have taken place with non-market-liberal government, cannot be answered from looking at this case study.

Metagovernance as managing governance style mixtures

The two responsible VROM directors decided to switch from the network style of the 2000 project that had failed, to a hierarchical approach. A tight time schedule was decided that resulted in a 'closed shop' approach where there was no time for communication with external parties (except for two other involved Ministries). The 'game' was altered from a slow and costly joint problem solving game in which value creation was the interaction mode, to a unilateral decision type of game, which is faster and has minimal transaction costs.[592] This is an example of metagovernance as the conscious application of one governance style (hierarchy) to produce policy measures that are characterised by another style (market governance). The use of hierarchy to introduce market governance is a common phenomenon.[593]

In the implementation phase of the Soil Policy Letter, a network cooperation was restored with decentred governments and the two other involved Ministries. Davis and Rhodes[594] describe the phenomenon that networks can put the fragmentation caused by market governance back together. This also seems to apply to the restoration of trust after a hierarchical approach has destroyed it.

Metagovernance also occurred in the form of structural measures. By the end of the 1990s, the Soil Remediation Unit, as part of a general re-

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591 Arentsen (2001: 512, Negotiated environmental governance in the Netherlands: Logic and illustration), does not consider this as the result of a 'paradigm shift' but as a typical characteristic of the Dutch corporatist culture; he assumes that the Dutch have always preferred market governance above network and hierarchical governance.

592 See Scharpf (1997: 172): Games real actors play.

593 For a USA example see Hesse et al. (2003: 14): Paradoxes in Public Sector Reform. An International Comparison.

594 Davis and Rhodes (2000: 21): From hierarchy to contracts and back again: Reforming the Australian public service.

organisation, was placed in the Local Pollution Directorate, on another floor in the Ministry, disconnecting it from the other Soil units. This added to a cultural distance. In 2006, the unit was again moved to the same floor that housed the other Soil units, in order to stimulate informal and formal contacts.

To illustrate the relative consciousness of governance style conflicts, this section ends with a quote of the environment director-general. He found the pragmatic use of governance style elements and switching between them when necessary, to be natural:

> "In a complex and constantly changing environment a Ministry has to be flexible, always problem-oriented and impact-sensitive, and ask itself: does our governance approach deliver the expected results?"[595]

4.2.5 Discussion and conclusions

The use of the concept of governance styles, and a focus on three distinct styles hierarchy, network and market governance, has shown to be helpful in understanding the Dutch soil policy case. The interviewees considered it a neutral (not normative) 'language' for discussing what had happened. Although some interviewees had a clear preference for one governance style, they all understood that different approaches and preferences were possible and could make sense in certain circumstances. They were able to name typical examples of hierarchical, network and market thinking inside VROM. The question however remains, to what extent this 'governance style language' is also applicable with respondents who are strong believers in one of the ideal-typical styles. Governance styles are often deeply rooted in an administrative culture. In the Dutch Soil case terms like 'religious conflicts' and 'believers' were used to describe perceived convictions of actors involved in the project.

The Dutch Soil Policy Letter case shows us that hierarchical, network and market governance elements did occur simultaneously. A number of tensions and conflicts occurred between these governance style elements. In the 2000 project, the 2003 project and in its implementation, different governance styles dominated (Figure 15).

We have seen that metagovernance was used when the switch from the general political vision to an opposite order of preference had to be implemented in VROM. In addition, metagovernance was applied to solve conflicts, by switching to another leadership style or to another type of or-

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[595] Interview 9, held on 28 June 2006 (translated from Dutch by the author).

ganisation structure when this was judged to be necessary. Finally, metagovernance was used to create a synergy of governance styles, by applying one style (hierarchy) to make it possible to produce policy measures with a strong market governance touch.

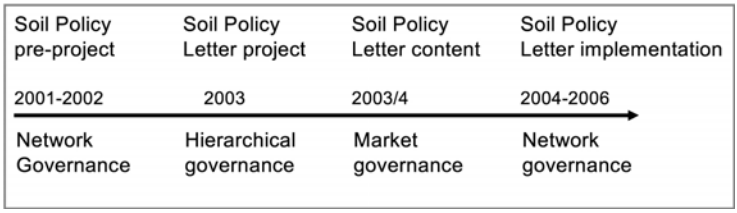

Fig. 15. Temporal shift in dominance of governance styles in the Dutch soil protection policy

The question regarding the influence of different administrative cultures, may only be answered in connection with other cases. The Dutch soil protection case took place in an institutional and cultural setting in which reaching a consensus is usually the main governance approach. In the next case, we will investigate another soil protection policy case, in a relatively less network oriented and more hierarchical administrative culture: Germany.

4.3 Soil protection in Germany

In Germany, like elsewhere, soil protection policy was a latecomer within environmental policies. Similar reasons as in other countries were given for this situation in Germany. Although the German Constitution[596] states that ownership of property comes with responsibilities, it has been difficult for decades to impose measures on land owners. However, in 1999 Germany was the third European country to have a Soil Protection Act in force, after the Netherlands in 1987 and Italy in 1989[597]. This Act combines general soil protection themes with regulations for contaminated soil remediation, and is partly a compromise between the integration of soil protection in other environment fields, and concentrating soil aspects in a

[596] Article 14.2 German Constitution: Ownership of property obliges. Source: http://www.gesetze-im-internet.de/gg/index.html.

[597] Heuser (2005: 377, 387): Europäisches Bodenschutzrecht.

separate Act.[598] The limited scope of the German Soil Act (the integration aspect is weak and there is no direct relation to the planning system) should be seen in the context of the German Federal system, which places the Länder in full competence of implementing soil in public permission regulation for zoning and construction.

This case study investigates the last phase of the preparation, and first phase of the implementation of the federal Soil Protection Act of 1999, in the period between 1996 and 2001. Interviews were held in November 2006 with six key (managing) officers in the Federal Environment Ministry and the Federal Environment Agency. In addition, three background interviews were held.

4.3.1 Institutional and cultural context

Germany is a country with a deeply rooted hierarchical culture that goes back to the Prussian state. In Prussia a government developed by coercion and subjection[599], and the centralised Prussian administration, which dates from around 1650, became the role model for the German State which was formed in 1871, and still in essence characterises the current German administration.[600] Germany became a parliamentary democracy in 1919.[601] The German public administration is therefore considerably older than German democracy.

The classical German state tradition considers the state as a purely legal entity, with little room for political action. This is sometimes illustrated with the fact that the German language does not have a word for the term 'policy'.[602] The hierarchical and legalistic orientation is, since the new post-war republic was constituted in 1945, softened by a new positive bias toward decentralised political power (see below).

The *Rechtsstaat* tradition still influences today's German administration. People with a legal training hold a large majority of the key positions in German ministries, as compared to economists or other social scientists, or natural scientists.[603] The logic of this is that, "since the state is a legal

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598 Heuser (2005:387): Europäisches Bodenschutzrecht.

599 Raadschelders and Rutgers (1996: 76): The evolution of civil service systems.

600 Mayntz (1997: 23-25): Soziologie der öffentlichen Verwaltung.

601 Wollmann (2000: 2): Comparing institutional development in Britain and Germany.

602 Jann (2003: 98): State, administration and governance in Germany.

603 Raadschelders and Rutgers (1996: 88): The evolution of civil service systems.

personality, all actions are legal acts, and civil servants therefore require legal training".[604] In the German Ministry of the Environment (BMU), the number of non-legal environmental experts is relatively high, compared to other ministries, the reason for this being that the Ministry was only established in 1986 and builds on the expertise of the Federal Agency (established 1974).

To call the style of the German public sector a pure form of hierarchy is, however, not correct. Other, weaker, traditions have influenced the hierarchical *Rechtsstaat* tradition. Jann names the democratic movement that opened the doors for pluralism and democratic processes, the liberal tradition that opposed to the state interfering into non-public spheres, and the Marxist and socialist tradition that at its core believes in a hierarchical chain of command.[605] Another sign that Germany is not a pure hierarchy is that the country's federal system does not have, unlike the USA, a tiered administrative hierarchy with uninterrupted vertical steering possibilities from federal to community levels.[606] The German constitution gives the 16 *Länder* (States) substantial influence on the development of federal legislation and assigns substantial legal competence to them, for example concerning education, culture and environment. Also local authorities have a high degree of autonomy: Article 28 of the Federal Constitution grants them the right of self-government in certain areas, and neither federal nor state government is allowed to intervene within this sphere.[607]

When the Soil Protection Act was prepared, there were two main types of procedures, depending on the policy field:

- In the case of the so-called 'framework laws' *(Rahmengesetze)*, the federal level may determine a broader framework, which is then filled in by *Länder* legislation (Article 74 of the Constitution).
- In the case of competing' or 'concurrent legislation' (*Konkurrierende Gesetze)*, the federal level has the competence for detailed requirements; *Länder* may make their own laws, as long as the federal government has not used its competence to make laws (Article 75 of the Constitution).

With very few exceptions, federal ministries do not implement and execute legislation, as that is the responsibility of the Lander. Therefore, most

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604 Jann (2003: 99): State, administration and governance in Germany.

605 Jann (2003: 97-104): State, administration and governance in Germany.

606 Mayntz (1997: 90): Soziologie der öffentlichen Verwaltung.

607 Reichard (2003: 346): Local public management reforms in Germany.

of the federal ministries do not have their own executive administrative agencies.[608] Federal agencies primarily provide tailor-made information, data and research, and only implement (in the field of environment) selected issues such as chemical regulation, pesticides and emission trading.

Federal laws have to be agreed upon by the *Bundesrat* (Senate) which is composed of members of the governments of the *Länder*.[609] The *Länder* are responsible for the implementation of the majority of laws.

Toonen and Raadschelders label the German administration as 'the archetypical example of a system that groups dynamics, flexibility and innovation to a gradualist, and adaptive style of public sector reform'[610]. In the beginning of the 1990s New Public Management ideas began to influence German administration. The *Neue Steuerungsmodell* (New Steering Model)[611] developed at the local level, in contrast to most other countries.[612] The 'corporate group style' of the Dutch city of Tilburg (clear demarcations between political and managerial roles, allowing for contract management to be introduced, and a customer-oriented organisation structure) became internationally known[613] and served as an example for German local governments[614]. The Netherlands has often been regarded as a role model for Germany, perhaps, as Lüscher suggests, because its public sector is more similar than that of the UK[615] and other Anglo-Saxon countries, where these ideas were born. The result was a gradual change in how 'the people' were perceived, shifting from 'subjects' to 'citizens', who are entitled to claim services from the state and the administration.[616] The managerial narrative, which copied from private sector management, be-

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608 Mayntz (1997: 91): Soziologie der öffentlichen Verwaltung.

609 Not their parliaments, which is a unique situation (Ismayr, 2003: 454, Das politische System Deutschlands).

610 Toonen and Raadschelders (1997): Public sector reform in Western Europe.

611 'Steuerung' may also be translated as 'management'.

612 Wollmann (2003): Public-sector reform in Germany between continuity and change – in international perspective. Oppen (2002): From 'New Public Management' to 'New Public Governance'.

613 Knox (2002): Review of public administration.

614 Oppen (2002): From 'New Public Management' to 'New Public Governance'. Reichard (2003: 345): Local public management reforms in Germany.

615 Lüscher (2002: 14): New Public Management. Ursprünge, Entwicklung, heutiger Stand, Zukunft.

616 König (2000: 61): The administrative state in Germany.

came quite popular[617], although it competed with the hierarchical idea that policy making should focus on the creation of legislation.[618] This competition contributed to the fact that much of the NPM-rhetoric in Germany has been merely a "proclamation of intent".[619]

In 1999, the red-green federal coalition government put forward the modernisation programme *Moderner Staat – Moderne Verwaltung* (Modern State – Modern Administration)[620]. It contained a new *Leitbild*, that of the *Aktivierender Staat* (Activating State): New forms of interactions between state and society should stimulate new modes of societal self-regulation and of public-private cooperation. These are forms of market governance and of network governance. "The state then becomes less the decision-maker and producer and more the go-between, the activator of social development that it cannot and should not define on its own."[621]

This reform programme influenced the politico-administrative culture, although it did not become a dominant aspect of the ordinary political debate.[622] The programme also contained a section on modernisation of the administration[623], which focused on creating new partnerships with societal actors (network governance), on benchmarking as an incentive for a better price/performance ratio (market governance) and on increasing the quality of administration activities and measures to improve the accountability of public-sector organisations [624] (hierarchical governance). After 2003, the 'activating state' idea played a central role in the major reform of the social and economic system, the 'Agenda 2010'. This also triggered the commission that reshaped German federalism. Combined federal-Länder competences were decentralised to the Länder, giving them also a broad veto position on federal issues. This has led to a situation where the concept of Framework legislation (Rahmengesetz Kompetenz) is not valid anymore: new laws are either a federal or a Länder competence.

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617 Jann (2003: 110): State, administration and governance in Germany.

618 Kickert (2000: 1486): Public governance in small continental European states.

619 König (2000: 60): The administrative state in Germany.

620 Bundesregierung (1999): Moderner Staat – moderne Verwaltung.

621 Bundesregierung (1999: 2): Moderner Staat – moderne Verwaltung.

622 Jann (2003: 112): State, administration and governance in Germany.

623 Bundesministerium des Innern (2005): Fortschrittbericht 2005 des Regierungsprogramms 'Moderne Staat – moderne Verwaltung' im Bereich Modernes Verwaltungsmanagement.

624 Oppen (2002: 9): From 'New Public Management' to 'New Public Governance'.

A recent analysis of the impact of the German administrative reform movement shows that there are substantial negative effects on the capacity to develop and implement environmental policies, especially on the level of the Länder.[625] The German Environmental Advisory Council SRU has warned that the 'permanent reform pressure' on the Länder and the communities has resulted in a decrease in environmental governance capacity:[626] Market thinking has resulted in decentralisation of tasks to administrative levels where there is a lack of expertise, and efficiency operations have led to merging or abolishing of environmental agencies).

It should be expected that the culture of the German administration is influenced by the countries' national culture, which Hofstede characterises by[627]:

- A high level of 'masculinity' (e.g. competitiveness and assertiveness; women are not expected to have jobs, but to take care of the family;
- A higher level of uncertainty avoidance (tolerance for uncertainty and ambiguity) than in the Netherlands for example;
- A more collectivistic attitude (people are integrated in strong, informal in-groups, and family ties are strong); there is, for example, a special Family Minister[628]).

The conclusion we may draw from this short introduction in the institutional and cultural context, is that we should expect a dominant affinity with hierarchical governance in German ministries, although in a mixture with other styles. It was in this context that the preparation and implementation of soil protection legislation took place.

Involved actors

The Federal Ministry of the Environment (BMU) prepared the Soil Protection Act and Regulation. In BMU the *Unterabteilung* Water was responsible. In this directorate, two units were involved: the Soil Protection Unit and the Legal Unit. Originally, the former was in charge. The unit's head

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625 Bauer et al. (2007): Modernisierung der Umweltverwaltung. Reformstrategieen und Effekte in den Bundesländern.

626 SRU (2007): Umweltverwaltungen unter Reformdruck. Herausforderungen, Strategien, Perspektiven. Sondergutachten.

627 Retrieved from http://www.geert-hofstede.com/hofstede_germany.shtml on 1 August 2007.

628 The Netherlands in the spring of 2007 also employed a Minister for youth and family affairs.

chaired a soil protection working group, which was in a later phase (1993) assigned the task of preparing the Soil Protection *Regulation*. The head of a newly established Legal Unit[629] became responsible for the preparation of the Soil Protection *Act*. The Federal Environment Agency (UBA) was also involved, as well as the Ministry of Justice, the Ministry of the Interior, the Ministry of Agriculture, the Ministry of Economic Affairs and the *Länder*.

After the Act and the Regulation came into force in 1999, the division of authority between federal and state became as follows[630]:

- BMU, is responsible for setting prevention measures for soil pollution, for setting trigger and action values for pollutants, for setting requirements for the remediation of the soil and of the contaminated site, and for so-called deposition levels, linking air pollution regulation to soil protection;
- The *Länder* are responsible for executing requirements of the Act. They are free to bring about Länder-specific regulation, adding regulation (not replacing federal regulation).

4.3.2 Chronology of the case

The first initiative on the federal level was a declaration in 1983 of all seven ministers involved in the protection of soils.[631] Their ambition was to develop a level of soil protection that was as comprehensive as the protection of air and water.[632] In 1985, the Minister of the Interior presented a 'Soil protection conception of the Federal Government'[633]. This publication was neither politically nor legally binding and therefore contained much of what soil experts in BMU and UBA have found necessary.[634] In the years after this, BMU and UBA experts succeeded in building soil protection is-

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629 Smeddinck and Tils (2002:121): Normgenese und Handlungslogiken.

630 Christie and Teeuw (2000: 28): Policy and administration of contaminated land within the EU.

631 In these years, an environment ministry was not yet established; the Ministry of the Interior was responsible for environmental policy.

632 Bundesregierung (1985: 17): Bodenschutzkonzeption der Bundesregierung.

633 Bundesregierung (1985): Bodenschutzkonzeption der Bundesregierung.

634 In 1985, UBA started a major soil research & development programme that influenced the policy arena by a continuous stream of data and new evidence about soil protection. This had also the effect that the science world became more involved and committed.

sues into over 50 laws and regulations.[635] In the same year, BMU established a working group to prepare a soil protection Act which had to integrate soil protection and contaminated soil remediation. The Act was at first conceived as framework legislation. The preparation of the Act was difficult because of the low priority it received. In 1989, the Environment Minister Töpfer (1987-1994) decided to intensify the preparation of the Act. However, the work soon became delayed as a long dispute (1990-1994) developed between the federal government and *Länder* on the degree of federal authority for soil legislation. On the one hand, such debates occurred typically if the matter was not clearly defined in the Constitution (see above).[636] On the other hand, some *Länder* in this phase had already issued legislation for contaminated soils[637]. They opposed to interference of the federal government in soil matters. Bayern and Baden-Wurttemberg especially are of this opinion.[638] Under Töpfer's supervision, in 1991 a legal unit for soil protection and contaminated soil remediation was established, that was commissioned to write a draft Soil Protection Act.[639] A first internal draft of the Act was finalised in 1992.[640]

After federal elections, Merkel became the new Environment Minister in 1994, and the conflict with the *Länder* was solved by reducing the scope of what would be regulated on federal level. It was decided that the Soil Protection Act would be a concurrent Act, not a framework Act. A new working group (hereafter called: the soil working group) was formed with participants from BMU and UBA, with the legal affairs unit of BMU taking the lead. North Rhine-Westphalia represented the *Länder*. Another working group was responsible for the preparation of the Soil Protection Regulation: it was considered important that this was prepared simultaneously with the Soil Protection Act. In 1996, the Federal Government presented a draft of a Soil Protection Act, which showed a modest use of the

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635 Holzwarth (1998: 14): Bodes-Bodenschutzgesetz. Handkommentar.

636 In this case, it probably would have been debated even if the issue had been clearly defined in the Constitution, because of the political debate on federalism at that time.

637 E.g. Saarland (1987), Baden-Württenberg (1991); Bayern had regulated contaminated soil remediation in its Water Act.

638 Smeddinck and Tils (2002: 133-134): Normgenese und Handlungslogiken.

639 Müller (2001: 23): Ministerialverwaltung im Prozess der Normgenese am Beispiel des Bodenschutzes.

640 Smeddinck and Tils (2002: 212): Normgenese und Handlungslogiken.

concurrent legal authority, in order to avoid putting a strain on the relations between *Bund* and *Länder*.[641]

Thirteen years after the announcement of a Soil Protection Act in 1985, the *Bundes-Bodenschutzgesetz* was finally issued in 1998, together with the outline of the Soil Protection and Contaminated Soils Regulation (*Bodenschutzverordnung*)[642]. Adoption of the Act by the federal parliament took place on 5 February 1998, and the *Bundesrat* adopted it one day later. On 12 July 1999, the *Bundestag* adopted the *Bodenschutzverordnung*. The Soil Protection Act came into force on 17 September 1999.

The Soil Protection Act was a compromise between maintaining the soil aspects in other legislation and establishing a separate law. The act combined contaminated soil remediation, and prevention of contamination and other forms of soil degradation.[643] Länder especially, with a (then) left-wing government (like in the NRW) considered the act to be too weak. [644] Its article on subsidiarity declared a series of other laws (with objectives different from soil protection) superordinate. Moreover, unlike in the air and water legislation, the law lacked a licence system. The NRW critique stopped in 2005 when a more right-wing government entered office in this state, with *inter alia* an anti-regulation attitude and a preference for cooperation and partnerships.

After the *first phase* in which knowledge building and conceptual framing was central (1985-1992) and the partly overlapping second phase, in which legislation was central (1989-1998), a *third phase* begun. Further legislation was now a task of the *Länder*[645], and the red-green federal coalition that entered office in 1998 set a new priority: prevention of soil pollution. The joint soil working group of the federal government and the *Länder* (LABO)[646] became a central place for discussion.

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641 Smeddinck and Tils (2002: 68): Normgenese und Handlungslogiken.

642 Bundesregierung (1998): Bodenschutzverordnung.

643 Heuser (2005: 386): Europäisches Bodenschutzrecht. Entwicklungslinien und Maßstäbe der Gestaltung.

644 E.g. NRW Environment Minister Höhn, in : Höhn (2005): Etablierung des Bodenschutzes auf kommunaler Ebene.

645 In 1999, in Bayern, Niedersachsen and Sachsen state acts to execute and implement the federal Soil Protection Act come into force, followed in 2000 by a similar act in North Rhine-Westphalia.

646 Bund/Länderarbeitsgemeinschaft Boden (LABO), established in 1991 by the Environment Ministers Conference of the German Länder and the federal government. (Bundesregierung, 2002: 12, Bodenschutzbericht der Bundesregierung).

The following chronological steps are worthwhile mentioning. In December 1998, the new, now green Environment Minister Trittin installed an interdisciplinary Scientific Advisory Council on Soil Protection (WBB), composed of 8 soil experts.[647] In 2000, this body published a report with advice on measures to prevent soil pollution and degradation.[648] Preventative soil protection was believed to be achieved most successfully by using new modes 'new modes of governance' rather than using hierarchical instruments like legislation. One year later, BMU presented a policy statement on preventative soil protection with 24 proposed measures.[649] Together, UBA and BMU initiated a *Bodenbewusstsein programme* ('Soil Consciousness Programme'), that included the issuing of a special postal stamp in 2000, the publication of a 'Travel Guide to the Soils of Germany' in 2001[650], a Soil Calendar in 2002 and the production of a children's book on life forms in soil in 2004[651]. In addition, an internet portal www.bodenbewusstsein.de was established. In 2002, the federal government published a progress report on soil protection policy (*Bodenschutzbericht 2002*). The Scientific Advisory Council on Soil Protection WBB was abolished (2003).[652] In 2004, a new interdisciplinary Soil Protection Commission was established which advised the UBA on soil issues. The reports of this commission were, in contrast to the WBB reports, not published.[653]

4.3.3 Hierarchical, network and market governance

There were many occasions where *hierarchical governance* was applied. The primary task of the BMU is to prepare laws and regulations, to be implemented and executed by the Länder. The Soil Protection Act, itself a hierarchical instrument, contains hierarchical measures such as prohibitions

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647 Wissenschaftliche Beirat Bodenschutz (WBB).

648 WBB (2000): Wege zum vorsorgenden Bodenschutz.

649 BMU (2001): Handlungskonzeption zum vorsorgenden Bodenschutz.

650 UBA (2001): Reiseführer zu den Böden Deutschlands.

651 UBA (2004): Die abenteuerliche Reise von Fridolin dem Regenwurm.

652 Two reasons were mentioned by interviewees: The WBB was politically not enough in line with the red-green coalition (an argument that makes the purpose of a scientific advisory body questionable), and many of the ideas the council had proposed were not implementable.

653 Kommission Bodenschutz des Umweltbundesamtes. Cf. http://www.umweltbundesamt.de/uba-info-presse/2005/pd05-046.htm.

and norms. Most of the interviewees however considered the Act too weak. They argued that the political situation since the late 1990s (a general market-liberal attitude) did not allow for stronger hierarchical measures. Smeddinck and Tils give another reason, typical for a crosscutting matter like soil protection: the strong conflicts on who has a say between the federal ministries. They conclude that the administrative interaction mode during the preparation of the Soil Protection Act was 'negative coordination', a term coined by Mayntz and Scharpf[654]: It was important to prevent disturbances of the status quo, both in content and in terms of the authority of the ministries. This led to an incremental process and a situation in which innovation was difficult.[655] Müller argues that the soil legislators successfully tried to keep the influence of this 'negative coordination' as low as possible. They reduced the number of opponents in other policy areas by accepting that existing legislation on a series of soil relevant issues would keep its priority.[656]

There were no non-governmental actors invited to participate in the federal working groups that have prepared the soil protection legislation: the general orientation of the federal administration in the mid-1990s was mainly hierarchical and internally directed. However, the members of the soil working group did not only attempt hierarchical approaches. Smeddinck and Tils conclude that the general attitude of the directly involved BMU/UBA officers was not hierarchical. Internal and external actors were contacted, including those in the political arena, when the soil team considered it to be necessary, without much consideration as to whether or not this was allowed.[657] This non-hierarchical attitude was possible because of the high degree of discretion this working group had been given by administrative and political leaders.

Network governance occurred in the form of the cooperation between federal government and the Länder and between the Länder.

> "The Länder were very successful with a bottom up approach. To give an example, they achieved that the building blocks of the Soil Regulation were discussed in the Senat (Bundesrat) before the Soil Protection Act was accepted. This has never happened before." [658]

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654 Mayntz and Scharf (1975): Policy-making in the German federal bureaucracy.

655 Smeddinck and Tils (2002: 211): Normgenese und Handlungslogiken.

656 Müller (2001: 25): Ministerialverwaltung im Prozess der Normgenese am Beispiel des Bodenschutzes.

657 Smeddinck and Tils (2002: 220): Normgenese und Handlungslogiken.

658 Interview 14, held on 27 November 2007 (translated from German by the au-

Another example of network governance refers to the meetings that the soil working group held with stakeholder groups, although close relationships only developed with a few groups. BMU representatives participated in a soil protection working group of the German industry federation (BDI).[659] Because mutual trust (network governance) had developed, it was possible for BMU to discuss draft texts of the Soil Act with BDI without too much risk of 'leaks'. The goal was to reach acceptance among the industry. The interviewees regarded this relationship as a success: in the end the chair of the BDI advised the Prime Minister to support the Act. Also the relationship with the farmers' association had elements of a network approach (building trust), but here the negotiating style was more like bargaining (market governance) than reaching consensus (network governance).

After the Soil Act had come into force, network governance became more important. UBA used its relatively independent position to initiate a series of non-hierarchical governance actions, besides its primary task to contribute to new legislation with scientific knowledge. UBA had already built a scientific and technical expert community around annual conferences since the early 1990s, and now took the initiative to establish two professional associations with their own magazines: one on contaminated soils (around 1000 members in 2006) and one on preventive soil protection (around 550 members in 2006).

Market governance was the least popular ideal type in this case. Compared to the earlier Air and Water Pollution Acts, soil protection has to deal much more with private ownership, whilst air and water are generally understood as common goods, which may be regulated by government. This is why soil protection policy, more than air and water policy, depends on appeals to land owners. Problems that could not be solved with federal legal measures, like the prevention of soil sealing and land erosion are primarily addressed with voluntary measures. The possibility of influencing through taxes was discussed (but not introduced) as a way of preventing soil sealing, namely through effluent fees. Market-style instruments in other policy fields have been counterproductive to soil protection policy: the *'Eigenheimzulage'* (federal subvention for private house builders) and the *'Entfernungspauschale'* (commuter's tax allowance) encourage constructing new buildings in 'unsealed' areas. These instruments are now under reconsideration, and phasing out is to be expected.

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thor). Besides the Länder also the federal parliament played a role in this example (it was an MP who proposed this procedure).

659 Smeddinck and Tils (2002: 132): Normgenese und Handlungslogiken.

As mentioned before, the Soil Protection Act was the first environmental law where first the federal Parliament and secondly the *Bundesrat* demanded that the related Regulation was presented in draft prior to the adoption of the Act itself, in order to assess if it would cause too many new administrative burdens. This was, as one interviewee stated, a clear example of the *'Zeitgeist'* of market-based deregulation thinking. A last example is that market governance was used in the 'marketing' campaign of the Soil Consciousness Programme. The special stamp introduced in 2000 was more expensive than normal ones. The funds raised (around 0,5 million euro) were used to stimulate NGOs to raise attention for soil protection.

Elements of all three governance styles were apparently present. What were the interactions like between these governance styles on the five organisational dimensions of the research framework?

Vision and strategy: A political move away from legal (hierarchical) measures to 'new modes of governance'

For air and water, being considered as public goods, legal restrictions were accepted easily. In the case of the third environment compartment, soils, the private ownership of soils made this much more difficult. In addition, since the preparation of the earlier environmental laws like the Federal (Air) Immission Protection Act (1974)[660], the general political steering vision had changed, influenced by New Public Management ideas and the idea of participatory democracy. Although this relative move away from hierarchy already started in the mid-1990s, it became official federal policy with the presentation of the aforementioned 1999 reform programme 'Modern State – Modern administration'. In the *Länder* the political mood changed too, independently of the political colour of the government. The switch from a red-green coalition to a more conservative coalition in North Rhine-Westphalia in 2005 led to a promotion of 'new modes of governance'. The reaction of policy-makers was mixed: although this would make their range of options broader, some feared that the new focus on cooperation, establishing working groups and striving for common agreements would lead to saying 'yes' and doing nothing. "We are living in an area of permanent conflict", one of the interviewees said. This move away from hierarchy and into market thinking (smaller government, more efficiency) is, as interviewees argued, especially problematic for a young and relatively weak policy field like soil protection.

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[660] Bundesimmissionsschützgesetz.

> "The field of soil protection already had a shortage of resources, in terms of money and staff. The 'modernisation' of the government with its focus on staff reduction was especially a risk for our field, much more than for water management, for example. If the latter have to reduce from 100 to 90 people, and we from 2 to 1, that makes a big difference."[661]

The example of the negotiations with the farmers union illustrates this. The farmers formed an influential stakeholder group which together with the Agriculture Ministry, successfully prevented prohibitive measures and kept agriculture out of the Act except for one article (Article 17). The soil working group then reached a compromise with the farmers union on the content of this article: the development of a benchmark for 'good agricultural practice' (a voluntary, market governance approach). BMU hoped that this would develop into more than a voluntary approach (market governance) because in due time it would be taken up as a criterion in court cases (hierarchy):

> "It was clear to me and my colleagues, that this was a strategic instrument. When we describe the 'good agricultural practice' in legislation, it means that when conflicts arise and cases go to court, then this 'soft law' will be taken as a basis for interpretation."[662]

Towards a more external orientation

One of the involved policy makers states that one of the main problems of soil protection is that in no other environmental issue are there so many different stakeholders, with no common interest whatsoever.[663] The weak position of soil protection on the political and societal agendas and the fact that so many external stakeholders existed, required an extraordinary external orientation. However, the soil working group discussed draft texts of the Act with only three stakeholder groups intensively: the German Farmers Federation (DBV), the German Industry Federation (BDI) and the German Federation of Chemical Industry (VCI). The participation of group members in the BDI soil working group as a novelty in German environmental policy making.

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661 Interview 15, held on 23 November 2007 (translated from German by the author).

662 Interview 11, held on 23 November 2007 (translated from German by the author).

663 Bachmann (2005: 32): Die Nationale Nachhaltigkeitsstrategie und die Kommunen: Ein Spannungsfeld.

> "If we had not worked with the BDI in the preparation phase, they would have blocked the acceptation of the Soil Protection Act with their 'killer' argument that jobs are jeopardised. I believe that it was the first time we involved them in an early stage. Air and water policies had been put through top-down. But this was different, for example because soils are privately owned."[664]

Other stakeholders[665] were merely informed. Surprisingly, they did not object to the privileged position of the three stakeholder groups.[666] According to an interviewee soil protection was not only an unpopular issue in politics and administration, but also with environment NGOs. The modest role of NGOs during the preparation of the Soil Act changed in the second phase, after Green Minister Trittin entered office in 1998. Involving civil society became a major priority of the soil working group.

Structure: Hierarchical with some network elements

The establishment of BMU in 1986, a few weeks after the Chernobyl nuclear accident, improved the position of the soil policy-makers. Inside BMU, several units (like the legal unit and the unit responsible for contaminated soils) and working groups (like the group responsible for the Soil Protection Act and the group responsible for the Soil Protection Regulation) competed. This internal competition was one of the factors that contributed to the delay in the legislation process.[667]

Overall, except for the formation of working groups and the establishment of many informal contacts with internal and external actors, the organisational structure for the soil policy-making was close to a standard hierarchical approach. There was an inter-ministerial working group, but this did not play a major role:

> "Yes, there was something like that, but I must say that this was primarily meant to put oil on troubled waters."[668]

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664 Interview 12, held on 24 November 2007 (translated from German by the author).

665 Germany has a wide organised stakeholder landscape, with over 30 environmental NGOs active on the federal level, and more than 1000 federally registered organisations from the social and economic dimensions (Reutter, 2001: 83-90, Verbände und Verbandssysteme in Westeuropa: Deutschland).

666 Smeddinck and Tils (2002: 294): Normgenese und Handlungslogiken.

667 Smeddinck and Tils (2002: 165, 219): Normgenese und Handlungslogiken.

668 Interview 15, held on 29 November 2007 (translated from German by the author)

People: High level of discretion and internal tensions

Apart from the issue of contaminated soils, soil protection stayed in the political 'shelter' for many years. This is a typical situation in which the level of administrative influence on policymaking can become quite high.[669] German civil servants *(Beamten)* have had a relatively strong autonomy. Müller argues that they are used to working according to their own interests, perception of problems, strategies and scope of actions.[670] Their secure *Beamten* status brings about a strong loyalty to serving society – which may conflict with the interest of the ministry or the minister.

According to Smeddinck and Tils, the lack of political and media attention indeed led to a prominent role of administrators from BMU.[671] Individual actors, both in the administration and in private sector organisations were the key players, more than the responsible politicians. In addition, as mentioned before, the head of the legal affairs unit in BMU was given an unusually high degree of discretion by his superiors.[672] This turned out to be an important success factor.

> "We had quite a lot operational freedom. It was not like we went to the Minister for every conflict that emerged. My personal vision as a civil servant is that ministers should only be bothered with the real political questions. I am being paid to solve all other questions myself."[673]

Smeddinck and Tils also conclude, which this case study confirms, that the following qualities and capabilities of civil servants support success: flexibility, the ability to communicate and integrate different logics of action, the ability to act and organise in a politically strategic way, and good communication abilities.[674]

Another factor that played a role is the 'natural' preferences of civil servants, which depended on their educational background. Legal specialists prefer regulation but also contracts: besides hierarchical governance they are also willing to use market governance approaches, whereas technical experts have more affinity with the network approach (they have usually a high esteem for their peers' opinions). The general dominance of

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669 Ismayr (2003: 459): Das politische System Deutschlands.

670 Müller (1986: 12): Die Innenwelt der Umweltpolitik.

671 Smeddinck and Tils (2002: 321): Normgenese und Handlungslogiken.

672 Smeddinck and Tils (2002: 215): Normgenese und Handlungslogiken.

673 Interview 15, held on 28 November 2007 (translated from German by the author).

674 Smeddinck and Tils (2002: 322): Normgenese und Handlungslogiken.

legal experts in the German administration maintains the primary affinity with hierarchical governance. In BMU, officers with a legal training made out only around 30% of the civil servants, but they were influential. *Beamten* with a business administration degree, of whom a market style preference would be expected, were rare in the Ministry.

From the beginning the preparation of the Soil Protection Act was considered as a multidisciplinary process: a collaboration of legal and technical experts. However in practice this was not free of conflicts (see above). Other tensions emerged, like in the Dutch case, between the hierarchical thinking of preventive soil protection officers and the rather market thinking of those responsible for remediation of contaminated soils.

Results

It may be typical for the hierarchical character of the German administration that after the presentation in 1985 of a vision on soil protection, the next step was not to develop a broader policy strategy or action plan, but to prepare the legal instruments: an Act and a Regulation. However, after the Soil Protection Act and the Soil Regulation had been issued, BMU in cooperation with UBA published a comprehensive soil protection policy paper in 2001 that was based on the ambition of the new government that entered in 1998: a focus on prevention[675].

Table 5 classifies the sixteen measures that were announced in this paper in terms of their affinity with governance styles. Figure 16 presents a graphic overview of the 'governance footprint' of this document. The general dominance of hierarchical measures is no surprise, but the absence of network measures does not mean that no such actions were taken (see for example the earlier mentioned stimulation of peer groups of soil experts). This should put into perspective the conclusions one may draw from investigating written policy documents: what is actually done and what is officially published, is not the same.

[675] BMU (2001): Handlungskonzeption zum vorsorgenden Bodenschutz.

Table 5. German soil protection measures announced in 2001, related to hierarchical (H), network (N) and market (M) governance

Measure	Type	Style
1. Completing precaution criteria (metals and chemicals)	Legal criteria	H
2. Implement soil precaution measures in other laws	Legal/techn. guidelines	H
3. Tendering research on other precaution criteria	Research	M
4. Making public principles for precautionary measures	Principles	H
5. Develop variables to assess soil support function	Criteria	H
6. Research on ground water impact thresholds	Criteria	H
7. Developing erosion & soil sealing models and variables	Criteria	H
8. Scenario for regulation for decrease of soil sealing	Legal	H
9. Harmonis., standardisation and waste regulation criteria	Legal	H
10. Quality indicators for 'good agricultural practice'	Incentive	M
11. Regulation to decrease soil pollution via manure etc.	Regulation	H
12. Research on optimum organic matter levels in soils	Research	M
13. Development of good practices for fertilizers and chemicals	Research	M
14. Research on behaviour of GMO's and prions in soil	Criteria	H
15. Measures against pollution via use of building materials	Criteria	H
16. Implement. precautionary soil prot. in land use plans	Principles	H

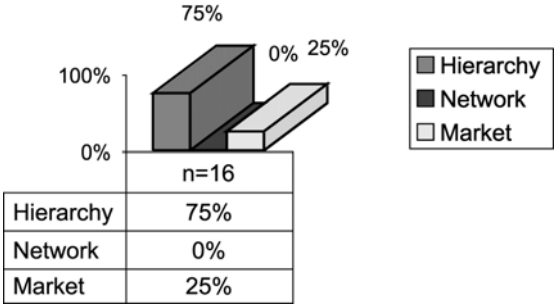

Fig. 16. Governance footprint: German soil measures (2001) per governance style

4.3.4 Application of metagovernance

Metagovernance as designing governance style mixtures

It seems that in the process design a deliberate combination of elements of hierarchical, network and market governance was absent. The process design was different in the phase of preparation of the Soil Protection Act (more hierarchical with elements of networking), than in the phase of implementation and raising of awareness for prevention (mainly networking with elements of market governance). However, this seems rather contingent: many factors together produced the approach that was the most feasible in each phase.

Metagovernance as managing governance style mixtures

This contingent approach continued to determine the management of the preparation of the Soil Protection Act. One interviewee characterised the management style as 'muddling through'. Tensions about which approaches to use emerged between the BMU and other Ministries, as well as inside the BMU, between legal experts and soil experts, the former concentrating on hierarchical measures, the latter being generally more open to new governance approaches. This competition led to a pressure – anti-pressure game, in which the soil working group strived for a good balance: the best legal measures, but switching to other types of measures when these were not possible: then, voluntary measures (market governance) and the stimulation of network-building were applied. The soil working group, especially during the second phase, did not feel bound to one specific governance style, but felt free to use elements of hierarchy, network and market governance. One interviewee formulated their rationale as follows:

> "I believe that for some issues one type of instrument is better, and for other issues another type. For example, norms for pollutants in manure must be put in a legal framework; prevention of soil compaction is an issue where we cannot work with prohibition (a colleague one stated: 'you cannot put a policeman on every tractor'). Here we have to convince people that it is also in their own interest to take measures. A third example is soil sealing, where we can steer with taxation (in this case sewage water charges)."[676]

[676] Interview 11, held on 23 November 2006 (translated from German by the author).

It can be concluded that to a certain extent it did apply metagovernance. The aforementioned unusually high degree of discretion given to the unit head in charge of the working group, and the strong networking and communication skills of the working group member contributed to their flexible attitude. The latter factor especially helped to overcome the generally weak position of the Environmental Ministry in relation to other ministries, such as Economic Affairs.[677]

4.3.5 Discussion and conclusions

We may now conclude that during the preparation and implementation of the German Soil Protection Act all three governance styles were used, although this occurred implicitly. The terms hierarchical, network and market governance were not used in the policy preparation process, as those involved had little knowledge about governance theory. The latter is partly due to the fact that the debate on 'new modes of governance' in Germany only started to influence administration around the new millennium. [678]

The anticipated dominance of hierarchical governance was more or less realised although elements of the new modes of governance were also used. In fact, hierarchy was an enabler of experiments with network and market governance. Again here the high degree of discretion the soil working group chair was given (and of which the working group members profited), plays an important role.

Three phases were distinguished. The first (1985-1992) was the phase of conceptual framing and building expertise and capacity. The second phase, when the soil protection legislation was prepared (1989-1998), had a strong hierarchical mark, not only because this phase aimed at making legislation and legal officers were in charge, but also because network and market governance were still quite new in the federal administration. There was some stakeholder involvement, but this was very selective. Because soil was not a highly profiled political issue, the ministry had to prepare the Soil Protection Act in a relative 'wind shelter'. This caused the BMU

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677 Smeddinck and Tils (2002: 220, 257): Normgenese und Handlungslogiken.

678 Besides, as one interviewee argued, the soil working group consisted of legal and soil experts and there was not much political/administrative science background.

to avoid seeking the support of environmental NGOs[679], who are often considered as the natural allies of environment ministries.[680]

Individual politicians and political decisions strongly influenced the policy-making process. Smeddinck and Tils distinguish four situational factors that contributed to the finalisation of the Soil Protection Act in 1998:

- The decision of Environment Minister Töpfer in 1989 to intensify the work on the Act;
- The federal coalition agreement of 1991 which contained a higher priority for soil protection, as a result of the German unification and the need to handle large scale contamination;
- The German unification of 1990: a catalyst because of the large surface of contaminated soils in the new States, and
- The strong drive of the succeeding Environment minister Merkel (from 1994) to finish the project.

The second phase (starting around 1999), showed a relatively high level of network governance (aiming at creating expert networks as a support for the implementation of the Act and Directive) and market governance (for example stimulating self-regulation). Both 'new modes of governance' were supported by the 'Soil Consciousness Programme' that was part of the new government's preventive soil protection policy. This switch in governance approach was partly necessary because the federal government at that moment did not have much opportunity to make more/new regulations because the Act had just been passed and needed to be implemented by the *Länder*. In addition it was also part of a broader change in governance style mixture in both the administrative and in the political arenas: The 1998 the red-green federal coalition agreement aimed at 'ecological modernisation', which included a partial switch from command-and-control steering to a more cooperative style of steering including dialogues with stakeholders.[681]

The preparation and implementation of the Soil Protection Act took place in a time that was in at least two aspects different from the time the water and air policies and legislation were developed (1970s-1980s).

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679 Smeddinck and Tils (2002: 330): Normgenese und Handlungslogiken.

680 Although they did not become very much involved in the preparation of the Soil Protection Act, the German environment NGO BUND had already presented a first draft of such an Act in the late 1980s.

681 Jörgensen (2002: 5): Ökologisch nachhaltige Entwicklung im föderativen Staat.

Firstly, it was the anti-regulation political mood influenced by the New Public Management movement, since the second half of the 1990s and continuing after the 1999 left-wing government change. The second aspect was the growing demand of societal stakeholders to be able to participate in policy-making.

We can now summarize the case in terms of the five governance dimensions of the research framework. The *vision* that the Ministry should involve external actors stimulated a working *structure* with some room for co-operation with stakeholders (phase 2) and a broad stakeholder participation (phase 3). This required a relatively external *orientation*. The *results* were what was aimed at: legislation (although not as strong as some actors had wished[682]) and a programme for preventive soil protection. Finally, individual *people* played a key role. As we have seen in the Dutch case and will see in the following cases, individual actors (politicians, administrators and also stakeholder representatives) were rather influential in determining the course and the results of the policy process. Inside the BMU and UBA, the people who were leading the policy process were ambitious and apparently had the attitude, the skills and the ability to combine governance styles where appropriate and feasible.

The answer to the first part of the central research question ('Did metagovernance occur, and if so, how?') seems to be positive. Metagovernance mainly occurred in the form of a permanent search for all kinds of situationally feasible means of promoting the position of soil protection on the political, administrative and societal agenda. In the first and second phase this was done in order to building capacity and expert communities, in the third phase in order to keep the legislation process going (after earlier attempts since 1985 had failed).

The German soil protection case took place in a nation with an underlying hierarchical culture. The Dutch case was placed against the background of the underlying networking culture of the Netherlands. The next question of course is: How would a similar case look like in a country with an underlying culture of market thinking? In order to answer this question, the next section takes us to the United Kingdom.

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682 E.g. the aforementioned North Rhine Westphalia's Environment Minister Höhn (Höhn, 2005: Etablierung des Bodenschutzes auf kommunaler Ebene).

4.4 Soil protection policy in the UK

In 2004, the British Government published the first Soil Action Plan for England. The internal governance aspects of the creation and the beginning of the implementation of the plan are the subject of this case study. Four key (managing) officers in the responsible ministry (DEFRA) were interviewed. There was one background interview with an academic involved in advising the government on environmental issues.

4.4.1 Institutional and cultural context

The UK is a unitary and centralised state consisting of four nations: England, Scotland, Northern Ireland and Wales. The country is a representative of what Lijphart calls the majoritarian model of democracy which is based on the belief that majorities should govern and minorities should oppose. Germany, the Netherlands and the European Union belong to a more consensual model of democracy, in which power is shared and minorities participate in one way or another.[683] The central government of the UK has not decentralised tasks to lower authorities like in Germany and the Netherlands, but have *devolved* tasks: it is a matter of delegation. One might therefore say that local governments 'are the creatures of the central government'.[684] The UK is not a federal state like Germany or the USA. The UK departments in London both represent the interests of the UK and of England. The same officers may represent the UK view in Brussels, and the English view in the UK.

When we compare the national culture of the UK with that of Germany and the Netherlands, the UK scores higher on 'individuality'. Like Germany, the UK has a very high level of 'masculinity': there is a gap between men's values and women's values. This is very different in the Netherlands, where these values are relatively mutual. The UK scores lower on 'uncertainty avoidance' than Germany: Countries with a high 'uncertainty avoidance index' usually consider (legal) structuring of society more important than other countries.[685]

The UK was the first European country to implement the reform ideas of New Public Management (NPM). This created a paradox: "a regulatory

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683 Lijphart (1999: 7): Patterns of democracy.

684 Lijphart (1999: 17): Patterns of democracy.

685 Source: http://www.geert-hofstede.com/hofstede_united_kingdom.shtml , retrieved on 13 August 2007.

explosion taking place under a regime ostensibly devoted to a "free to manage" philosophy for public services".[686] NPM ideas have led to several characteristics of the British central administration that influenced the way the Soil Action Plan was developed. An example is the almost permanent restructuring of the departmental organisation (aimed at more efficiency) which brings forth on the one hand a flexible attitude but on the other hand a lack of continuity and expertise inside the departments.

The British civil service has, like in all Western countries, been a slow-changing bureaucracy. However it has some characteristics that set it apart from other European countries. Firstly, its main task is 'to serve' (public service model), not 'to control' or 'rule' (*Rechtsstaat* type, of which Germany is the prototype). Johnson describes the critical view the British have on the state; they see it as

> "a power external to individuals, subversive of their freedoms and, in particular, of their right to seek their own advantage in their own way."[687]

Until the Thatcher government in the 1980s the British civil service was an elite corps. Since Thatcher, market thinking became dominant in the administration, with terms like customers and consumers instead of citizens. The Blair government did not really change that, but in the last years a communication style emerged in which terms like deliberation and participation are on the foreground.

The British ministries form separate 'silo's'. The department for Environment, Food, and Rural Affairs (DEFRA) that is responsible for soil protection combines policy units for environment and for agriculture, which have two different cultures. For example, the agriculture units have always had their own research institutions and tend to take only advice from them. This means that they are rather internally orientated, and makes them inflexible. The environment units have never been in a stable setting, because there were many mergers with other departments. A flexible attitude tends to exist here. Both share an underlying hierarchical culture, often seen in 'technical' departments in which expert knowledge is a key factor.

DEFRA was established following the general election in June 2001. It inherited all the functions of the former Ministry for Agriculture, Fisheries and Food (MAFF). It took over responsibility for the environment, rural development, countryside, and the wildlife and sustainability responsibili-

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686 Hood (2003: 145): From Public Bureaucracy State to Re-regulated Public Service: The Paradox of British Public Sector Reform.

687 Johnson (2000: 30): State and society in Britain: Some contrasts with German experience.

ties of the former Department for the Environment, Transport and the Regions (DETR). Responsibility for certain animal welfare and hunting issues was transferred to DEFRA from the Home Office. Finally, DEFRA now sponsors a number of important non-departmental public bodies, including the Environment Agency, the Countryside Agency, the Meat and Livestock Commission, Kew Gardens, English Nature, Food From Britain and the Royal Commission on Environmental Pollution.[688]

Involved actors

Inside DEFRA a soil team was formed for the preparation of the 2004 Soil Action Plan for England, in the Forestry, Soils and Uplands Division. Other involved Ministries included the Planning Department[689], the Department for Transport and the Treasury[690]. Commitment with the issue and the ability to reach agreements and implement them were the main selection criteria for inviting stakeholders into the Steering Group. The National Farmers Union (NFU), one of the most effective pressure groups in the UK (established 1908)[691] represented a range of smaller groups in a Steering Group consisting of governmental and external actors. The building industry was not represented in the Steering Group, because it was not committed to go further than existing soil protection measures in planning procedures. Their representatives did not protest because they (rightly) assumed that the soil action plan would not contain new regulatory burdens for them. Also the chemical industry did not participate. It was (rightly) confident that the focus in the first soil action plan would lie on rural areas instead of on urban areas. Its main concern, land contamination, was also already addressed in the planning system. The association of biological farmers, that wanted to join the steering group, was left out, though under protest. The soil team expected that this group would neither be able to add important new evidence, nor to play a significant role in the implementation of agreements. The same applies to the gardeners association.

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688 http://www.ndad.nationalarchives.gov.uk/AH/4/detail.html, retrieved on 8 August 2007.

689 In the early 2000s, the Planning Department was part of the Office of the Deputy Prime Minister. In 2006 it merged into a new Department for Communities and Local Government.

690 The Ministry of Finances.

691 Plöhn (2001: 179): Verbände und Verbandssysteme in Westeuropa: Grossbritanien.

4.4.2 Chronology of the case

In 1996, the Royal Commission on Environmental Pollution (RCEP), an independent expert advisory council, advised the British government to start developing a soil protection policy.[692] The report's central recommendations were that

> "the government should draw up and implement a soil protection policy for the UK which takes full account of long-term environmental considerations; the Environment Agencies which start to operate in April (one for England and Wales and one for Scotland) must take a genuinely integrated view of the environment and give proper attention to safeguarding and remediating soil."

However, it took several years before soil protection appeared on the political agenda. One interviewee stated, that

> "The incentive for the policy certainly came from somewhere in the civil service. Had nobody ever popped the minister any papers on soil policy, he would have been quite content not to have anything on soils. But in fact, somebody said: There has been a Royal Commission report, and we recommend that you should do this. And because it seemed quite a sensible thing to do, and it didn't have a political downside, the minister was prepared to go along with that."[693]

In 2001 an external review of the impact of the RECP report was published. It concluded, that

> "The main achievement of the Report has been not so much in action to implement the more detailed recommendations as in the more general policy arena of raising awareness of soil issues within government and in some of its agencies and other bodies (although not among the wider public) and bringing soil further up the environmental agenda. It is clear that the Draft Soil Strategy for England would not have been produced if it had not been for the Commission's Report."[694]

The following events were important in the chronology of the project. In 2001 DEFRA published a draft Soil Strategy for England for consultation. Societal groups that favoured a soil protection policy criticised the strategy because they found it not concrete enough. This controversy was one of the reasons why a final version of the strategy was not issued. Instead, in the autumn of 2003 the responsible junior minister commissioned

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692 RCEP (1996): Sustainable use of soil.

693 Interview 21, held on 29 March 2007.

694 RCEP (1996): Sustainable use of soil.

DEFRA to start developing a Soil Action Plan for England. A soil team was formed in the Forestry, Soils and Uplands Division. Wales and Scotland had also taken some initiatives, and because of this and the devolved nature of the issue, it was not considered to develop a comprehensive UK plan. Due to the political and administrative mood of the time the development of a Soil Protection *Act* was not feasible. The liberal-market style of governing dictated 'no new regulation'. Most soil-related issues were considered to be already covered by existing laws and regulations, and soil protection had a very low position in the ranking of political priorities. DEFRA put a priority on integrating existing 'bits and pieces' of soil protection policy because of the announcement in Brussels of a Thematic Soil Strategy with a possible Soil Directive. This would help the teams inside DEFRA that worked on other EU directives which encompassed soil issues (such as the Water Framework Directive and the reform of the Common Agriculture Policy), to become better linked and develop an integrated approach towards the expected EU Soil Directive. Overall, the soil action plan's goal was to 'get soil protection moving' and to involve and commit internal and external stakeholders.

The preparation of the soil action plan took less than a year, although extensive stakeholder involvement was organised. After a stakeholder conference, which was attended by more than 100 participants, a Steering Group was formed, consisting of the most 'willing' stakeholders, representatives of other ministries and of academia. In 2004 the final soil action plan was published.[695] After the publication of the plan, the Steering Committee continued in the form of an Advisory Forum which met twice a year. In the implementation phase of the soil action plan the soil team strived to get other parties on board, such as the Highways Agency on the governmental side and the construction industry on the non-governmental side. In 2005 and 2006, DEFRA published annual progress reports[696] and in 2007 it prepared a Soil *Strategy*.

4.4.3 Hierarchical, network and market governance

The soil team, taking into account the weak position of soil protection, decided to prioritise issues that were relatively simple. Therefore, they de-

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695 DEFRA (2004): The First Soil Action Plan for England: 2004-2006.

696 DEFRA (2005): First Soil Action Plan for England: 2004-2006 – Annual Report May 2005. DEFRA (2006): First Soil Action Plan for England: 2004-2006 – Second Annual Report (July 2006).

cided to concentrate on non-urban soils. This had the advantage that they would mainly have to deal with stakeholders they already knew well (farmers, environmental NGOs, soil academics). DEFRA deliberately choose a *network* approach: a relatively open process with close involvement of societal stakeholders. A hierarchical approach was expected to result in a conflict-rich policy preparation process, with the risk of a poor outcome. For a market approach with financial incentives, the soil protection issue was not yet strong enough: the government had chosen other priority fields for such instruments. Regulatory market governance instruments like taxes were not feasible because they were more or less monopolised by the Treasury.

> "The problem actually is the tearing force between the Environment Ministry and the Treasury, who regard all economic instruments as their territory. They don't want the Environment Ministry to devise new taxes and other market-based instruments. In fact, sometimes we don't even get to hear about environmental taxes until they are announced." [697]

Finally, as one interviewee guessed, the choice for a network approach may have been influenced by the fact that the responsible minister did not trust the issue to be 'safe' in the hands of his DEFRA specialists. He believed that involvement of external stakeholders would guarantee a plan that is easier to implement.

To conclude, the priority was given to building bridges between actors, investing in trust and in mutual understanding. *Hierarchical governance* was mainly applied in the internal decision making procedures and the assignment of tasks. *Market governance* occurred in the form of the policy to make the ministries more flexible. An example is the periodical rotation of managers and policy makers between departments.

The soil team had to cope with a number of tensions and conflicts between elements of the ideal-typical styles. As in the other cases described in this research, they are related to five dimensions: vision and strategy, orientation, structure, people and outcome.

Vision and strategy: A contingent push towards network governance

The three apexes of the governance trilemma (Section 2.5.4) represent governance styles as three forces that are active in the UK administration. The visions of the different Departments illustrate this. Hierarchy was the main vision of the (former) Agriculture Department. This conflicted with

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[697] Interview 18, held on 30 March 2007.

the general political vision of the UK Cabinet (and also in some other EU countries), that agricultural policy should move to a 'real' market approach.

> "Agriculture was more hierarchical than market. They will shoot me for saying this, but the Agriculture Ministry in that time was protecting agriculture from the market. They more or less managed the market. The Environmental department was pretty hierarchical too. Command and control, and not until the last few years looking at market-based instruments."[698]

The (former) Environmental Department had always built on regulatory measures (hierarchy), which had been successful for water and air quality policies. The issue of dealing with contaminated soils had also been subject to a regulatory approach, through planning procedures. DEFRA had an underlying vision of governance through hierarchy and an emerging network style, but most other ministries framed their vision on a market governance basis. Nevertheless, as stated before, DEFRA was not allowed to introduce (new) market-style instruments, and the soil policy field was still too weak to build on voluntary market-type measures. Therefore, the Soil team in DEFRA, being denied the freedom to base their approach on hierarchical and market governance, had to adopt a network vision.

Orientation: Conflicting internal cultures, and improving external orientation

There were potentially conflicting cultures inside DEFRA and the ministries, but the Soil team was able to avoid such conflicts by picking the 'low hanging fruit' first. DEFRA decided not to enter difficult battles with the Planning Department. Agriculture was already merged with Environment, and the Soils Team consisted primarily of officers with an Agricultural background, and based its knowledge largely on evidence from research issued by the Agriculture department. Therefore, there were relatively few tensions between the environmental and agricultural units.[699]

Inside the division for Forestry, Soil and Uplands (a contingent cluster of units after one of the many reorganisations), contrasting cultures existed. Synergy increased when new over-arching issues emerged on the agenda, such as climate change. The potential governance-style tension between the soil team and the unit responsible for contaminated soils (as occurred in the Dutch case) was not problematic because the first soil ac-

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[698] Interview 18, held on 29 March 2007.

[699] Compared with the German case for example.

tion plan focused on improving prevention rather than changing the already existing regulation on remediation.

The management of the division considered it important that policy makers knew their 'customers': Every staff member should visit them at least once a year. One interviewee mentioned that the best example of an outward oriented government branch was the police, who have direct contact with citizens. The investment in building trust with selected external actors led to a situation where the soil team members understood that the farmers' union must occasionally be brutally honest regarding the progress of the soil policy in practice. The union representatives had to show their members that they 'stood their ground'.

Structure: The influence of silos and the 'curse' of organisational flexibility

In the UK and in other national administrations, the ministries work to large extent in 'silo's': relatively closed systems with a non-cooperative attitude. In such a situation, there is often an unspoken agreement of non-intervention between organisations. A crucial step therefore for the Soil team was to use the soil action plan for interdepartmental agenda setting. Many measures are formulated in a very 'soft' way. The soil action plan contains phrases like "DEFRA will work with Department X to…", in case there was not yet an agreement to talk, or "DEFRA and Department X will…", when there was agreement to co-operate.

Another structural aspect concerns flexibility. The UK Departments have not escaped from the New Public Management driven move to organisational flexibility. Hierarchical governance relies on clearly defined and fixed tasks and a structure that is reliable, but not flexible. Market governance promotes a flexible view on organising. In the UK case, as in the Netherlands (and less in Germany), this has produced an almost permanent state of reorganisation. Units are established and dissolved, and mergers between (parts of) Departments are executed as soon as it seems more efficient to do so.

People: Environmental professionals versus elite corps

Other than in Germany, where a legal background is the best guarantee to enter the *'Verwaltung'* (civil service), a social sciences study has been the best background for joining the British civil service.[700] However, in minis-

[700] Sturm (2003: 236): Das politische System Grossbritanniens.

tries, which require specialist expertise like in DEFRA, a large part of the officers has an academic background in environmental studies. This explains why they have, during a policy making *process*, a generally open attitude to external stakeholders, which is a fundament for network governance, more than in 'classical' ministries. Environmental specialists also prefer hierarchical *measures* as a result of the (networked) policy making process.

Due to the NPM 'dogma' that organisations have to be flexible, policy officers and managers are moved or seconded to other departments every couple of years. This has positive effects, such as mitigation of the silo-effect, the creation of better linkages between related policy issues, and it stimulates a multi-perspective attitude. There are also important downsides. One problem is that organisational memory has decreased, which is in fact inefficient. Expertise has decreased and ministries are relying more on external experts (consultants) than they used to. An even bigger problem in the case of the soil action plan is the fact that some linkages and agreements between the DEFRA Soil team and other divisions inside or outside DEFRA, of which a number were published in the soil action plan, became void because these divisions were dissolved.

Results: Three tensions and a 'governance footprint'

Three tensions occurred in the 'results' dimension. The first concerns a single-issue perspective versus the broader context. The stakeholders represented in the Steering Group were invited to draft texts on proposed measures themselves, through thematic working groups. However, DEFRA had to redraft many of these proposals because they were of a single-interest nature. Stakeholders were driven by their own interests and tended to produce proposals that where unintentionally conflicting with other proposals or existing policies.

The second tension regards the choice between concrete actions and more general agenda setting. The management of the implementation of the soil action plan is a bit like a ticket-box exercise: Many of the 52 actions are not distinct concrete actions but are formulated as agenda points and making connections between DEFRA and other departments and their agencies. This made the soil action plan a success in terms of agenda setting, but not in being a concrete working plan.

Another dilemma is about legal measures versus voluntary measures. The fact that it was not possible (other than in other EU countries) in the context of the soil action plan to develop or even announce an overarching soil protection Act, might have led to conflicts. RCEP's advice that had pushed for a soil policy in 1996 had strongly encouraged such a soil act to

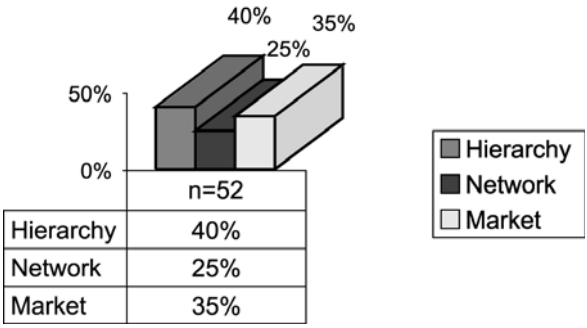
develop. However, the decision *not* to make a Soil Act was surprisingly undisputed. Several factors contributed to this. In the first place, the general political and administrative aversion of new legislation:

> "We were being hit with this whole deregulation agenda, and the last thing you wanted to do is proposing new legislation. It was a conscious decision to get these people together: let's get an action plan together, let's have a mix of approaches, where we know we're going to have some legislation based on EU directives that were coming".[701]

Secondly, soil policy had a low political priority. Thirdly, much other regulation already contained some soil protection measures and the policy sectors that were responsible for that regulation were not willing to give up parts of their regulatory framework.

> "The best thing is to invest where we can in encouragement and education, rather than writing a price of legislation of a tiny area; these things get out of date very quickly and are quite difficult to enforce."[702]

When we look at the 'governance footprint' of the measures announced in the soil action plan, we see that the plan contains 52 measures of which around 40% have a hierarchical governance 'signature', 25% can be characterized as network governance and 35% as market governance approaches (Table 6 and Figure 17). This is, after the Dutch and the German soil cases, the second example that the governance style mixture during the preparation of a policy document (in this case to a large extent networking) is not a predictor of the governance 'footprint' of the resulting measures.



	n=52
Hierarchy	40%
Network	25%
Market	35%

Fig. 17. Governance footprint: UK soil protection measures (2004) per governance style

701 Interview 20, held on 30 March 2007.

702 Interview 19, held on 30 March 2007.

Table 6. English soil protection measures announced in 2004, related to hierarchical (H), network (N) and market (M) governance

Measure	Type	Style
1. Implement CAP cross-compliance conditions for farming	Condition	H
2. Encourage better agricultural soil management	Promotion	M
3. Inform farmers on better soil management	Promotion	M
4. Raise standards for sustainable construction practices	Promotion	M
5. Deliver improved training on soil protection	Service	M
6. Securing public commitment to govt.action on soils	Coalition-building	N
7. Embed soil protection into DEFRA's budget plans	Budgetting	H
8. Ensure that all govt.agencies regard soil protection in rural areas	Regulation	H
9. Coalition to ensure appropriate outcomes of EU Soil Strategy for UK	Coalition-building	N
10. Education and awareness through partnerships	Coalition-building	N
11. Consensus on national soil monitoring indicators	Consensus	N
12. Review soil research programme DEFRA	Restructuring	H
13. Provide better access to information on soils	Service	M
14. Increase understanding soil issues in regional and local government	Incentive	M
15. Guidelines for soil protection in e.g. Building Regulations	Guideline	M
16. Ensure that soil issues are incorporated in planning issues	Regulation	H
17. Commission study on soil contamination	Research	H
18. Ensure necessary controls on metal and fertilizer contamination	Control	H
19. Develop soil guideline values	Guideline	M
20. Negotiate the proposed revisions of the Sewage Sludge Directive	Negotiation	N
21. Negotiate for arrangements on return of organic material to the soil	Negotiation	N
22. Negotiate changes to the Waste Management Licensing regulations	Negotiation	N
23. Effective enforcement of regulations on metal concentrations in animal feeds	Control	H
24. Evaluate controls on use of metal-containing veterinary medicines	Regulation	H
25. Review impacts of contaminants transported by floodwaters	Research	H

Table 6. (continued)

Measure	Type	Style
26. Ensure achievement requirements of National Emissions Ceilings Directive	Regulation	H
27. Seek agreement on need for technical material to assist impact assessments	Agreement	N
28. Cooperate on examining data sources on diffuse soil burdens	Co-operation	N
29. Seek agreement on potential impacts of veterinary products on soil biodiv.	Agreement	N
30. Scoping study on impacts climate change on soils	Research	H
31. Research soil and climate change	Research	H
32. Review code of good agricultural practice, for protection of soil	Guideline	M
33. Encourage voluntary change in agricultural soil management	Guideline	M
34. Further research on relation farm soil management practice and its impacts	Research	H
35. Examine scope for inclusion soil issues in Woodland grant Scheme	Regulation	H
36. Re-examine soil management advice	Guideline	M
37. Examine role soil management for flood management and water catchment	Research	H
38. Research on capacity soils to attenuate substance i.r.t. groundwater	Research	H
39. Examine policy options control sediment and soil-bound nutrient losses	Research	H
40. Identify initial list of biol./biochem. Indicators of functional diversity	Research	H
41. Consider with partners benefits of benchmark sites for soil biodiversity	Agreement	N
42. Position statement role soil management in statutary Nature conservation sites	Regulation	H
43. Guidance on use of soil information in restoration of wildlife (habitats)	Guideline	M
44. Monitor state of landscape and historic environment	Monitoring	H
45. Research threats of degradation of soils supporting historic landscapes	Research	H
46. Improve knowl. importance of soils & landscape to economy & life quality	Research	H
47. Promote better understanding benefits soil standards to Sustainable construction	Promotion	M

Table 6. (continued)

Measure	Type	Style
48. Promote recycling and composting as alternative to peat	Promotion	M
49. Examine practicality of integrating minerals and waste policies	Research	H
50. Seek agreement on monitoring soils in relation to built environment	Agreement	N
51. Promote en develop guidance on minerals site restorations	Guideline	M
52. Measure and report progress on all actions in the SAP	Monitoring	H

4.4.4 Application of metagovernance

Notwithstanding the many governance constraints, the Soil team was able to produce the Soil Action Plan for England within the strict timeframe of 9 months and was also relatively successful in the implementation of the Plan. The soil action plan has put soil protection on the political agenda. The process showed signs of 'good metagovernance'.

Metagovernance as designing governance style mixtures

DEFRA did not have much experience with project management, but the soil case was designed as a project. This made it more flexible than a standard line organisation approach. As illustrated earlier, before the preparation started there was an assessment of the governance arena: which approach (hierarchy, network, market) would be the best and which was more feasible? From the strength analysis, the responsible managers concluded that neither a hierarchical nor a market approach would be the best starting point: a network governance would be the best style to start with.

Metagovernance as managing governance style mixtures

Although the general approach during the preparation of the plan was network governance, the soil action plan document itself still had characteristics of hierarchical governance. With its 52 actions and a timeframe for implementation (3 years) it seemed more to represent a 'planning and design' style of strategy than a 'learning by doing' style that is characteristic of network governance. The implementation of the soil action plan, from 2004-2007, showed that the list of actions was too inflexible: new insights and priorities did not fit in easily. This endangered the status of the plan, internally as well as externally. Therefore, it was decided that the new

strategy of 2007 had to have a different approach: Not action-driven, but outcome-driven. The core would be the formulation of how England would look in 5-10 years and which soil policy and deliverables were required to support the desired development. Then the first steps of actions should be formulated, with open ends. This switch from an inflexible (hierarchical) type of plan to a more open, learning strategy document (network governance) can be characterised as a metagovernance intervention.

A second example was metagovernance by *framing* in the process of influencing other departments. The Soil team developed the attitude to link with other actors through these actors' interests. A hierarchical approach would have been to try to force other units to take up soil objectives in their policies. The Soils Team however tried to understand how a better Soil protection policy could contribute to the success of other sectors. It was not the 'soil world' that was central, but the farmers world, the builders world, etcetera.

> "I hardly ever talked about soil; I was always talking about what good soil management could deliver for them. Mainly because people were too busy to be interested in soil. That was my approach, and that got us a lot of opportunity, I think, to speak to other people." [703]

This required finding the right questions (instead of the right answers) and helping them to formulate new ways of including soil protection elements in their policies: an indirect way of achieving support for soil policy. The Soil team did not consider agriculture as an economic sector producing food, but took a broader view: they were interested in what farmers are doing on their farms, and what do soils mean for them.

> "Networking was probably a minority approach within DEFRA, although I am fairly sure that was not completely novel. I think that part of the reason it happened was that other ways were ruled out."[704]

A last example of metagovernance was the indirect 'by-pass' of the 'unwilling' planning Department. The building and construction business are, to a considerable extent, regulated by the Planning Department and local planning agencies. DEFRA knew that the Planning Department would reject a new planning regulation that would put new burdens on the (building) industries. They therefore aimed at developing a voluntary code of good practice for the sector, hoping that local planning agencies would gradually take that up in their building permits. This strategy was sup-

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[703] Interview 20, held on 30 March 2007.

[704] Interview 21, held on 30 March 2007.

ported by DEFRA's Environment Agency, which is a statutory consultant to the planning agencies. The association of local authorities at first did not want to be involved in the preparation of the Soil Action Plan (the soil action plan would be "another burden to local economic activities"). They operated from a market governance perspective (better services in stead of new regulation). Later, they did embark on the voluntary approach that the Soil team proposed. They launched an environmental campaign (also market governance) with a website and fact sheets on soil protection, which the Soil team helped to draft. Finally, the Soil team also tried to increase commitment of the local planners through peer pressure: they built a relationship with their 'peers', the professional organisation of planners.

4.4.5 Discussion and conclusions

It can therefore be concluded that hierarchical, network and market governance mixtures were also used in the UK case. Already in 1997 Rhodes concluded that the British government can choose between the 'governance structures' hierarchies, markets and networks.[705] The English soil protection case confirms this observation: all three governance styles were 'available' and used in a mixture that was pragmatic and situational. The merge of the departments of Agriculture and the Environment (which both had a relatively *hierarchical* governance style), taking place against the background of a political *market* governance dominance, had led to a governance style mixture in DEFRA in which *networking* became increasingly important. The soil team was among the first in DEFRA to develop such an approach, for reasons mentioned earlier.

The question, of whether or not metagovernance of governance styles did occur, can also be answered positively. The soil team made optimal use of the 'grey zone' of discretion by focussing on non-hierarchical/legal approaches. They had a common goal to put soil protection higher on the agenda, and a strong commitment to use their competencies. They were aware of the competing governance styles that worked in the policy arena and had the flexibility to decide on a style switch when this seemed appropriate. Their approach was successful.

In 2006 of the 52 actions, 11 were completed, 40 were at 'green or amber' to be delivered within the stated timeframe and only one action was at

[705] Rhodes (1997: 47): Understanding governance.

'amber/red'. This action suggested altering the EU thematic soil strategy to make it 'appropriate to UK soils'.[706]

So far, we have now seen three cases of soil protection policy-making in Western European countries. The cultural differences between the three administrations are quite evident. How would soil protection policy develop in a 'pseudo-ministry', in an international and multi-cultural bureaucracy, the European Commission? This will be the topic of discussion in the next section.

4.5 Soil protection policy in the European Commission

The publication in September 2006 by the European Commission (EC) of the Thematic Soil Strategy marked the end of an intensive policy preparation process, in which many internal and external actors were involved.

For this case study, interviews were held with four key (managing) officers involved in the preparation of the Soil Strategy inside the European Commission, and two background interviews were held with senior EC managers.

4.5.1 Institutional and cultural context

The European Union is not only an international organisation like the UN, but rather also a 'proto-state': it models itself on nation-state criteria of governance, authority and legitimacy.[707] It has so many similarities with national states, that it was included in research studies that compared European countries.[708] It belongs to the consensus type of democracy rather than to the majoritarian model.[709] The Directorates-General (DGs) that together form the European Commission, the EUs policymaking administration, have developed into 'quasi ministries'.[710] However, there are

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706 DEFRA (2006): First Soil Action Plan for England: 2004-2006 – Second Annual Report (July 2006).

707 Hedetoft (2000: 43): Cultures of states and informal governance in the EU.

708 E.g. Hesse et al. (2003): Paradoxes in Public Sector reform. Pollit and Bouckaert (2000: 56): Public Management Reform. Ismayr (ed.)(2003): Die politische Systeme Westeuropas.

709 Wessels (2003: 811): Das politische System der Europäischen Union.

710 Christianen (1996: 86), cited in Malek and Hilkermeijer (2001): The European Commission as a learning organization?

also important differences. Firstly, the European Commission is not governed by a political body that is installed based on elections: the Commissioners are appointed by national governments. This leads to a certain democratic deficit. Nevertheless, the Commissioners consider themselves as ministers (of some kind). However, perhaps even more than ministers, they are in a permanent 'power struggle' with the leading administrators.[711] Another difference is that, compared to national ministries, the directorates-general of the European Commission have to cope with a very high level of complexity and lengthy procedures. This can be illustrated by the fact that there are four subsequent negotiation procedures for policymaking: the inter-service discussions between the DGs, the more political deliberations in the college of Commissioners (the European Commission *sensu strictu*), the European Council of Ministers with its 27 member states, and finally the European parliament.[712] In all stages, negotiations may start again. 'Old' points can be revisited and new arguments inserted. In addition, the EU Presidency rotates every six months, which brings about new priorities for the EU agenda. This makes the decision-making process very time consuming and, before a final decision is reached, years of preparation have often passed.

The administrative culture of the EC has a history that goes back to the organisations' roots in the 1950s. The two largest of the six EU founders, France and Germany, took the lead in developing the EU administration, more or less copying their own previous administrations.[713] This resulted in a *Rechtsstaat* model of administration, with hierarchical structure, procedures and culture. The French, possibly because of a post-war 'bonus', were able to introduce their language as the main working language. German never became an important language inside the EC, although it is the mother tongue of 100 million Europeans (compared to 65 million English and 60 million French). The English language, and the Anglo-Saxon political and administrative culture, began to influence the EC in 1973 when the UK joined the EU. English only became the second (or even first) administrative language when 10 new countries joined the EU in 2004: for many of their civil servants English is their first foreign language. It took many years before market thinking, the UK's national cultural 'brand' became influential inside the EC.

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711 According to German Commissioner Günther Verheugen in an interview in the Süddeutsche Zeitung on 4 October 2006.

712 In addition, opinions may be given by the other EU institutions: the Committee of the Regions and the Economic and Social Committee.

713 Dimitriakopoulos (2003: 317): Paradoxes in EU Administration.

It is argued that, although the EC is the youngest public sector system in Western Europe, it is not the most modern by a long way[714]. The resignation of the Santer Commission in 1999 triggered more coordination of the, until then, rather unsuccessful internal reform attempts.[715] In March 2000, the European Commission issued a *White Paper on Reforming the commission*.[716] This paper, like the preceding consultative document[717], is primarily a type of *market* reform programme. The Commission formulates its reform objectives in four key themes: accountable, efficient and transparent, and guided by the highest standards of responsibility[718]. The reform program seems clearly inspired by NPM's focus on efficiency[719] and by the Anglo-Saxon style of radical reform[720]. The reform White paper can be seen as a highly eclectic mix, with a combination of a centralist agenda (hierarchy) and a set of NPM (market-type) measures.[721] Its focus on *market* type efficiency measures has been criticized: the real reform challenges would not be solved by improving the efficiency of the internal management systems, but with finding a new role. This role would not be governing Europe, but helping to govern within Europe.[722]

The 2000 reform package produced some dysfunctional unintended results, including greater workload, was not universally supported in the

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714 Dimitriakopoulos (2003: 317): Paradoxes in EU Administration.

715 Stevens (2002: 7): Europeanisation and the administration of the EU: A comparative perspective.

716 European Commission (2000): Reforming the Commission – A White Paper. COM (2000) 200 final/2.

717 European Commission (2000): Reforming the Commission – Consultative document, 18 January 2000.

718 European Commission (2000: 3): Reforming the Commission – A White Paper. Part 1.

719 This is reflected by the choice of the three central themes, all with a managerial background: better priority setting and resources allocation, better human resources management, and overhaul of financial management. See Cini (2001: 13): The politics of reform: Responsibility and Good Governance in the European Commission.

720 This may be influenced by the fact that the then responsible Commissioner Kinnock is British.

721 Levy (2003: 556-557): Critical success factors in public management reform: The case of the European Commission.

722 Bauer (2002: 2): Reforming the European Commission : A (missed) Academic opportunity.

Commission, and was implemented in a bureaucratic style and delivered less than was claimed in its own reviews.[723]

In the final version of the 2000 reform paper the Commission added that apart from the administrative reform presented in the consultation paper mentioned above,

> "the strategic decision was made to focus more on core functions such as policy conception, political initiative and enforcing Community law. This approach implies building new forms of partnership between the different levels of governance in Europe and should allow the Commission to better reach its key policy objectives set for the period 2000-2005". This meant "promoting new forms of European governance by giving people a greater say in the way Europe is run and making the European Institutions work more transparently and effectively."[724]

The Commission in 2001 adopted the *White Paper on Governance.*[725] This paper proposes 'new modes of governance': opening up the policy-making process to get more people and organisations involved in shaping and delivering EU policy. It promotes greater openness, accountability and responsibility for all those involved. Although the reform rhetoric uses many terms that are linked to network governance (such as increasing the involvement of civil society), the covert administrative ideology[726] is that of NPM market governance (for example though 'voluntary agreements') and of 'good governance' – a new shape of hierarchy with complex control systems (see also Section 2.2.1). In 2002, the Commission issued a report on the progress made over the first 16 months after publication of the White Paper on Governance. The Commission concluded that the public consultation on the White Paper had shown "that the basis objectives and approaches of the White paper are supported".[727] However, public admini-

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723 Levy (2006: 435): European Commission overload and the pathology of management reform: Garbage cans, rationality and risk aversion.

724 European Commission (2000: 5): Reforming the Commission – A White Paper. Part 1.

725 European Commission (2001): European Governance. A White Paper.

726 Schout and Jordan (2004: 207. Coordinated European Governance.) point at the fact that the English version refers to 'good governance', whereas in the Dutch version of the White Paper the broader term 'governance' is used.

727 European Commission (2002: 23): Report from the Commission on European Governance.

stration scholars were quite critical from the beginning, and they stayed that way.[728]

The Commissions attempt to modernise its governance approach resulted in the introduction at the Lisbon summit in 2000 of the 'Open Method of Coordination' (OMC) (see also Section 2.1.2). The OMC promotes 'new modes of governance' that replace or complement the standard community method of policymaking. It is a 'discursive regulatory mechanism' that works at the levels of ideas, and is characterised by weak institutionalisation, limited legislative footprint and an informal constitution.[729] The OMC is an attempt to deal more successfully with the fact that the EU cannot operate on its own. Already before the OMC was introduced, it was reported that DG Environment was moving to a more participatory style, from which sub-central governments profited, for example in the field of urban environment policy.[730] The popularity of the OMC has not resulted in the disappearance of other modes of European governance, at least in environmental politics. Héritier showed empirically that, in contrast to EC measures in social policy for example, a field in which the EU does not have much to say and therefore 'soft' forms of governance are applied, environmental policy measures of the EC are mostly hybrids of 'new modes of governance' and hierarchical governance.[731] This tendency to mix the old and new methods of EU policy making is also reflected in a background report commissioned by the Dutch Presidency in 2004 that proposed a way forward for the Thematic Strategy for Soil Protection. The report identifies five 'levels' of policy measures: legal measures (through the standard Community Method); voluntary actions, guidelines, indicators and benchmarks (through the OMC); cooperation through intergovernmental activities; through transnational activities and through concerted (joint) actions. The background report however shows a clear preference for hierarchical (legal) measures: The 'weaker' measures can be seen as "sequen-

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728 See Metcalfe (2001): More green than blue: positioning the Governance White Paper. Follesdal (2003): The political theory of the White paper on Governance: Hidden and fascinating. Schout and Jordan (2005): Coordinated European Governance.

729 Laffan and Shaw (2004: 31-32): Classifying and mapping OMC in different policy areas.

730 Ward and Williams (1997: 439): From hierarchy to networks? Sub-central government and EU urban environment policy.

731 Héritier (2002: 8): New Modes of Governance in Europe: policy making without legislating?

tials, rather than offering clear-cut alternatives" and as "precursors to community method measures".[732]

To conclude: The EC is, as one interviewee stated 'a very hierarchical animal' as far, as the *internal* procedures and cultures are concerned. During the years of the preparation of the Soil Strategy, the culture of the EC administration was based on a strong hierarchical fundament, but enriched with market and network ideas, mainly for *external* use.

Involved actors

The Directorate-General Environment (DG Environment) had the lead in the preparation of the Soil Strategy. The Agriculture, Forests and Soil Unit in the Directorate Protecting the Natural Environment was in charge. The other DGs involved included the DGs responsible for Agriculture and Rural Affairs, Enterprise, Regional Policy, Development, Transport and Energy. An 'inter-service' working group connected these DGs. Good informal working relations were established between DG Environment and DG Agriculture, building on experience in other dossiers. The relationship with DG Enterprise was more difficult. Other actors included the (then) 25 Member States. There were frequent informal contacts between DG Environment officers and the Permanent Representations of these countries.

Compared to the other soil cases in this research, the external consultation process was extremely complicated. In two phases extensive external consultation was executed. Firstly, an Advisory Forum was established in 2003 with five working groups in which experts and stakeholder representatives participated. Secondly, after a draft Strategy was published in 2005, an internet consultation took place. A total of 1206 individual citizens, 377 soil experts and 287 organisations from 25 countries replied.[733]

4.5.2 Chronology of the case

Reminiscent of most EU Member States, soil protection arrived late on the policy agenda. Similar arguments for this laggard position as in the Member States apply in the EU arena. It has been argued that the issue only came up in EU policy making, when strong interest in biodiversity

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[732] Kraemer et al. (2004: 20-21): EU Soil protection policy: Current status and the way forward.

[733] European Commission (2006: 17): Soil protection. The story behind the Strategy.

emerged: soil protection and remediation are inherent concerns in any nature protection policy. Furthermore, it was recognised that the diverging soil protection legislation in the EU member States had an impact on the Internal Market.[734] The Commission argues that the existing differences between national soil protection regimes create "an unbalanced situation in their fixed costs", and "hinder private investment".[735] It is not the first time that the economic 'level playing field' argument has supported environmental policies.

The preparation of a Thematic Soil Strategy started with the publication of the 6th Environmental Action Plan in 2002[736]: Seven thematic strategies were announced, of which one is a soil protection strategy. In April 2002, a communication "Towards a Thematic Strategy for Soil Protection"[737] was published. In the informal meeting of environment ministers one month later, the ECs approach was supported, but it was pointed out that the principle of subsidiarity limited Community action in some aspects of soil protection, because they are mainly local.[738] External consultations with experts and stakeholders started with the establishment in 2003 of an Advisory Forum with five Technical working groups. The Dutch EU presidency (2004) organised the conference 'Vital Soil'. During this conference strong signals emerged that a mere strategy paper would not be sufficient: some kind of a legal framework, a directive, would also be needed. At the same time, the general political view in Europe was that the (EU) body of legislation was already saturated. This led to the idea that a very flexible framework directive should be prepared for soil protection; a directive that would control not the details, but the quality of the policy processes in the Member States.

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[734] Van Calster (2004:13): Will the EC get a finger in each pie? EC law and policy developments in soil protection and brownfields development.

[735] European Commission (2006: 13): Soil protection. The story behind the Strategy.

[736] Decision No 1600/2002/EC of the European Parliament and of the Council of 22 July 2002 laying down the Sixth Community Environment Action Programme.

[737] European Commission (2002): Towards a Thematic Strategy for Soil Protection. COM(2002)179.

[738] Van Calster (2004: 14): Will the EC get a finger in each pie? EC law and policy developments in soil protection and brownfields development.

> "The logic of the Soil Directive is a bit self-supporting: all states are free to set up their own goals, but we expect that they will push, learn and stimulate each other."[739]

In 2005, an Internet consultation was organised on a draft Strategy, after which the EU institutions were consulted. In September 2006, the final Thematic Soil Strategy was published. It consisted of three publications: A Communication of the Commission[740] containing the strategy text, a Commission proposal for a Framework Directive[741], and an Impact Assessment report[742]. This signalled the beginning of the last phase: decision making by the European Parliament and the European Council.

4.5.3 Hierarchical, network and market governance

The basic working style inside the EC is *hierarchical*, and also the type of result that is favoured, is hierarchical: European legislation, be it in a direct form (through Regulations) or in an indirect form (through Framework Directives). DG Environment is no exception, and is even more hierarchical than other DGs because of the 'street fighting mentality' that often comes with a young policy field (see also the Dutch case). This mentality can make the DG Environment unpopular with other DGs.

In the soil protection case, the Director-General (until 2005) personally supported the striving for legislation. Around half of the measures in the Soil Strategy have a hierarchical 'signature' (see hereafter).

As opposed to the hierarchical *internal* governance, the *external* governance style was dominated by *networking*. The main forms of network governance that were applied were the aforementioned use of expert working group, internet consultations, and conferences. Also, some of the measures announced in the Soil Strategy aim at improving co-operation, for example the announcement that partnerships will be sought for the implementation of the Strategy.

Market governance elements are found primarily in the general political 'shadow' of the market-liberal Lisbon Strategy of 2000 and in the influence of the deregulation and 'no new regulation' objectives of most of the Commissioners. Secondly, market governance examples appear in the Soil Strategy itself: some of the measures are formulated as incentives. An ex-

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739 Interview 25, held on 8 May 2007.

740 European Commission (2006): COM(2006)231.

741 European Commission (2006): COM(2006)232.

742 European Commission (2006): SEC(2006)1165 and SEC(2006)620.

ample is the development of 'best practices' on the mitigation of soil sealing.

> "Environmental policy is a young field of policy; this accounts for having different governance styles, which are much less hierarchical, and more networking. However, the problem for DG Environment was to get into the Lisbon process. That increased the pressure to look also at a market style, to focus on economic mechanisms. Meanwhile, that has become very popular, especially after the Dutch presidency [in 2004]: proposing market instruments and recently, for the first time, taxation." [743]

Vision

In the EC tensions on the dimension *vision and strategy* are frequent. Typical for the EC bureaucracy is the tension between rational, technical policy preparation and political influences. Whereas the technical policy officials perform the task of preparing policy proposals, the 'political bureaucrats' in the Commissioner's cabinets are dealing with the political division between a pro-growth coalition and a sustainability coalition, as Beyer and Kerremans have shown.[744] In the EC Soil case this division also played a role: there was - on the cabinet level - a permanent tension between DG Environment and DG Enterprise, which increased when the EU entered a phase of relative lethargy after the negative Dutch and French outcomes of referenda on the European 'Constitution' in 2005. Inside DG Environment, the relation between the cabinet and the policy directorates was described as hierarchical, with the cabinet people in the driving seat.

One of the interviewees reported that governance style conflicts often emerge during the 'transition phase' when a switch takes place from one style to another. This happened in the soil case, when the networking approach of the consultation phase ended and the normal hierarchical Commission culture returned for the decision-making procedures. DG Environment was suddenly without the influence of external partners and the internal pressure against the new strategy and directive intensified. The soil team feared conflicts with other DGs because in 2005 their 'hierarchical' Director-General was replaced by a much 'softer', more consensus oriented DG with a Scandinavian background.

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[743] Interview 23, 14 June 2007 (translated from Dutch by the author).

[744] Beyers and Kerremans (2004: 119): Bureaucrats, politicians and societal interests. How is European policy making politicized?

Orientation

The *orientation* of DG Environment seems mixed: when relating to external actors, it is open, but concerning the internal decision making 'machine' it is closed. The informality of the teamwork of the soil team ends, stated one interviewee, immediately outside the responsible team: The Commission has no internal mechanisms for consensus building (network) or selling arguments (market): the only mechanism is hierarchy. Of course, like in any other formal organisation, there is a second layer of informal relations:

> "In the Commission a lot is being done informally; unlike in the UK, where you would write notes and replies, in the EC notes are often consolidation of agreement."[745]

Structure

The preparation of the Soil Strategy took place in the line organisation: there was no formal project structure. The EC normally works with inter-service groups for negotiation between Directorates-General. In cases where other DGs have strong interests, like in the Soil case, informal contacts play an important role from the beginning:

> "If you believe that your issue is closely related to other issues, you start with other services [DGs] from the beginning. You don't wait until there is a formal inter-service group decision."[746]

People

On the *people* dimension the following has to be reported. The small policy preparation team had a strong support inside DG Environment. Factors influencing this may have been the inspired leadership of the responsible Head of Unit, and the relatively strong personal involvement of the DG. This consequently meant that the soil team had a slightly higher than usual level of discretion (see also the Green Heart Case, Section 3.2.4). One interviewee stated that training and management development conditions are excellent in the Commission, but the use of them is passive. The individual performance appraisal system that was announced in the 2000 White Paper on Reforming the Commission and introduced in 2002, promotes individual development and competition (market governance).

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745 Interview 28, held on 20 April 2007.

746 Interview 28, held on 20 April 2007.

> "The elaborate appraisal system we have, with points for competencies as the basis for promotion, has the effect that people, in stead of doing what is also preached (networking, dialogue), are stimulated to competition between staff. The result is a motivation disaster."[747]

This leads to more self-seeking behaviour of officials in selecting training courses,[748] inside DG Environment, but the same time it stimulates conformity to the dominant culture. Therefore, even the management development inside the EC, although mainly promoting professionalism, also has some characteristics of 'hierarchical management development' in which, according to Simon, "training procedures are alternatives to the exercise of authority or advice as means of control over the subordinate's decisions"[749].

Results

The *results* of the policy process were a Strategy and a Directive. The latter is, as stated before, a very flexible framework directive. All Member States are free to set up their own goals. However, inside DG Environment it is expected that Member States will learn from each other and push each other into a good protection policy. If we look at the 'governance footprint' of 16 measures announced in the Soil Strategy soil action plan, we see that more than half are hierarchical measures, about one fourth network measures, the rest being market governance measures (Table 7 and Figure 18).

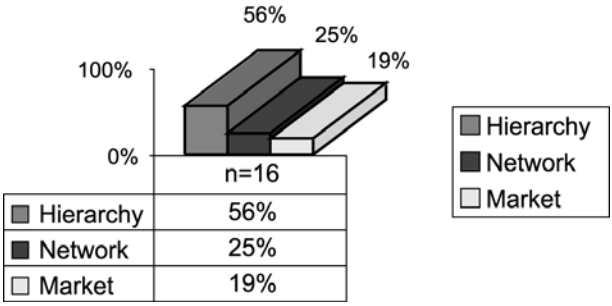

Fig. 18. Governance footprint: EC soil measures (2006) per governance style

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747 Interview 28, held on 20 April 2007.

748 Levy (2003: 563): Critical success factors in public management reform: The case of the European Commission.

749 Simon (1997: 13): Administrative Behaviour (Fourth Edition).

Table 7. European Commission soil protection measures announced in 2006, related to hierarchical (H), network (N) and market (M) governance

Measure	Type	Style
1. Requirement to identify risk areas	Legislation	H
2. Establish inventory of contaminated sites	Legislation	H
3. Take measures against sealing of soils	Legislation	H
4. Research supporting knowledge for policies	Research	M
5. Public awareness rising of importance soil protection	Campaigns	M
6. Review Sewage Sludge Directive	Legislation	H
7. Review IPPC Directive	Legislation	H
8. Monitor soil in Rural Development Plans EU	Monitoring	H
9. Check soil protection in req. For good agr. Practice	Requirements	H
10. Initiative development best practices on sealing mitigation	Best practices	M
11. Implementation strategy for the Soil Directive in partnership	Cooperation	N
12. Address interaction soil protection & climate change	Cooperation	N
13. Assess synergies soil measures and river basin management	Cooperation	N
14. Assess synergies soil measures and coastal waters	Cooperation	N
15. Ensure soil protection policy in product policy	Legislation	H
16. Ensure mutual support soil strategy and international initiatives	Ensure	H

4.5.4 Application of metagovernance

Metagovernance as designing governance style mixtures

Although the Soil unit in DG Environment preferred to include a Directive in the Strategy, it was aware that the political mood of the years (market-liberal and anti-regulation) would make this very difficult. The unit therefore deliberately started with a network approach, building on the initiative Germany had taken to put soil protection on the European agenda.

Its expectation that the call for a (framework) directive would then come ‘bottom-up’, was realised. This conscious governance mixture design is a sign that metagovernance occurred, although in a very modest way. External factors influence the governance in EU policy making so dominantly, that it is argued that a governance design is not possible: it is “shaped and modelled according to the incentives and constraints which

the institutional structure of the EU sets to their emergence and evolution".[750]

Metagovernance as managing governance style mixtures

Internal metagovernance inside the Commission bureaucracy aims at playing the 'policy game' in line with the internal rules and procedures, no matter what challenge or situation emerges. This was enforced by the new accountability and control procedures that were introduced as part of the reform after the Santer Commission retreated. Although hierarchy is the basic style, informal network also play an additional role in the Commission. Trusted personal relations were reported to be important, both inside DG Environment, and between this DG and other DGs.

An interesting feature of EC governance is that a stable internal style (hierarchy) does not prevent a flexible (meta)governance attitude externally. However, there is a preference of hierarchy, as one interviewee explained:

> "Hierarchy – like producing EU legislation – is what you do when you have an EU competence on your field. Market-style bargaining is a good method for dealing with a new initiative, on issues where the EU competence is not so clear or accepted, and network governance is the way you approach 'soft' issues (soft, seen from the EC side) where there is no European competence, like culture, health or sport."[751]

The managers involved in the Soil Strategy were aware that national cultures play a role in which type of policies are easily accepted. One interviewee gave an example:

> "In the UK, people are used to market and network governance styles. In Germany, people are used to rules and orders. In the former communist countries a general anti-government attitude has developed, which makes any new EU policy difficult."[752]

The lesson the interviewee learned from the Soil case is that a starting point for a new EU policymaking process should be to analyse the cultural environment of the countries that will have the largest stake in the new policy. A second lesson, also from the Soil Strategy case, is that the governance mixture of the (content of the) new policy is acceptable for most

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750 Tömmel (2007: 19): Modes of Governance in the EU.

751 Interview 27, held on 8 May 2007 (translated from Dutch by the author).

752 Interview 25, held on 8 May 2007.

countries, and that the percentage of non-compliance is small enough to consider negligible.

The fact that all governance styles have their inherent limits was also mentioned as an argument for metagovernance. In the case of phosphates in detergents (in the 1980s), voluntary agreements between states and companies were successful, until the opening of the markets, which led to the import of phosphate-rich detergents. The other companies then demanded a switch from market to hierarchical governance: Governmental regulation should guarantee a level playing field. The lesson learned here is to never completely eliminate one of the three governance styles in your approach.

Jessop has observed metagovernance in the relations between the European Institutions and with the Member States. He considers the OMC as an emerging paradigm for what he calls multi-scalar (European) metagovernance: different institutions (the European Council, the European Commission, the Committee of the Regions, and the Member States) each play a specific role in the EC metagovernance polity.[753] The often-mentioned concept of multi-level governance in European policymaking, according to Jessop, only grasps, the shift from government to governance and not the shift from government to metagovernance.[754] Indeed, it seems that framing EU policy making as multi-scalar metagovernance reflects the complexity and variety of governance issues better than the narrower concept of multi-level governance.

4.5.5 Discussion and conclusions

Yet again, in this fourth and last case study on strategic soil protection policy development, all three ideal-typical governance styles appeared, with hierarchy dominating internally, network governance dominating externally during the policy preparation, and market governance appearing in the underlying market-liberal political mood and in some of the measures the Strategy in 2006 presented. The analysis of Schout and Jordan can be confirmed: the EU has a desire to move away from hierarchical governance, but it is "notoriously lacking in market-based coordination tools"[755].

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[753] Jessop (2004: 229): The political economy of scale and European Governance.

[754] Jessop (2004: 228): The political economy of scale and European Governance.

[755] Schout and Jordan (2005: 218): Coordinated European Governance.

They (rightly) argue that in the European policy making context networks are not self-organising, and conclude that "therefore network management is a generic problem in the EU". Hey et al. analysed a similar case of environmental policy making in the EU, the development of the European chemicals directive (REACH). They conclude that the three styles of governance were applied (hierarchical, cooperative [network] and self-regulatory [market]), however with serious shortcomings as regards the interlinkages between the styles. They call for political metagovernance: a stronger political attention to the design of these linkages.[756]

In the soil protection case, however, metagovernance did play a role, although in a modest way. It was known that governance styles are linked to (national) cultures, to problem types and to political preferences. It was also consciously decided that different governance styles would be prominent in different phases: networking in the consultation phase, hierarchy in the decision making phase. On the other hand, the willingness to practice metagovernance was slightly hindered by the dominance of hierarchy internally. This dominance inside the Commission is so strong that, paraphrasing Henry Ford's famous aphorism, one might say that the slogan is: "You can get whatever governance style you want as long as it is hierarchy".[757]

Therefore, both the first and the third research questions are answered in an affirmative way. The following Section will deal with the second research question regarding the influence of different administrative cultures.

4.6 A comparative perspective: Theoretical replication

4.6.1 Governance and metagovernance

Have there been different problems and management attempts in different administrative cultures, and if so, in which ways? Which role, if any, did metagovernance of governance styles play? In Table 8, four dimensions are used to compare the four soil cases (a theoretical replication, see Section 3.3):

- The underlying (national) culture of the main actors, which is an 'internal force';

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[756] Hey et al. (2006: 27): Better regulation by new governance hybdrids?

[757] Ford allegedly stated, after people had asked for different colors of his Model T: "You can get whatever color you want as long as it is black".

- The organisational culture of the responsible department, which is usually internalised by its civil servants;
- The leading governance style (if there is one) in the policy-making process;
- The main type of results (in terms of affinity with governance styles).

On first sight, it is a confusing picture. In most cases the main style differs per dimension. However, the diversity in the policy games makes sense, if we look at the situational differences in actor preferences, constellations and institutional settings.[758]

The Soil Action Plan for *England* was produced against the background of an anti-legislation *market*-liberal national culture, by an environmental department with a classical *hierarchical* style. This led to a policy process that was internally *hierarchical* and externally *network*-style, with results that should be characterised as mainly *network*-type action points (because neither market instruments such as taxes nor a legal framework were politically allowed).

In the *Dutch* case, the underlying *network* culture led to a standard network-type of pre-project that ended in conflicts. This enabled the environmental department with its *hierarchical* command style (although flanked by a professional *networking* culture) to design a policy-making process that was *hierarchical*, and produced mainly *market*-type results (in line with the market-liberal political mood of these years) in the Soil Policy Letter.

The *German* soil protection policy was prepared in a *hierarchical* national and institutional culture. This would have produced a hierarchical policy process, were it not that external and internal (political) opposition to strong legislation led to also use *network* style measures in order to create broader support. The results were, as expected, mainly hierarchical, but also contained elements of self-regulation (market-style), like the 'guidelines for good agricultural practice'.

The case of the Thematic Soil Strategy (and Directive) of the *European Commission* is has similarities with the German case. A *hierarchical* culture in a *hierarchical* administration led to a policy process that was internally *hierarchical* and externally *networking*. In fact, this was the case with by far the most stakeholder participation. The results were a Strategy with mainly guidelines (for national self-regulation: *market* governance) and a Directive with legal requirements (*hierarchy*).

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[758] The two main determinants of the policy game, according to Scharpf (1997): Games real actors play.

Table 8. Comparison of soil policymaking in four European administrative systems

	UK/England	Netherlands	Germany	European Commission
1. Underlying culture of actors	Market	Network	Hierarchy	Hierarchy
2. Institutional culture of resp. Department	Hierarchy	Hierarchy & Network	Hierarchy	Hierarchy
3. Dominant governance style in policy process	Hierarchy & Network	Hierarchy	Hierarchy & Network	Hierarchy & Network
4. Main type of results	Network	Market	Hierarchy & Market	Hierarchy & Market

All four cases are (by the involved respondents, but also by other (written) sources) considered to have been relatively successful policy processes. What we can conclude now is that in all cases different governance style dominances occurred. Although conflicts between governance styles occurred, it has been possible to (in the Dutch case) produce market-type results in a hierarchical way, with a network background culture.

This illustrates how large the 'toolbox' is if one consciously designs and manages governance style mixtures fit for a certain situation. It also illustrates that metagovernance was (informally) applied. These cases form a strong argument against the idea that "everything is network governance": not only market governance, but especially hierarchical governance played a prominent role.

The multi-level aspect of policy-making played an important role in the EU soil protection case. It was some of the 'old' members who pushed for a common policy: first Germany, and in a later phase, the Netherlands. However, during the last phase of the preparation of the EU policy, both countries and the UK became opponents of a soil policy that would include legislation (a directive). For the 'new', mainly Eastern European EU Member States, soil protection is a strategic issue, because the use of soils in the form of agriculture is a key building stone in their economy. In addition, the Russian influence had contributed to a heritage of a lot of contaminated land. They brought in a great deal of knowledge about the condition of soils. On the other hand, they feared the consequences of an over powerful EU soil protection policy, and formed a coalition against the 'old' EU countries. This, an interviewee stated, was a blessing in disguise:

it inspired the 'new' Members to cooperate with each other (network governance), which was for them, coming from the hierarchical culture of former communism, a rather new mechanism. Besides the Eastern coalition, a Southern coalition also emerged. Portugal, Southern Spain, Southern Italy and Greece demanded EU funds to address typical southern[759] problems like desertification and the drying up of soils. The lobby of Germany and Austria against a Soil Directive, mainly driven by their national (and state) farmers' organisations, during the last phase of decision making (2007) concentrated on influencing the European Parliament.

The multi-level dimension of the EU soil protection case illustrates the aforementioned complexity of EU policy-making. Some have argued that an important reason for the EC to promote governance through public and stakeholder participation, is that this would hopefully decrease direct member State influence.[760]

4.6.2 Comparison of the 'governance footprint'

Assessing the 'governance footprint' of the announced measures

It was expected that the mix of measures announced in the soil protection plans or strategies would reflect the applied governance style mixture in the preparation of the policy documents. The analysis of key documents containing the new soil policies in the four cases[761], were analysed based on the overview given in Table 9, which is based on a range of literature sources, but inevitably contains subjective assessments.

The category research measures are divided into three sub-categories: Research is only indirectly hierarchical: research is commissioned in a hierarchical way. However, when it aims at supporting regulation, it is considered a hierarchical measure. If research is commissioned in order to improve participation, it is a network measure. If it aims at empowerment of actors, or if a research is tendered, it is placed in the market governance category.

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759 However, due to climate change, these problems are also observed in more northern European countries.

760 Robert (2001: 8): The European Commission and its relationship to politics. How and why doing politics and pretending not to?

761 VROM (2003: Beleidsbrief Bodem (Soil protection policy letter); BMU (2001: Handlungskonzeption zum vorsorgenden Bodenschutz). European Commission (2006 : Thematic Strategy for Soil Protection).

Table 9. Affinity of types of policy measures with the governance ideal types

Hierarchical governance	Network governance	Market governance
Research for regulation	Research for participation	Research to empower actors
Regulation	Covenants	Tendered research projects
Criteria/indicators for regulation	Coalition-building	Contracts
Restructuring/reorganisation	Agreeing with partners	Criteria/indicators for voluntary action
Conditions	Negotiation with partners	Service
Control measures	Better co-operation	Efficiency measures
Monitoring	Dialogue	Incentives and guidelines for self-regulation
Budgetting		Decentralisation
Information		Deregulation
		Marketing

The four policy papers share a focus on better integration of soil protection with other policies and propagate a more sustainable use of soils. Both the German and the EC's policy papers promise more regulation (hierarchical governance) to protect soils better (Figure 19). The Dutch policy does the opposite. It considers the old policy too rigid and hierarchical, and strives for deregulation, decentralisation, and more freedom for citizens and the private sector to take their own responsibility for soil protection. These are all market governance ideas. In the Dutch policy paper, some measures can be considered to represent a network governance approach. This is not surprising, because the Netherlands has a long history of striving for consensus as a means for solving societal problems. It is in line with Ringeling's argument that policy instruments are not just tools from a toolbox, but are normative and have to fit in a specific political and administrative structure.[762]

[762] Ringeling (2002): An instrument is not a tool.

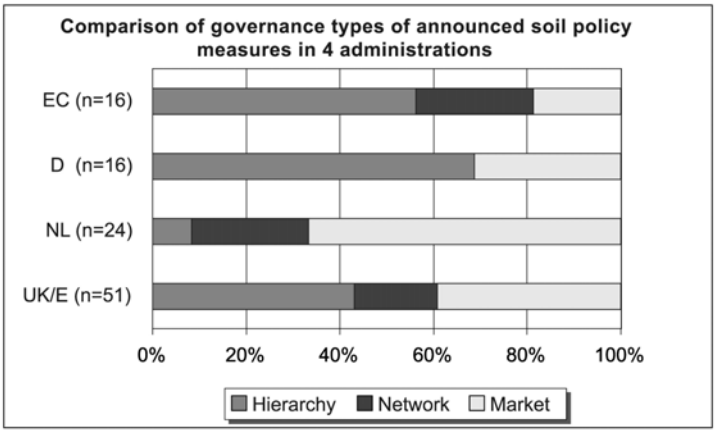

Fig. 19. Comparison of the governance style 'footprint' of soil protection measures announced by the England, the Netherlands, Germany and the European Commission in respectively 2004, 2003, 2001 and 2006)(Own composition)

In the EC case, a contrasting internal and external governance style (mix) is observed. This is not unusual. Koffijberg found a conscious use of different styles for internal ('back stage') and external use ('front stage') in the Housing directorate of the Dutch Ministry of VROM.[763] The Dutch Soil case also provided an example: with a hierarchical style backstage a policy document was prepared that was dominated by market governance measures. The measures in the English Soil Action Plan show a mixture of all three styles, with a relative dominance of hierarchical and network measures.

[763] Koffijberg (2006): Getijden van beleid: omslagpunten in de volkshuisvesting.

5 Street level policy-making: Community policing

5.1 Networking in the shadow of hierarchies and markets

After our analysis of governance style mixtures in (national) *strategic* policy-making, the question arises if and how hierarchy, networks and markets interact in similar ways and metagovernance occurred on the other end of the pole: the level of *operational* 'street level bureaucrats'. Lipsky coined this term in 1980 for functionaries who work in direct contact with the public and are characterised by a relatively high measure of discretion and a relative autonomy from organisational authority.[764] Examples of street level bureaucrats are teachers, welfare workers and the police. We will take the example of the police, and concentrate on a case of 'community policing'.

Policing is not a public domain that is widely known for its front-running position in modernising governance. It has the image of being old-fashioned and inherently hierarchical. However, this image is false. Police organisations have not escaped the societal and administrative changes of the past decades. In fact, Western police organisations were already experimenting with citizens' participation long before this became an issue in for example national environmental policies.

Fleming and Rhodes[765] observe a change, in an analysis of the British and the Australian police that has been described of Western public-sector organisations in general: a shift in emphasis from command and control bureaucracy (hierarchy) through markets to networks. One of the triggers to reform was the growing critique on the hierarchical style of policing. However, an extensive review of research on the effectiveness of policing in the USA found no evidence to support the common thesis that the hier-

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764 Lipsky (1980): Street-level bureaucracy: dilemmas of the individual in public services.

765 Fleming and Rhodes (2005): Bureaucracy, contracts and networks: The unholy trinity and the police.

archical structure of police organisations is responsible for problems such as poor communication and unresponsiveness.[766]

The market-ideology of New Public Management (NPM) brought one of the most significant changes in policing in the past 25 years. The police were forced to publish objectives, measure performance against these objectives, and link resources to performance.[767] Another consequence of NPM is that policing is no longer monopolised by public police, but also offered by private companies.[768]

A new form of policing evolved that became an international trend: *Community policing*. Community policing is a policing strategy and philosophy based on the notion that community interaction and support can help control crime, and that community members should help to identify suspects, and bring problems to the attention of the police.[769] This movement already emerged in the 1960s (in the USA)[770], triggered by the civil rights movement. It received momentum in several Western nations like the USA and the UK in the early 1980s. In the Netherlands, an important initiative was to introduce a neighbourhood team system in 1977.[771] In Germany, the hierarchical background culture of the public sector and particularly of the police caused much resistance to the introduction of community policing initiatives[772]. This new way of policing became only fashionable recently.[773]

One of the characteristics of community policing is the geographical aspect: the police work in small geographical areas. This requires the

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766 Committee on Law and Justice (2004: 180). Fairness and Effectiveness in Policing.

767 Jones and Newburn (2005: 741): The transformation of policing? Understanding current trends in policing systems.

768 Bayley and Shearing (1996): The future of policing.

769 Committee on Law and Justice (2004: 24). Fairness and Effectiveness in Policing. The evidence.

770 Punch et al. (2002: 61): Dutch "COP": Developing community policing in the Netherlands.

771 Van der Vijver and Olga Zoomer (2004: 255): Evaluating community policing in the Netherlands.

772 Gramckow (1995): The influence of history and the rule of law on the development of community policing in Germany.

773 Feltes (2002): Community-oriented policing in Germany. Training and education.

flexibility of a decentralised organisation.[774] Other principles of community policing are: [775] [776]

- A reorientation of patrol, to facilitate communication between the police and the public;
- Close co-operation of the police with other public-sector organisations, business and civil society,
- A pro-active or preventive attitude,
- A local orientation with a problem-based approach,
- Responsiveness to citizens input, and
- A commitment to helping neighbourhoods solve crime problems on their own: the police and the public are 'co-producers' of safety.

Ponsaers argues that community policing is one of four models that exist in a combination in each concrete police apparatus.[777] The others are the military-bureaucratic model, the lawful policing model, and the public-private divide model. The first and second are a reflection of hierarchical thinking and the last model is close to market governance. Ponsaers' observation that these models always mix and compete for dominance, leads to expect that within police organisations similar tensions and conflicts between hierarchical, market and network governance will exist as elsewhere in public-sector organisations. Fleming and Rhodes have confirmed this for the UK and Australian police. They concluded that the incompatibility of the core ideas of each governance style produces conflicts and dilemmas, which make each modernisation of the police contingent.[778] Therefore, community policing should not be considered as a 'pure' networking approach, but a form of networking in the shadow of hierarchy and market governance.

The incompatibility with market governance instruments such as performance management and value-for-money policing is clear: community policing is a complex and dynamical process that is to a certain extent unpredictable and cannot be measured in the way routine jobs can be meas-

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774 Van der Vijver and Olga Zoomer (2004: 258): Evaluating community policing in the Netherlands.

775 Van Os (2005: 34): Community policing in Europe. Good practices kunnen leiden tot Europese definitie.

776 Skogan and Hartnett (2005: 428-430): Community policing in Chicago.

777 Ponsaers (2001: 470): Reading about "community (oriented) policing and police models.

778 Fleming and Rhodes (2005): Bureaucracy, contracts and networks: The unholy trinity and the police.

ured. The 'paradigm of market governance' that considers the police as an enterprise that can be steered by performance indicators has become heavily criticised within the Dutch police organisation. Decreasing and increasing social safety are not an outcome of a certain 'product', but security should be considered as a complex societal phenomenon that asks for a situational, locally differentiated approach.[779]

The shadow of hierarchy is partly rooted in the fact that networking is not yet an integrated part of the mental 'software' of many police officers. In a Belgian case, for example, citizens criticised that in the problem-based approach of CP, it is still the police who define the problems to be tackled.[780] Hierarchy has not only stayed, but also returned with new vigour in the Netherlands since the early 2000s. It became fashionable to prioritise criminal cases above the governance aspects of the police work. The first is qualified as 'hard', the second as 'soft'. In Dutch politics, "catching criminals gets a higher priority than surveillance and prevention, in other words: the legal line dominates the administrative line".[781] The 'hardliners' consider community policing to be too soft, and there is even some concern if community policing will 'survive' in the future.[782]

Tensions between governance styles within the police are a mirror of tensions outside the police, and between the police and other organisations. Therefore, one of the main challenges of community policing is how to deal well with the omnipresence of hierarchical and market governance inside and outside the police organisation, and how this works out in multiple accountability relations: bottom-up, top-down and also 'sideways'.[783]

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779 Van Eewijk (2005: 11): Cause oriented policing. Een antwoord op onveiligheid in een complexe samenleving.

780 Van den Broeck (2002): Keeping up appearances? A community's perspective on community policing and the local governance of crime.

781 Elzinga (2005): Decentrale organisatie politie in gevarenzone.

782 Van der Vijver and Olga Zoomer (2004: 252): Evaluating community policing in the Netherlands.

783 Hupe and Hill (2007: 295): Street-level bureaucracy and public accountability.

5.2 Community policing in the Netherlands

5.2.1 Introduction

The Netherlands was one of the first continental European countries to adopt community policing. Possibly, the nation's underlying consensual style of solving societal problems fostered this. Punch et al. distinguish three phases in the development of community policing in the Netherlands:

- The introduction of beat officers responsible to keep neighbourhoods 'quiet and safe' (from the early 1970s);
- The introduction of neighbourhood teams to increase the effectiveness of the usually 'lone' beat officer (from the end of the 1970s), and
- The appointment of community officers with a broader responsibility: organising security in his area (during the 1990s). [784]

Nowadays the philosophy of community policing has become part of the 'DNA' of the Dutch police. The 2006 policy paper 'The police in evolution' of the Dutch Board of Chief Commissioners emphasises that in local and regional social safety issues, the police is only one of many interdependent parties that have to work together on a basis of mutual trust.[785] This leads the police to emphasise partnerships, foster self-reliance among citizens and sponsor the return of early social control mechanisms in public life; they have relinquished their monopoly on safety and crime.[786] The Chief Commissioners' 2006 'Frame of reference for community policing'[787] explains, that

> "Through the years, the work of the Dutch police has expanded enormously. Police duties now range from mediating between local residents to restraining football hooligans, from solving murder cases to fining speeding motorists. In the midst of all this diversity, there is a growing need for a clear mission, whereby its own professionalism and public legitimacy are formulated in modern manner. That is no easy task because the old forms of exercising authority in the public domain are subject to erosion. Calls

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[784] Punch et al. (2002: 65-68): Dutch 'COP'. Developing community policing in the Netherlands.

[785] Netherlands Board of Chief Commissioners (2005): The Police in Evolution. Vision on policing.

[786] Punch et al. (2002: 60): Dutch "COP". Developing community policing in the Netherlands.

[787] Police Academy of the Netherlands (2006: 10-15): Frame of reference for community policing.

> from the public for improved safety are loud and clear and the government wants to spend the scarce resources effectively. Viewed in this light, further reflection by the police on its nature and function is necessary." (…) "The police are anchored in society, with its own position between 'street and state'. (…) "People are neither powerless victims nor naive utopians, but are seen as responsible and enterprising citizens who share a concern for social safety". (…) "The police see programme steering[788] as an adequate means of organising coherence in the safety policy between the police and its various partners."

The Dutch School for Police Leadership also encourages community policing, framed as 'programme steering'.[789]

5.2.2 Institutional and cultural context

After the Second World War, the Dutch police were organised in nearly 150 independent local police forces and one national police force. In 1994 these organisations were merged into one organisation with 25 regional forces and one national service for support and certain national tasks. [790] The regional police forces are so-called 'ZBO's'[791]: organisations which have public tasks but are not hierarchically placed under a minister: they are relatively independent. The Minister of the Interior and the Minister of Justice share the political responsibility of the Dutch police as a whole. In each region the major of the largest city (in this case: Utrecht, 310.000 inhabitants) has the responsibility for the administrative management of the police corps. In the Dutch institutional context, the major is appointed by the Queen and has special legal tasks. He/she chairs the city council and the college of aldermen, but is (officially) not a representative of a political party. Therefore, although the major is responsible for the police, policing is not a direct issue of municipal governance.

The police culture is a highly professional one, which allows for a relatively high level of discretion within a hierarchical, legal framework. This sometimes conflicts with the New Public Management paradigm, accord-

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[788] Programme steering is a term used by the Dutch police to highlight the programmatic aspect of community policing: Community policing in a specific situation is a programme consisting of a range of projects and processes.

[789] Police Academy of the Netherlands (2007): Programmasturing: Een tussenstand. Basisprincipes, ontwikkeling en theorie.

[790] Punch et al. (2002: 64): Dutch "COP". Developing community policing in the Netherlands.

[791] ZBO: "Zelfstandig Bestuursorgaan".

ing to which the police organisation should be efficient, works with performance contracts and has an efficient and accountable management.[792]

Actors involved

In this case, the Utrecht police district 'Paardenveld' was central on the side of the police. Other organisations involved were local health and welfare organisations, the City of Utrecht, the railway police, the owner of the shopping centre 'Hoog Catharijne', and individual shopkeepers.

5.2.3 Chronology of the case

The Utrecht Central Railway Station is the largest station in the Netherlands, with around 250.000 passengers per day on weekdays. The station is, since the 1970s, combined with the shopping centre 'Hoog-Catharijne'. This centre and the station attracted drug users and dealers, and homeless people. First, during the 1980s, they gathered in an expedition tunnel, which was officially not open to the public. When the owner closed the tunnel, the problem became more visible and the police and the local health organisation (GGD) decided to start cooperating. However, in the beginning both organisations operated from their own objectives: the police fined trespassers, and the GGD increased its health care service. Due to the police actions, a 'waterbed-effect' occurred: pushing in one place made the problem travel to other neighbourhoods. Gradually the insight grew that the problem was in fact a 'multi-problem problem': only a coherent approach would produce the desired results. The owner of the shopping centre joined the cooperation.

In 2001, the municipality joined in. It was decided to develop a coherent social safety improvement programme. Other organisations stepped in: The railway company, the shopkeepers, and a housing corporation. The project, that had begun much earlier as an informal, bottom-up network, was now formally designed as a network project: a cooperation of public and non-public parties, based on a common goal, mutual respect and trust. As in many community policing projects, one of the building stones was the 'broken windows theory': If petty annoyances of modern urban life such as graffiti, loud music and urban decay are left untended, this signals that no one really cares about the neighbourhood in which they occur,

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[792] Ministries of the Interior and of Justice (1993: 7): Op weg naar integrale kwaliteitszorg bij de Nederlandse politie.

which fuels the downward spiral.[793] Therefore, getting and keeping the area clean of visual signs of disorder was a permanent point of attention, although not enough.[794]

The common goal of the cooperation left much freedom to choose the situationally best instruments (and switch to others if necessary). More than 30 actions were agreed, which were all well attuned. Fore example, the improvement of the care situation for the drug users and homeless by establishing 24-hours care centres and two hostels would have attracted 'free riders' from other cities. This was prevented by an ID-pass system. During the process, also elements of hierarchical governance were applied, such as a zero-tolerance policy, after social and medical facilities had improved for the target group. An example: After the 24-hour care centres had opened, the entrance area of the care centres was littered. However, the police solved this in three weeks time with a zero-tolerance approach. An example of market governance was the delegation of the responsibility for specific tasks or sub-projects to involved parties.

The City of Utrecht appointed an 'area manager' who had direct entrance to all relevant gremia. This enabled him to act as a metagovernor: detecting and resolving – or at least: putting on the agenda – governance styles conflicts. The Utrecht police appointed a coordinator too, with a high degree of discretion. The high level of trust and commitment to a common goal stimulated an attitude in which 'doing what is necessary' became more important than asking if an action was not too unorthodox. Key players used their discretion up to the limits. This stimulated creative solutions. A good example is how the police, in cooperation with the public prosecutor and judges, solved a vicious circle in the justice chain. The problem was that when the police fined users or homeless for breaching rules, the convicted usually could not pay these fines. Then the fine was doubled, which did not help much, and the next step was a court case in which judges again decided to fines. This approach did not impress the trespassers. Therefore, it was decided to systematically use the instrument of detention instead of the usual financial transactions as a penalty. This turned out to be a success. Another example is that when individual shopkeepers complained about the enduring nuisances caused by the 'target group', a system of 'shop-adoption' was established: each shopkeeper was

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[793] Wilson and Kelling (1982): Broken windows: The police and neighbourhood safety.

[794] This 'crack' in the broken windows theory was also empirically shown in a study in Chicago (Sampson and Raudenbusch, 2004: Seeing disorder: Neighbourhood stigma and the social construction of neighbourhood crime).

assigned a policeman as a direct contact person. The police philosophy namely was not to forbid the target group members to be in the shopping centre ("they are also people") but also to not tolerate annoying behaviour.

The City alderman, who had already proposed measures when he was a town councillor, pulled all strings in order to overcome the pillarisation within the city administration. Until he became alderman there was for example no cooperation between the units responsible for dealing with drug addicts and the unit that took care of the homeless, and there were two aldermen responsible. This was changed in a new coalition agreement.

By the end of the four year programme, the crime rate had decreased dramatically and the perceived safety in the shopping centre and the railway station had increased strongly. Continuation of the cooperation of all involved parties was secured by having them committed to be part of the 'safety chain': parties understood that they depend on each other for fulfilling their own tasks successfully. The city published annual progress reports. The project received two awards in 2005: The Dutch Hein Roethof Award, and the European Crime Prevention Award. The ECPR jury report[795] concluded that the project had shown

> "(…) the determination to adopt a holistic approach to resolving the problem, which was nuisance and crime including violent crime, caused by a large group of itinerants, drug addicts and dealers in a public area. By concentrating on both the causes and effects of the problem the Panel believed there was much more of a likelihood of achieving a long lasting solution. There was a clearly identified and quantified problem against which the outcomes of the project could be measured and the results were most impressive across a fairly wide range of indicators. Registered assaults in the station area decreased by 41 percent and street robberies decreased by 28 percent as did violent crime in total. Because projects like this tend to increase reporting of crime the real decrease of violence may have been higher (and as stated in the project description) there has been almost no displacement. According to the opinions of users of the area, who were surveyed, safety in the area improved. They also noticed less criminal incidents than before the project. The number of penalty notices issued by the police in the area dropped by 36%. All the drug addicts were registered with 24 hour centres. Added benefits of the project were that recorded thefts halved and the health and living conditions of addicts improved."

[795] http://www.eucpn.org/docs/ECPA%202005%20Selection%20Panel%20report.doc, retrieved on 1 September 2007.

5.2.4 Hierarchical, network and market governance

Vision and strategy

The *vision*, that public sector organisations play a variety of roles in tackling societal problems, made it possible to design a delicate mixture of such contrasting approaches as zero-tolerance policing and voluntary co-operation in networks. This type of vision is not unusual in contemporary Dutch police organisations. Take the mission statement of the Police District of South-East Brabant: "Together with citizens and other partners" (this refers to network governance) "we protect people in their environment. For this purpose we provide 24-hours high quality police services" (market governance), "and contribute in an incorruptible way to a just and safe society" (hierarchical governance). [796] The common motto of the Utrecht project was "Hard and social". This requires that organisations are able to combine and switch between approaches. A Utrecht police manager confirmed this:

> "We are chameleons: We switch between styles depending on the situation at hand. People in our organisation have a sense for this. When an incident occurs, they know that there is no time for discussion. Nobody asks 'Why?' 'Shouldn't we involve other parties?' 'Isn't this too expensive?' After the incident, network and market governance elements reappear. [797]

A combination of different *strategy* styles [798] was applied. The prime approaches were strategy as a common learning process with other actors and strategy as dealing with unpredictability (chaos school of strategy[799]). The programme managers switched between procedure, content and process, and between strategic, tactical and operational whenever this was required. Trust between involved parties was considered crucial. Contrastingly, in the beginning of the case a more hierarchical strategy type was applied: strategy as a formal planning process. The problem had been there for years but only when the new alderman in the city council put his full weight behind it, a coherent programme became possible. He used his hierarchical power to open doors during the execution of the programme,

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[796] Source: website Police South-East Brabant.

[797] Interview 29, held on 3 July 2007 (translated from Dutch by the author).

[798] See Mintzberg et al. (1998): Strategy safari. A guided tour through the wilderness of strategic management.

[799] Stacey (1992): Managing Chaos: Dynamic Business Strategies in an Unpredictable World.

and kept supporting the project during the whole programme period. The programme not only started but also ended with hierarchical governance elements: the formal and informal anchoring of the outcome in the 'DNA' of the involved partners.

Although the programme strategy was a reflexive learning process based on a common goal, respondents argued that one of the success factors was that the goals were quite detailed. Citizens' support was deemed essential and it was believed that this required clear and understandable objectives. For example, the goal to keep the shopping centre clean was specified. 'Clean' meant that the floors were swept three times a day. How and by whom, was left open: the goals did not mention the means. Meanwhile part of the members of the target group participates in the 'Clean Team', which serves not only the cleaning objective, but also gives them a more structured life.

Orientation

The vision and strategy were mirrored in the open-minded and situationally different orientation of the police towards other actors in the Utrecht project: authority when law enforcement was needed, interdependence concerning the cooperation with the public health organisations and autonomy as far as specific tasks could be dealt with by one actor alone.

Structure

The case started as an unstructured operation, and only became more structured when a common sense of urgency had developed. The case structure was characterised by a relatively highly formalised network approach. On the top level of the main participating organisations, a steering committee was established to address problems. This committee only convened on a low frequency. They represented the hierarchical element in the programme structure. Most of the work was done by informal working groups (with a network style), and concrete tasks were whenever possible assigned to individual parties (market style). The case was organised as a programme (a combination of projects, processes and other activities) rather than as a project. This enabled a strong focus on the process quality and prevented a bias to typical project management factors like time and money.

People

The people who were involved in managing the process had to be able to switch situationally between entrepreneurial and visible (market), punctual and accountable (hierarchy) and trustworthy and binding (network). Another lesson drawn from Dutch community policing cases is about leadership styles. Chiefs of community policing teams cannot steer primarily in a hierarchical way, but must in the first place behave in a facilitating and consultative way.[800] Police officers who were used to consider the drug addicts in and around the railway station as 'losers' were trained to treat them with respect, and as 'normal citizens' with normal rights and obligations. They learned to see them as 'users' in stead of 'abusers' of drugs. The idea behind this was that respect produces respect. This seems an extension of the aforementioned 'broken windows' theory: Not only visual order (no litter) helps to improve the situation, but also mental order (no stigmatisation of people).[801]

Another factor on the 'people' dimension was that the police and the health organisations came to know all drug users and homeless personally. Even with people on the margins of society, it showed that showing respect paid out. They had the feeling that the police and health people were the only ones that treated them like normal human beings.

Results

Finally, also the *results* of the Utrecht case were a mixture of elements of different governance styles. [802] The central goal was formulated as an outcome, namely drastically improving the safety of the area, not as specific output. This was an acknowledgement of the complexity of the process. The wish to measure progress led to a series of indicators (market governance), and the wish to secure the results led to a combination of measures, involving regulation (zero-tolerance rules; hierarchy), covenants between

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[800] See also: Van der Vijver and Olga Zoomer (2004: 264): Evaluating community policing in the Netherlands.

[801] This is an important factor. Police officers tend to identify themselves with middle-class respectability. This "(…) makes some officers react negatively to any groups whom they cannot place within it. Thus, in discussion among themselves, there is a derision of (…) citizens at the bottom end of society's 'scheme of things'." (Ericson, 1982: 66-67: Reproducing order: A study of police patrol; cited in Chan (2005: 349): Changing police culture.)

[802] City of Utrecht (2005): Voortgangsrapportage Veiligheid en leefbaarheid Stationsgebied.

parties (network governance), and contracts between public-sector organisations and private actors (market governance). The overall outcome was a reduction of the crime rate of the area by more than 60%.

Table 10 relates the main measures taken in the course of the process to governance styles. This analysis, summarised in Figure 20, illustrates that the Utrecht project has led to measures, which are typical for all three governance styles.

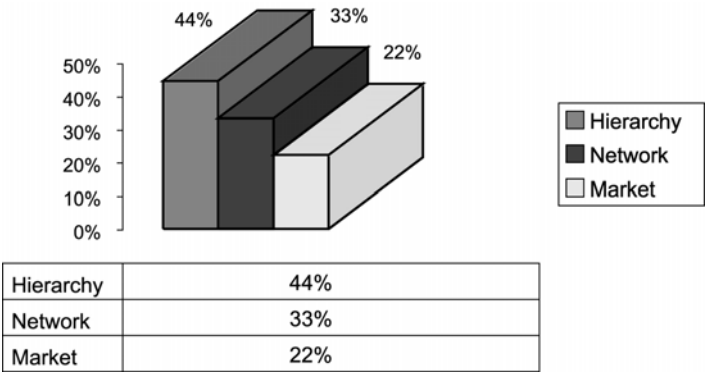

Fig. 20. Governance footprint: Dutch community policing measures (Utrecht case, 2005) per governance style

Table 10. Utrecht community policing measures announced in 2005, related to hierarchical (H), network (N) and market (M) governance

Measure	Type	Style
1. Opening 3 drug user staying places	Organis.structure	M
2. Transform user places into 24hrs care centres	Organis.structure	M
3. Restrict care centres to Utrecht users only	Organis.structure	H
4. Searching whole city to guide users to care centres	Promotion	M
5. Establish 1 medically controlled heroin issue place	Service	M
6. Establish 4 hostels for drug users	Incentive	M
7. Close 1 care centre when over-capacity	Organis.structure	H
8. Covenant with neighbourhoods preventing waterbed effect	Covenant	N
9. Issuing methadone in care centres	Incentive	M

Table 10. (continued)

Measure	Type	Style
10. Close 'junk tunnel' in station area	Regulation	H
11. Prohibition to sleep in the area	Regulation	H
12. Zero-tolerance on drugs dealing and hanging around	Regulation	H
13. Fast procedures for offenders	Organis.structure	H
14. 250 users taken off the streets and/or given care	Regulation	H
15. Stimulate new shops in area (increase attractiveness)	Incentive	M
16. Increase camera surveillance and couple systems	Control	H
17. Agreement prevention measures police and businesses	Covenant	N
18. 'Shop adoption plan': police with indiv.shopkeepers	Co-operation	N
19. Cooperation police/shops in camera surveillance	Co-operation	N
20. Temporary closure of 1 bar	Regulation	H
21. Improve public private coop. In handling calamities	Covenant	N
22. 24hr camera surveillance in parking garages	Control	H
23. Cooperation police/shops/railways against annoyance	Covenant	N
24. Covenant all parties on surveillance	Covenant	N
25. Agreement on renovation of public places/spaces/ entrances	Covenant	N
26. Agreement on renovation of bus station	Covenant	N
27. Agreement on renovation of part of railway station	Covenant	N
28. Project increased daily cleaning of the area	Organis.structure	H
29. Introd. polluter pays principle in keeping area clean	Regulation	H
30. Increase bicycle parking lots and surveillance	Service	M
31. Increase surveillance on parked bicycles	Control	H
32. Covenants City and businesses for restructuring area	Covenant	N
33. City: Master plan restructuring with goals and conditions	Plan	H
34. Broad participation in the making of the Master plan	Participation	N
35. City: Safety and management plan for the area	Plan	H
36. City: Plan minimising inconveniences during restructuring	Plan	H

Conflicts and tensions

In a mainly network approach problems arise when fore example one actor behaves – for whatever good reasons – contradictory to the common goal. This may damage the basis of the cooperation: consensus on a goal and mutual trust. In the Utrecht case such moments were seldom, but when they appeared, the 'metagovernors' intervened immediately, using the conflict resolution mechanism of the steering committee. An example was when the owner of the shopping centre suddenly decided to close the Clarentuin during the night, a place where the target group members stayed overnight, causing nuisance. This became the incentive to upgrade the whole operation, make it more coherent and involve also the municipality more intensive. The decision to close the area was postponed, until other measures were in place, such as the 24-hours reception/care-centres.

Another problem was the fact that not all actors were organised in a way that common agreements could be made. Shopkeepers were only organised in a light way, and the biggest shops were part of a large company, which made their decisions depending of the discretion allowed by their head quarters. This problem was tackled through intensive and individual networking, in which the area manager who was appointed by the City played a crucial role. He pointed the shops at the common interests and the shared responsibility of all parties. Also the railway company was in the beginning not easy to work with: through the influence of market governance in the 1990's the former state company was partly privatised and fragmented in many autonomous 'businesses'.

After Hoog Catharijne had become a clean area, the police noticed that the bus station next to the shopping centre had stayed a much-littered place:

> "The bus company had not been involved in the project. We had never thought about inviting them. We convinced them that they now also should cooperate with us and the other partners, and intensify their efforts to keep their area clean. This was only one example of actors that were temporarily included in the network. Temporarily, because they only stayed until an agreement was reached on what they should do."[803]

Conflicts between network and market governance (for example contract management with targets like the monthly amounts of tickets issues for petty crime) did not occur in this case. Performance contracts might have had a perverse impact on the project: the police, to a certain degree, would not have had an interest in a too drastic decrease of crime rates, be-

[803] Interview 30, held on 11 July 2006 (translated from Dutch by the author).

cause this would make it impossible to reach their targets in terms of the numbers of fines issued. Here another aspect of market governance helped: the decentralisation of targets. The police in the Hoog Catharijne area were 'lucky' that they could reach their targets easily: the relative crime rate in the area was much higher than in most other neighbourhoods of the city.

5.2.5 Application of metagovernance

Although there is a strong situational aspect, the success and failure factors that were observed in the Utrecht case, were to a large extent similar with several other cases of community policing in the Netherlands. This may imply that it is possible to put together a (meta)governance framework for community policing in general. However, it is also possible that these examples only apply to the typical Dutch – consensual – context.

Metagovernance as designing a governance context

There are two types of 'lessons learned'[804]. First, regarding theoretical organisational requisites of metagovernance: how was the organisational context of the Utrecht case designed? This case is an example of a long-term process. It started as an informal network approach and only after almost 20 years, a coherent approach emerged, when a general sense of urgency had developed and all parties understood that they could not solve the problems on their own. The choice for a mainly network approach was logical. This has laid the fundament for a metagovernance approach: the consistency of the network approach made it possible for all actors to reach consensus on a hierarchical of a market governance approach when this seemed to be the best solution in a specific situation.

Metagovernance as managing a governance style mixture

The second type of lessons learned is about how the programme was run: was metagovernance applied as consciously managing a governance style mixture, and if so, how? The following aspects turned out to be important:

Stakeholder involvement: The selection criteria for inviting stakeholders to be involved in the core programme team were (1) authoritative people representing organisations with (2) clear interests and (3) considerable in-

[804] Sources: Unpublished minutes of Workshop Programme Steering, Dutch School of Police Leadership, 18 May 2006; interviews with key managers involved in the Utrecht case.

fluencing/implementation power, the latter meaning that (4) for example no branch organisations were invited. Other factors that were considered important were:

- The involved parties will only develop co-ownership if the police are ready to step down from the (hierarchical) idea that, in safety issues, they are the exclusive problem owner.
- Another risk that was considered important is a situation when (independent or decentred: market-style) public-sector organisations are not willing to participate.
- In the Utrecht case, it turned out to be crucial that the public prosecutor prioritised cases related to the project: If he had not done this, citizens could have become disappointed, which would have undermined the trust needed in the programme.
- Finally, polarisation between different interest groups is a high risk in a process in which trust is central.

Transparency and active listening: Transparency in the cooperation enhances trust. People are more willing to exchange information if the focus of the project is clear. Listening to how citizens perceive the developments in their neighbourhood has to be active listening: it has to be organised.

Getting to results: A hierarchical task of the metagovernors is preventing a 'waterbed effect': It has often happened that public sector organisations and other actors agreed on solving a safety problem by pushing it to other parts of the city. Furthermore, the dismantling of the project is an integral part of the project: If only the police believe that 'the problem is now under control', credibility problems may arise that destroy the developed trust. On the other hand, if the project lasts too long, a 'Christmas tree' full of sub-projects may develop and quitting will become more difficult. If the police raise too high expectations, this may undermine citizen's feeling of responsibility. Citizens may develop a customer's behaviour if they get used to the new 'all-inclusive' public service. Another lesson is that management structures, though important, can distract from the actual problem.

Securing the results: The main type of securing instrument used in this case was that of the covenant: a typical instrument used in network governance. The covenants were guarded in the high-level steering committee, and monitored through an annual progress report, issued by the city. One interviewee expressed his satisfaction with this type of instrument:

> "What I like about the covenants is that you usually do not need them anymore, from the moment they are decided. It is a light form of securing. But everybody knows that the covenants exist and who are the parties which endorsed them."[805]

The fact that key people stayed on their post during the implementation of the programme, helped considerably in securing the results: continuity helps maintaining trust. Another conclusion is that securing results works best when parties are functionally interdependent, which is stronger in a chain configuration than in a network.[806] Framing the context of the neighbourhood safety programme as the 'safety chain' helps parties to understand that they will stay interdependent. Another success factor with securing results (not from the Utrecht case, but from a case in the city of Eindhoven) is stimulating self-regulation through the issuing of rewards in the form of a hallmark (a market governance type of measure).

Ponsaers'[807] observation that different policing models form mixtures and compete with another, and Fleming and Rhodes'[808] conclusion that in modern policing the mixture of hierarchy, network and market approaches creates problems, is confirmed by the succinct analysis of the Utrecht case that was given here.

The fact that a police organisation which is basically hierarchical became a crucial partner in a network approach seems paradoxical. This paradox applies to community policing as such. Two possible explanations emerge. The first is that hierarchy provides the power to take a variety of actions, also non-hierarchical ones. Therefore, a police organisation may be even better equipped to start executing a network project than a local authority. The second explanation may be that the police are a task organisation, on quite a distance from politics. In ministries, for example, the permanently changing, ambiguous 'political reality' makes it very difficult to hold track, to be transparent and to keep promises. This could imply that metagovernance in politically led organisations is more difficult (and at the

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805 Interview 29, held on 3 July 2007 (translated from Dutch by the author).

806 Kort, Van Twist and In 't Veld (2000: 30): Over ontwerp en management van processen in ketens.

807 Ponsaers (2001: 470): Reading about "community (oriented) policing" and police models.

808 Fleming and Rhodes (2005): Bureaucracy, contracts and networks: The unholy trinity and the police.

same time maybe even more important) than in agencies and other organisations on an arms-length from politics. [809]

5.2.6 Discussion and conclusions: Literal replication

This section on the Utrecht community policing case has illustrated the possibilities of metagovernance of governance style mixtures on a local level. In the Utrecht case, elements of all three ideal-typical governance styles were used in a dynamical and situational mixture. The key managers in the police and in the municipality had a broad discretion and used this up to its borders in order to make unorthodox measures possible. They applied a reflexive learning strategy, and were individuals capable of managing the process situationally.

The network governance style resulted in a situation in which the use of hierarchy and market approaches by the involved parties was accepted. This mechanism can also be observed in another field of Dutch policing: the cooperation of the police, fire brigades, health organisations and local authorities in so-called safety regions. This form of cooperation is designed to tackle large incidents and disasters. *During* an incident, the governance style is hierarchy: command and control, and clear lines of authority. *After* the incident, the main style is market governance: 'cleaning up' the area in an efficient way, while all parties do their own part relatively autonomous. After that, the phase of non-incident recurs: Participants meet on a regular basis, evaluate the former phases and maintain or increase their mutual understanding and trust.[810] The Dutch case showed a combination of community based policing *pur sang,* and a related though more hierarchical form, problem-based policing (similar to the concept of cause oriented policing[811]): the police and the City were in the 'driving seat'.

The question to what extent the applied mixture of governance styles differed from the approaches used before or elsewhere inside the Utrecht

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[809] An example illustrates this hypothesis. In 1984 the UK Audit Commission (AC) was erected, an agency which was considered to be able to oversee local authorities better than central government. The AC applied a flexible mixture of governance approaches and functioned therefore as a metagovernor. (Kelly, 2006: 603. Central regulation of English local authorities: An example of metagovernance?).

[810] Meuleman (2007: 37): Programmasturing: Schakelen tussen netwerken, hiërarchie en marktdenken.

[811] Van Eewijk (2005): Cause oriented policing.

police force, has not been investigated. However, in the case that is analysed here metagovernance played a crucial role. In other cases of community policing in the Netherlands quite similar success factors are reported as in the Utrecht case. In a railway station security project in the city of Heerlen, a reflexive approach was successful that was build on clear goals, a network co-operation, unorthodox measures and capable people.[812]

The police case was investigated because it presented the opportunity of a comparison with the Dutch soil protection case: Are governance style challenges on strategic and operational level similar (*literal replication*) in the same socio-politico national context? Two differences apply: The institutional context is different (local police is, compared to a national ministry, much less influenced by political choices), and the actors in the game are different (local organisations and businesses, compared to usually national associations organisations representing their members). However, the importance of making the situationally best mixtures from elements of hierarchical, network and market governance, turns out to be the same. Successful police officers working on 'wicked' problems they can not solve on their own, require enough discretion, flexibility, and need to be active problem-solving participants in a variety of cooperation types[813], while at the same time they need to work efficiently and exercise hierarchy (maintaining law and order). Their organisations form a confusing mixture of military hierarchy, market-based performance contracts and a network attitude when working with local partners.

One aspect of the metagovernance of community policing programmes has not yet been mentioned: the fact that in the multi-ethnic societies we find in many European countries, minorities often see the police as part of the institutional structure of the dominant social group. This leads to a structural lack of confidence as regards the police on the part of minorities.[814] Another point is, that community policing requires a well-established civil society. In former communist countries in Europe, and for example in Caribbean nations[815], this condition is not fulfilled. Community policing in those countries therefore risks staying only an attractive political concept. The question, whether 'pre-fab' governance style mixtures

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[812] Presentation Machiel Roorink for the conference Doorbraak in lokale veiligheidsaanpak, 7 March 2007, Zwolle, the Netherlands.

[813] See also: Feltes (2002: 52): Community-oriented policing in Germany.

[814] Oakley (2001): Building police-community partnerships: UK and European Experience.

[815] Deosaran (2002: 128): Community policing in the Caribbean. Context, community and police capability.

such as the community policing approach that was successful in Utrecht, the Netherlands are transferable to other countries, and what this requires of metagovernors, will be addressed in Chapters 6 and 7.

5.2.7 Discussion and conclusions: Theoretical replication

Although it was not possible in this research to investigate community policing cases from Germany and the United Kingdom, existing literature allows for a preliminary comparison. In methodological terms, this is a theoretical replication: We expect contrasting answers, for predictable reasons, when comparing governance style mixtures in different politico-administrative systems.

The question is, if the different underlying national politico-administrative cultures of the Netherlands (network governance), the UK (market governance) and Germany (hierarchical governance) have influenced the ways community policing is executed. In addition, examples of other Western countries will be mentioned.

One reported difference between the Dutch and the German police supports the proposition that such influences occur. The German police upholds the principle of legality (policing is executing the law) and the Dutch police the principle of discretionary powers (policing is doing what you think fit – within a legal framework).[816] Others report that the breakdown of the Berlin Wall in 1989 has had a paralysing effect on the German police for some time. It led to great uncertainty among police officers and an opposition to organisational change.[817] Although Germany was a relative late-comer with introducing forms of community policing[818], it has nowadays broad experience with this form of network policing. In 2001 the German Crime Prevention Forum was founded, a joint venture between the Federal Government and the 16 States, aiming at promoting crime prevention as a duty of societal actors and the police together.[819] It is argued that the rise of community policing in Germany is propelled by the conviction

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816 A Dutch police commissioner reflecting on her stay with colleagues in Germany. Netherlands School of Police Leadership (2005: 43): Yearbook 2005.

817 Ewald and Feltes (2003: 198): Multicultural Context, Crime, and Policing in Germany: Challenges After Unification.

818 Gramckow (1995): The influence of history and the rule of law on the development of community policing in Germany.

819 Jones and Wiseman (2006): Community Policing in Europe: Structure and Best Practices - Sweden, Frances, Germany.

that the State cannot guarantee security alone anymore, as well as by the commercialisation of inner cities, which has led to increased interest of market parties in co-production with the police.[820] The institutional situation in Germany is comparable to the Netherlands, in the sense that local police has relatively much autonomy. The German federal government has no competences, and the *Länder* leave much operational freedom to the local and regional forces. Also in Germany, New Public Management has changed the police, and although it met much resistance, its instruments such as performance contracts are a present-day reality in many European police organisations.[821]

From Switzerland, a form of metagovernance by designing 'smart' governance mixtures is reported in the case of urban safety in the City of Zurich.[822] In this case, the police used market governance to develop performance agreements for clusters of units/teams (to overcome the internal pillarisation and competition) and to develop a marketing approach of communication. This was enforced through hierarchical steering. Network governance was the parole for cooperation with local partners. Such a mixture can only work if the 'paradigm of business-like management' with its performance indicators, allows enough flexibility to deal with specific regional and local conditions. This is often not the case.[823]

In Belgium, cases were investigated that showed a similar combination of community based policing *pur sang* (network-oriented), and problem-based policing (more hierarchical orientation), as in the Dutch case.[824]

The British Crime and disorder Act of 1998 formulated partnerships roles for the police force. This stimulated the police to become deeply embedded in various processes of government; the police are positioned at the 'hub' of an informal network to suppress risk and enhance safety. [825] Community policing is nowadays established policy in the UK: Crime control needs a 'whole of government approach' and involvement of civil society.[826] Not surprisingly with the UK underlying culture of market

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820 Beste (2004): Policing German Cities in the Early Twenty-First Century.

821 For example in Switserland (Schedler, 2006: 119: Networked policing: Towards a public marketing approach to urban safety).

822 Schedler (2006): Networked policing: Towards a public marketing approach to urban safety.

823 Van Eewijk (2005: 11): Cause oriented policing.

824 Van den Broeck (2002): Keeping up appearances?

825 Loader and Walker (2001: 16): Policing as a public good.

826 Fleming and Rhodes (2005: 196): Bureaucracy, contracts and networks: The

thinking and 'public service' model of state, in the UK in an early phase of community policing, important results were achieved with a marketing approach.[827] The police have entered quasi markets (for example, British police forces are encouraged to charge for police services), but this development has not gone as far as in the USA and Canada. In Canada, local authorities may choose between competing public sector providers who offer policing services.[828]

The problematic relation between community policing and classical, hierarchical policing, can be approached from two sides. The first considers community policing as being hierarchical governance in a network disguise: "A state-led 'co-production' initiative that, while involving 'consultation' with citizens, retains the position of the police as the bastion of security expertise and knowledge and as bearers of public interest concerns", and therefore has enforced the authority of the police[829].

The second does the opposite and asks if the application of network governance by the police does not interfere with hierarchical characteristics of traditional policing. Loader and Walker, in their review of the relations between policing and the state, argue that the police should not endanger its "monopoly of legitimate coercion, the guarantee of collective provision and the symbolism of state and nation"[830]. A Dutch survey concludes that the future of community policing is seriously questioned because in the early 2000s, politicians and citizens require a return of a more repressive style of policing.[831] Also Fleming and Rhodes, who state that community policing has become established policy in for example the UK and Australia, conclude that hierarchy ("the Bureaucratic State"), network (the Network State") and market ("the Contract State") forms of governance are all required in situational mixtures.[832]

Like in the case of soil protection policies of Chapter 4, also in the case of community policing it seems plausible that national cultures and institu-

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unholy trinity and the police.

827 Schedler (2006: 122): Networked policing: Towards a public marketing approach to urban safety.

828 Jones and Newburn (2005: 741): The transformation of policing? Understanding current trends in policing systems.

829 Shearing and Wood (2003: 208): Governing security for common goods.

830 Loader and Walker (2001: 9): Policing as a public good.

831 Van der Vijver and Zoomer (2004: 267): Evaluating community policing in the Netherlands.

832 Fleming and Rhodes (2005: 203): Bureaucracy, contracts and networks: The unholy trinity and the police.

tional settings influence the 'garbage can' from which governance mixtures emerge, and the possibility to apply metagovernance, although only to a certain degree.

What the above might mean for the export of policing models from one to another country will be discussed in Chapter 6.4. Collier already gave the example that the attempt to replicate English experience with community policing in South Africa failed because of exactly these reasons.[833]

[833] Collier (2004: 17): Policing in South Africa.

6 Possibilities and limitations of metagovernance as public management

In this chapter the analysis of the case studies from Chapters 4 and 5, together with the literature review of Chapter 2, and the research framework of Chapter 3, are used to reach conclusions on the feasibility of metagovernance, with a focus on the role of public management[834]. What were the constraints, the possibilities and the limitations of applying metagovernance, and which were essential qualifications that determined the metagovernance capacity of public managers in their role as metagovernors?

In Section 6.1 we will discuss the prior questions, formulated in Chapter 3: Do internal conflicts related to governance style mixtures appear in different institutional and political settings? Furthermore, do they appear at both the level of strategic policy-making and on the level of operational policy-making?

From Section 6.2 onwards, the central research question is discussed: How are conflicts and synergies within governance style mixtures managed, and what are the possibilities of influencing these mixtures? In other words: Under which conditions may (internal) metagovernance of governance style mixtures be applied by public managers as metagovernors? What is their logic of action; what is their rationale? We formulated three more concrete research questions:

- Is it possible to apply metagovernance: to design and manage these governance style conflicts and synergies? If so, how may public managers do this? And what are the limitations to metagovernance? (Section 6.2).
- From a comparative perspective: Have there been different metagovernance attempts on different administrative levels (6.3) and in different administrative cultures (6.4)?

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[834] The term 'public management' will be used in a neutral way, as 'the task of public managers' and not with the normative (market-type management) connotation that it has in the term 'New Public Management'.

- What are the institutional conditions and other drivers for performing different governance styles by public managers? What is their logic of action? Section 6.5 discusses the metagovernor's rationale, and Section 6.6 the metagovernor's qualifications.

6.1 Interaction of hierarchical, network and market governance

In all of the five cases that have been discussed, elements of all three ideal types of governance were used. Even in a situation in which one style dominated, the other styles were still 'running in the background'. In the community policing case, a hierarchical phase was accompanied by attempts maintain trust of other partners (network governance) and, although hierarchies are not primarily interested in the cost-effectiveness of actions, other elements of market governance such as efficient management of routine issues could be observed. However, a phase of hierarchical governance, for example after a (large) incident has occurred, may also lead to 'abuse': Some of the market governance mechanisms are then temporarily 'shut off'. Several examples were reported in which the high measure of discretion of people leading a crisis team was 'abused'. Equipment such as computers was purchased without the usual cost-benefit analysis and other public procurement requirements. A temporary switch from a complex governance mixture towards a 'one style' approach creates an attractive environment in which much is possible. An example is reported from the crisis team that coordinated the emergency activities after a Boeing 747 had crashed into a neighbourhood in Amsterdam in 1992. The team members found this period, in which they had limitless discretion, addictive. Looking back, they realised that they had tried to prolong the crisis period, being rather hesitant to dissolve the crisis team and hand back the responsibilities to the regular organisation, even when this would have been a wise decision.[835]

A series of Dutch examples gives additional evidence that all three styles tend to occur simultaneously in (sometimes conflicting) combinations. Twenty-two Dutch public managers were asked to describe one or two governance mix conflicts in their own organisation, and possible man-

[835] Van Thijn (2003: 211): B M. (Memories of the then Major of Amsterdam, Ed van Thijn).

agement solutions to these conflicts.[836] They work in a broad range of public sector organisations: national agencies, local authorities, police, hospital, university, etc. Of these, only the local authorities are directly influenced by politicians. All describe their organisation as basically hierarchical, with network and market governance emerging or already present in specific units or occasions. Typically, financial and coordination units think hierarchically. Units with highly educated professionals prefer networking, and often conflict with the hierarchical units (conflict type 1). Units with clearly defined, service-oriented tasks are sometimes driven by market governance thinking, via performance contracts, for example. However, financial units, the central management team and (if present) politicians, often intervene in the 'autonomy' of the market-oriented units (conflict type 2). Market and network governance sometimes conflict because of the different styles of cooperation (independency versus trust-based interdependency) (conflict type 3). Hierarchy determined the solution of problems, in most of the reported examples. In one case, a hierarchical structure was considered to be necessary in order to force the beginning of network cooperation on a certain issue.

Contingent influence of the context: Governance and the garbage can

The theoretical question of whether governance style interaction influences the performance of public-sector organisations was addressed in Chapter 2. However, it is very difficult to support this with empirical findings: too many factors influence public sector performance and similarly, a lot of factors determine which governance mixture actually occurs. Policy issues are moving targets: they appear as problems or solutions, and disappear, only to reappear sometimes in a different shape on the political and/or administrative agenda. This 'garbage can' effect was discussed in Section 2.3.2. From the cases described in Chapters 4 and 5 we have learned that soil protection only became a priority on the policy agenda after other environmental issues were solved, or at least tackled. In the Netherlands this led to a Soil Protection Act in 1987. It had become an urgent issue in the 1980s because of massive soil contamination and severe threats to drinking water production caused by farmers polluting soil. A legal approach was applicable, because the late 1980s in the Netherlands were still the years

[836] They were assigned to write a short paper based on a workshop the author gave in 2005 in a part-time Public Governance MBA course at Nyenrode Business University, the Netherlands.

that hierarchical governance flourished.

In England soil protection only arrived on the political agenda in the early 2000s. The policy process received momentum after its objective was deliberately reframed from an urgent environmental problem, into a solution for problems of other policy sectors (primarily agriculture and the building sector). The market-liberal political mood that had developed around the millennium in most Western European countries, but more dominantly in the UK, made it difficult to frame soil protection as an environmental problem. However, introducing market instruments in the new soil protection policy was prevented by the Treasury, which had the monopoly on financial incentives and regulatory taxes. The Soil Action Plan for England of 2004 could not announce a Soil Protection Act (hierarchy) or market instruments and therefore had to announce primarily network governance measures.

The production of the German federal soil policy lies in between, not only historically (later than in the Netherlands, and several years earlier than in England), but also in terms of governance style mixture. The German federal Soil Protection Act of 1999 was a hierarchical approach, flanked in 2002-2004 by network and market governance measures. The dominance of hierarchy was due to at least two factors: the limitation of the federal environmental remit to federal (framework) law making, and the underlying hierarchical governance style of the German public sector which had kept market and network governance approaches at a relatively low level of importance.

The EU Thematic Strategy on Soil Protection (issued in 2006) was one of the last of seven thematic strategies announced in the sixth EU Environmental Action Plan, adopted in 2002. Although the internal culture of the Commission is primarily hierarchical, the preparation of the soil strategy started as a network approach. Working groups were installed and conferences held. After this phase of networking, the governance mixture switched back to being mainly hierarchical.

In all four cases of *strategic* soil protection policy-making the three governance styles appeared in mixtures that were influenced by the socio-political *'Zeitgeist'*, the organisation culture, the type of problems, and the way public managers approached the problems. In the *operational* policy-making case (community policing in Utrecht) it was the same. Hierarchy, network and market were intensely intertwined: The network approach was consciously flanked by hierarchical and market style measures. These findings now empirically confirm the earlier proposition of Thompson[837],

[837] Thompson et al. (1991): Markets, hierarchies and networks: the co-ordination

Kickert[838] and Davis and Rhodes[839] that hierarchical, network and market governance appear in combinations. The findings also confirm the expectation that these mixtures are often contentious.[840]

6.2 Occurrence of metagovernance

The next question is, if style-incompatibilities were managed and synergies strived for when these combinations of governance styles occurred. In other words: can what we observed in the case studies be explained by using the concept of metagovernance? This question can now be answered in the affirmative. In all investigated cases leading managers acted as metagovernors. In the four soil protection cases, the responsible managers used various types of metagovernance strategies (see Section 5). In the community policing case, key managers considered it 'natural' to switch between styles when they deemed this necessary, and found that this was accepted by those who were involved in the project because there was a clear common goal. Deliberate style switches were also reported in the other cases. We also saw that one style (hierarchy) was sometimes used to solve conflicts and another to develop more solutions (network). Hierarchy was used to stimulate the start, and to mark the end of a network process. Market techniques like a public-relations campaign were used to stimulate civil society involvement (network governance).

We should therefore conclude that metagovernance indeed occurred in the investigated cases. The managers in charge of the five investigated cases carefully analysed which governance style mixtures would work most effectively given the constraints of the issue, whilst also considering the internal and external context. Moreover, they were able to switch between styles when this seemed to be required, and knew intuitively which conditions would enhance the feasibility of metagovernance. It has also been shown, that they understood the limitations of metagovernance: sometimes a desired style was not feasible, for political or other reasons.

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of social life.

838 Kickert (2003: 127): Beneath consensual corporatism: Traditions of governance in the Netherlands.

839 Davis and Rhodes (2000): From hierarchy to contracts and back again: Reforming the Australian public service.

840 E.g. Jessop (2002): Governance, governance failure and meta-governance.

6.3 Comparison of strategic and operational policy processes

The findings of the case of policy implementation (and herewith 'operational policy making' on a more specific level) in the field of policing are compared with a case of strategic policy making in another field, namely soil protection (*literal replication*). The question is: Are governance style challenges on strategic and operational level similar in the same socio-politico national context? Two differences apply: The institutional context is different (local police is, compared to a national ministry, much less influenced by political choices), and the actors in the game are different (local organisations and businesses, compared to classical associations that represent their members at the national level). However, the importance of creating the situationally best mixtures from elements of hierarchical, network and market governance, turned out to be the same. Successful police officers working on 'wicked' problems they cannot solve on their own, require enough discretion and flexibility, and need to be active problem-solving participants in a variety of cooperation types. At the same time, they need to work efficiently and exercise hierarchy (maintaining law and order). Their organisations form an interesting mixture of military hierarchy, market-based performance contracts and a network attitude when working with local partners.

6.4 Comparison of four administrations

6.4.1 The Netherlands, Germany, the UK and the European Commission

In comparison (*theoretical replication*) the four soil protection cases have in common that the three ideal types occurred simultaneously and in dynamic mixtures. Moreover, attempts to design and manage specific governance style mixtures could be observed. However, the actual 'governance footprint' of the policy process and of the policy results (instruments, measures, and impact) was apparently determined to a large extent by environmental factors and particularly the specific socio-political context of a case.

In this section, we take a closer look at the impact of the socio-politico-administrative cultures of the four administrative systems. The case studies show that national cultures are an important factor, but not a direct predictor of certain governance mixtures and metagovernance attempts. The

governance trilemma model with the three ideal types as competing 'forces' (Section 2.5.4) may assist in explaining what happens in a certain national culture. It seems that in each administrative system the public sector first attempts to apply the ideal-typical governance style that is closest to the underlying culture, before trade-offs with the two other styles are made.

In the Netherlands, people are used to a consensual approach. The trade-off with hierarchical governance takes place in a culture that accepts hierarchy only as a (sometimes) useful or even necessary tool, not as a fundamentally useful mechanism like in Germany. In the Netherlands, market governance, which strives for autonomy and individualism, is only accepted as long as it does not lead to people being able to 'stick their heads above the mowing field'. An example is the heated political and societal discussion about the high salaries that the directors of former privatised state organisations receive. Toonen found an interesting paradox in Dutch public-sector reform policies:

> "The paradox which the Dutch model represents is that in a consensus system, normally only the most controversial reform proposals may reach the status of official national public sector reform policy. Given their controversial status, these "official" reforms – surrounded by all the political hype – are the ones that are most empty in terms of substance or least likely to succeed in terms of implementation".[841]

In terms of Hofstede's 'mental images', the Netherlands belongs to the network model of society: "Highly individualistic, `feminine´ societies with low power distance like Scandinavia and the Netherlands. Everyone is supposed to be involved in decision-making".[842]

The UK belongs to what Hofstede calls the 'contest model': "Competitive Anglo-Saxon cultures with low power distance, high individualism and masculinity, and fairly low scores on uncertainty avoidance. Examples: Australia, New Zealand, UK and USA".[843] The state is primarily a provider of services, and hierarchy is only appropriate if it contributes to better services. In England, developing soil protection legislation was never seriously considered. Network governance is only applied when

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[841] Toonen (2003: 246): Substance came with little hype. Public sector reform in the Netherlands.

[842] Citation retrieved on 28 August 2007 from http://www.itimamerica.com/info_intercultools.html#manimp.

[843] Citation retrieved on 28 August 2007 from http://www.itimamerica.com/info_intercultools.html#manimp.

market and hierarchical governance are not feasible in a certain situation, which was the case during the preparation of the 2004 Soil Action Plan for England. Although British governments of both Labour and Tories have been "ostensibly devoted to a 'free to manage' philosophy for public services, Hood observed the paradox that at the same time a "regulatory explosion" took place.[844]

Germany is placed in another mental image group: "The well-oiled machine (order), which is found in societies with low power distance and high uncertainty avoidance, carefully balanced procedures and rules, with much hierarchy. Examples: Austria, Germany, Czech Republic, Hungary, German speaking Switzerland".[845] In Germany, hierarchy is the point of departure (notwithstanding the 'new modes of governance' rhetoric). We could observe this in the German soil protection case. Market governance is suspicious because it undermines the authority of the state. Network governance has some attraction in Germany because it refers to a pluralistic society with its wide landscape of stakeholder organisations. Nevertheless, long-lasting trustful relations between public sector and industry in Germany are an exception. The paradox Hesse formulates for German public sector reform is that a determined search for stability may lead to instability: The remarkable stability the German public sector achieved after the Second World War "has turned into a seemingly insurmountable obstacle to reform" and an "inability to react in time to changed conditions".[846]

The European Commission is, as was expected, an interesting 'beast' that is by definition intercultural because of the composition of its officers.[847] The dominance of hierarchy – historically grown under a strong French/German influence - is, regarding external relations, countered by the wish to involve societal stakeholders and even the wider public in policy preparation. Some consider the Commission's increased emphasis on

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[844] Hood (2003: 145): From public bureaucracy state to re-regulated public service: The paradox of British public sector reform.

[845] Citation retrieved on 28 August 2007 from http://www.itimamerica.com/info_intercultools.html#manimp.

[846] Hesse (2003: 211): Stability turned rigidity. Paradoxes in German public sector development.

[847] Hooghe (1999: 415, Consociationalists or Weberians) investigated how elite officials in the Commission perceive the role of nationality in their organisation. She concluded that, although the Weberian ideal type of hierarchy predicts that nationality plays only a modest role (officers should reflect the general European interest), most top officials represented a consociational model, in which officials should represent the diversity of the European polity.

participation as a 'trick': it undermines the power of EU Member States, and therefore leads to more hierarchical power for the European Commission.[848]. The hierarchical style of the EU administration, an organisation that is "apparently impervious to major radical change", is surprisingly successful: "it works in a way that is especially surprising for the student of public administration".[849]

The conclusion is that national cultures and related underlying governance styles influence the composition of governance style mixtures to a certain extent. This factor is one of the metagovernor's framework conditions (see Section 6.5.6).

6.4.2 Problems with the transferability of governance approaches

To which extent is the tryptich hierarchy-network-market a Western concept? Would an approach like in the Utrecht policing case, a governance style mixture based on networking in the shadow of hierarchy and market, be applicable in non-Western countries? And if not, why not? What about the transferability of specific governance style mixtures from one Western country to another? Finally: What could be the consequences of the growing multi-cultural composition of Western-European countries on the success rate of certain governance style mixtures?

The socio-politico-administrative context in a country has an influence on which governance style mixtures are feasible. The market culture of Anglo-Saxon countries, the network culture of the Netherlands and Scandinavian countries, and the hierarchical culture of Germany and France for example, play a role in the direction and acceptance of public-sector modernisation programmes, and in how policy-making processes are designed. Our comparison of the cases in the Netherlands, England and Germany showed that the actual governance mixture that develops is situational, even in countries with a rather similar development of democratic institutions, and even for the same policy problem. It is useless to try to copy a German approach and transfer it to the Netherlands. Moreover, even within a small country like the Netherlands, there are contrasting approaches. Community policing in Amsterdam, a city of individualists, has a more 'market governance' flavour than in Rotterdam, a city with a cul-

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848 Robert (2001: 10): The European Commission and its relationship to politics. How and why doing politics and pretending not to?

849 Dimitriakopoulos and Page (2003: 331): Paradoxes in EU administration.

ture of 'all hands on deck'. There, a network approach supported by hierarchy works better.

Also in other policy fields, such as health, the governance mixtures that have developed in different countries are often only indirectly related to their cultures and traditions. Kümpers et al. compared the health systems of England and the Netherlands. They showed that in England a central hierarchical framework-setting was combined with local network governance. The 'single actor' (majoritarian) and centralistic Westminster tradition made such a strong top-down role possible. In contrast, in the multi-actor tradition of the Netherlands, the health care system is traditionally shaped by independent actors: Government influences this through market incentives and some governmental regulation.[850] Kümpers et al. conclude that "it is not possible to deduce from the failures and successes in England or the Netherlands, that one strategy or the other is the very best".

If the transfer of governance mixtures between Western countries is already difficult, why would Western 'pre-fab' governance approaches then be successful in developing countries? This seems highly implausible, even in developing countries that have a relatively well developed democratic institutional setting. Developing nations have different governance problems than developed countries.[851] Nevertheless, many politicians and public managers seem to believe that the export of a governance approach that is considered to be successful in one country, to other countries, is feasible. The introduction of market concepts in the Anglo-Saxon public sector (New Public Management) in the 1980s led to a worldwide enthusiasm for this approach. Public administration scholars believed that the historical development of governance approaches was a succession from hierarchy to 'new modes of governance' (market governance and network governance), and that this evolution would lead to convergence. In the end, all countries would have a similar governance approach. This however seems to be an illusion[852], fuelled by an international vocabulary with terms such as 'progress', 'efficiency gains', 'performance management' and 'participation' that is fostered by organisations such as the World Bank and the IMF, national governments and by academics. This illusion is an exaggera-

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850 Kümpers et al. (2002: 354-356): The influence of institutions and culture on health policies.

851 Jones and Kettl (2003: 10): Assessing public management reform in international context.

852 Wollmann (2004): Policy change in public sector reforms in cross-country perspective: Between convergence and divergence.

tion and carries a normative 'charge'.[853] The World Bank and IMF have stimulated developing countries to base their public service on business sector norms, eroding public service norms like equality, public interest, human dignity and justice.[854]. United Nations Commissions like the Economic Commission for Africa (ECA) promote New Public Management reforms such as a panacea for African governments. In a 2003 publication of ECA[855] an unbalanced selection of scientific sources was presented: only pro-NPM articles are cited, neglecting the huge literature critical for NPM. In this publication, the cultural context of individual African countries is not considered to be a factor worth dealing with, which has empirically shown to be a risky assumption.[856] At the same time, these international governance approaches have not helped to 'repair' the damage done by earlier, namely colonial transfers of governance systems. For example, the British majority system that was installed in all former colonies creates huge problems in countries where the majority is an ethnic group. In Trinidad and Tobago, the result is a form of 'donkey governance': Any 'donkey' can win the elections if he is on the right party ticket.[857]

Schuppert holds that Western governance approaches are not *"Reisefähig"* (able to travel), because two-third of the states in the world have a weak statehood. They are societies in transformation, degenerated or fragile states, modern protectorates like Afghanistan, Bosnia and Iraq, or colonial and semi-colonial areas. [858] When the state is weak, transferring governance tasks to private actors becomes difficult, because the 'shadow of hierarchy that all Western states have, and which acts as a kind of watch dog, is absent.[859] There are countries in which the state consists of *"Räuberbande"* (gangs of robbers) and where state making is "a form of organised crime"[860].[861]

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[853] Pollit and Bouckaert (2000: 190): Public management reform. A comparative analysis.

[854] Haque (2001: 67): The diminishing publicness of public service under the current mode of governance.

[855] Economic Commission for Africa (2003): Public Sector Management reforms in Africa: Lessons learned.

[856] E.g. Collier (2004): Policing in South Africa. Replication and resistance to New Public Management reforms.

[857] Sagewan-Alli (2006): 'Donkey' governance.

[858] Schuppert (2007: 9): Was ist und wozu governance?

[859] Risse (2007: 18): Regieren in Räumen begrenzter Staatlichkeit. Zur "Reisefähigkeit" des Governance-Konzeptes.

[860] Schuppert (2007: 14): Was ist und wozu governance?

The problem of the transferability of governance approaches is also observed in the field of community policing. Brogden[862] challenges the motives and consequences of the export of community policing as a Western model to transitional societies. Copying this approach may even lead to "deepening social schism in the country of import". The failure of exported Western policing models has become an urgent issue for police studies.[863]

The problem also has a broader scope. The insight, that Western governance approaches and tools are not easily applicable in non-Western societies, has taken quite some time to become more broadly accepted. Hofstede[864] recounts of the stormy history of an article he wrote in 1980 about the applicability of American management theories in other countries. In this article he holds that, because we are all culturally conditioned, theories reflect the cultural environment in which they are written. [865] According to him, Maslow's hierarchy of human needs is a description of the value system of the U.S. middle class.[866] Farazmand states that globalisation has meant that American values and administrative systems are spread over the world by means of coercion and cooptation. He compares this with the destructive results of standardisation by the Roman Empire, and argues that this trend can be reversed if public-sector education programmes acknowledge diversity and cultural differentiation.[867]

The World Bank, an advocate of the use of Western governance styles in developing countries, has recently acknowledged that there is a tension between these models and configurations in developing countries with a clientelist governance pattern in which informal systems of authority dominate.[868] A fundamental critique is given by Jayasuriya, who concludes

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861 Incidentally, state making by 'robber knights' is also, in the history of Europe, not an uncommon phenomenon.

862 Brogden (2005): "Horses for Courses" and "Thin Blue Lines": Community Policing in Transitional Society.

863 Murphy (2005: 141): Police studies go global: In Eastern Kentucky?

864 Hofstede and Hofstede (2005: 275): Cultures and organizations. Software of the mind.

865 Hofstede (1980: 50): Motivation, leadership and organisation: Do American theories apply abroad?

866 (ibid.: 55).

867 Farazmand (2002: 176): Globalization, privatization and the future of modern governance.

868 World Bank (2006: 127): Global Monitoring Report 2006. See also Bissessar (2006: Transforming the personnel of the higher civil service: The case of

that the World bank stimulates 'new modes of governance' and in particular participation and ownership of civil society in developing countries, in a way that "requires by-passing formal political institutional processes which represent interests such as political parties and trade unions in favour of ambiguously defined communities".[869]

A related question is, to what extent such a cultural bias is also posing problems in increasingly multicultural Western (urban) societies? In the Dutch city of Utrecht (283,000 inhabitants), 24% of the citizens have a non-Western background – a percentage that is expected to grow to 31% by 2025.[870] Different groups of immigrants have different cultural backgrounds and will therefore probably react differently to specific governance mixtures. In the city of Amsterdam an often reported problem is that the common Dutch consensus style does not work with young Moroccans: they are educated to only have respect for hierarchical steering. However it is difficult to approach different groups with different policies, because it conflicts with the (constitutional) argument that all people have the right to be treated equally.

The examples we gave of attempts to transfer governance approaches were all about *prescribing* governance style mixtures. 'Good governance', the approach the World Bank prescribes transitional countries, is a specific mixture of hierarchical and market governance, with some network governance elements. However, what about transferability if we consider hierarchy, market and network as *building blocks* for a situational governance approach, and metagovernance as the way to design and manage these mixtures? This question can be explored in two ways: from the angle of sociology and cultural theory, and from a political science point of view, as Jayasuriya does.

A preliminary conclusion after this section is that it seems implausible that Western governance approaches will work in non-Western countries without applying metagovernance: adjusting a governance design to national socio-politico-administrative cultures and other situational factors. It is like Olsen argued: "no one-size-fits-all recipe will do"[871]. Also Schick

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deputy permanent secretaries in Trinidad and Tobago) for illustrating this with the introduction of a competency system for senior civil service.

869 Jayasuriya (2003: 18)): 'Workfare for the global poor': Anti politics and the New Governance.

870 Source: Bevolkingsprognose 2005-2025. De bevolking van Utrecht in de toekomst. http://www2.utrecht.nl/smartsite.dws?id=90535.

871 Olsen (2006: 15): Maybe it is time to rediscover bureaucracy.

concludes that seeking short cuts risks sending developing nations into dead ends.[872]

6.5 Metagovernance as public management: The metagovernor's rationale

How do public managers in their role as metagovernor assess, estimate or maybe even calculate the expected impact of a certain mixture of governance styles? Do they have underlying principles or reasons on which their decisions, beliefs and action are based, in other words: do they have a clear rationale? Do they have a notion of efficacy? The case studies suggest that there are a number of factors, which together may constitute the 'metagovernor's rationale'.

6.5.1 Public management: Making sense and acting accordingly

All handbooks on business management and public management are influenced by the *'Zeitgeist'* of the time they are written. Management handbooks of the 1950s and 1960s were based on rational choice theory and presented management tools that were applicable to world that was considered to be relatively predictable. Management was *hierarchical*, and focused on developing and executing authority. During the 1980s and 1990s, the New Public Management movement became fashionable. Inspired by business management, the 'toolkit' for public managers became a mixture of *market techniques* and in addition new, more refined, hierarchical control mechanisms. The NPM management doctrine for public-sector organisations was still based on rational choices. Planning change, for example, was a matter of getting the details 'right'. The book 'Reinventing government' from 1990 was a "rough map of the new world of governance", the follow-up 'Banishing bureaucracy' "laid out the major routes", and "Reinventor's fieldbook" finally "explains in detail the terrain".[873] By the end of the 1990s, a transition phase began in which it became accepted that ra-

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[872] Schick (1998): Why most developing countries should not try New Zealand reforms.

[873] Osborne and Plastrik (2000): 2): The reinventor's fieldbook. Other titles mentioned here: Osborne (1997: Banishing bureaucracy) and Osborne and Gaebler (1990: Reinventing government).

tional information, like financial figures expressing efficiency, was no longer sufficient. Intangible resources – in business as well as in public management – became a second focus of attention. Kaplan and Norton's book 'The balanced scorecard'[874] became an icon of this phase. Contemporary management books teach public managers how to make sense of ambiguity, uncertainty and complexity.[875] This approach already started to develop in the 1950s[876] and continued through the 1960s and 1970s.[877] It includes, to name a seminal book, Senge's work on organisational learning[878] and more recent books on network management[879] and network organisations[880].

The evolution in management literature to an extent reflected the changing (Western) societies. However, just like we have seen with governance style ideal types (Chapter 2), the evolution has not 'deleted' any of the three approaches to management. Public managers actively use them all. From a metagovernance perspective, this seems important. Hierarchical management has the advantage of quick decision making and clear lines of responsibility, which are essential features of crisis management. Market management focuses on efficiency and appeals to empowerment and individual responsibility, which is good when efficiency is strived for. Network management has become an indispensable ingredient of the management mixture, because it is often the only way to achieve success when dealing with 'wicked' problems. O'Toole et al. call this managing outward, compared to managing upward (in the hierarchy) and managing downward (to subordinates, through hierarchical and market forms of coordination).[881] A perspective for public management therefore would be to work situationally, combining hierarchical, network and market approaches on all of the 36 dimensions of governance that were identified in

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874 Kaplan and Norton (1996): The balanced scorecard.

875 Weick (1995): Sensemaking in organizations.

876 E.g. Lindblom (1959): The science of muddling through.

877 E.g. Van Gunsteren (1976): The Quest for Control.

878 Senge (1990): The fifth discipline: The art and science of the learning organization.

879 E.g. De Bruijn and Ten Heuvelhof (2004: Management in netwerken), Koppenjan and Klijn (2004: Managing uncertainties in networks).

880 E.g. Roobeek (2007): The networking landscape. Navigation for the route to networking organisations.

881 O'Toole et al. (2005: 48): Managing upward, downward and outward. Networks, hierarchical relationships and performance.

Section 2.4.1 (see also Annex 1). This might be less difficult than it seems. According to McGuire, "network management and hierarchical management are fundamentally alike in some very important aspects"[882] For example, if there is management, then there is a manager, who is not "just another actor in the collaborative process", but is often the responsible party.

The terms 'designing' and 'managing' governance style mixtures are in the next sections used neither in a hierarchical meaning, nor in a network or market meaning. These terms will be used as artists would: their decisions are based on hard facts (in this metaphor for example the physical properties of different types of paint) as well as on soft factors (such as intuition, creativity, and 'vision'). The more a management challenge has *process* instead of *project* characteristics, the more 'design' becomes a "process of perpetual construction"[883]. In that case, the difference between design and management disappears. Van der Heijden therefore calls metagovernors of complex problems 'recombination managers', who combine elements of different governance 'instruments'[884].

Of course, the *'Zeitgeist'* argument mentioned before, also applies to the reflections on public management in this book. They are written against the background of a globalised world with fuzzy boundaries everywhere, and with confusing and contradictory sets of 'recipes' for managers. Metagovernance is a model that may help to combine these recipes, and to make more sense of the management environment, in cases where deliberate 'combining' is impossible.

Before we focus on the metagovernor's strategies for designing and managing governance style mixtures, the next section discusses several views on decision-making. Metagovernance as decision-making is meta-decision-making: the process of organising decision-making.[885]

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882 McGuire (2003): Is it really so strange? A critical look at the "network is different from hierarchical management" perspective.

883 Stacey and Shaw (2000): Complexity and management: Fad or Radical Challenge?

884 Van der Heijden (ed.)(2005: 63): Recombinatie van overheid en samenleving.

885 "The decison as to the structure of meta-decisionmaking is a matter for meta-metadecision-making. Designing the process of organising decision-making is a meta-level activity from a control-systems viewpoint, namely the activity of a meta-metacontroller." Kickert (1979: 185): Organisation of decision-making. A systems-theoretical approach.

6.5.2 Three views on the metagovernor's decision-making: The phase, the stream and the rounds model

We have defined metagovernance as designing and managing mixtures of hierarchical, network and market governance. How we present the different intervention strategies of metagovernors depends on which conceptual model of decision making we use. Teisman distinguished three models with different assumptions on what decision making is: the phase model, the stream model and the rounds model.[886] The phase model is the classical model of decision making that supposes a commanding focal actor, predictable and rational policy environment. This model aligns best with hierarchical governance. The stream model, in which streams of participants, problems and solutions connect, emphasizes the contingency of the process environment and the autonomy of actors. It may therefore be loosely linked to the market governance ideal type. The rounds model focuses on the interaction between actors, while they introduce combinations of problems and solutions and create progress. This last model is linked to the ideal type of network governance; it supposes some degree of interdependency of actors.

A metagovernor therefore would use all three models in combination. A decision making process has a start and an end, if alone because of the availability of resources (time, money, people, instruments). The most simplified version of the phase model is to distinguish only two phases: divergence (the number of actors, problem definitions and solutions increases) and convergence (the respective numbers are decreasing).[887] The rounds model reflects the consequences of the fuzziness of boundaries between public-sector organisations and societal groups: there are virtually no decision making processes in which informal networks do not play some role. The stream model stresses the independency of actors. There-

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[886] Teisman (2000): Models for research into decision-making processes: On phases, streams and decision-making rounds.

[887] The phases of divergence and convergence were even observed in a case in which the public manager acting as metagovernor was not able to directly influence the societal debate on, in this example, land policy in the Netherlands. Nevertheless, during the first half year, stakeholders gathered in working groups and conferences, the media started to write about the issue, and many ideas were born (including stories about who profited from the change from farm land to building land). Gradually, some stories became exposed as myths, and a broad consensus emerged on some of the topics. (Meuleman, 2003: 86, The Pegasus Principle).

fore this model is useful for understanding some of the market governance mechanisms.

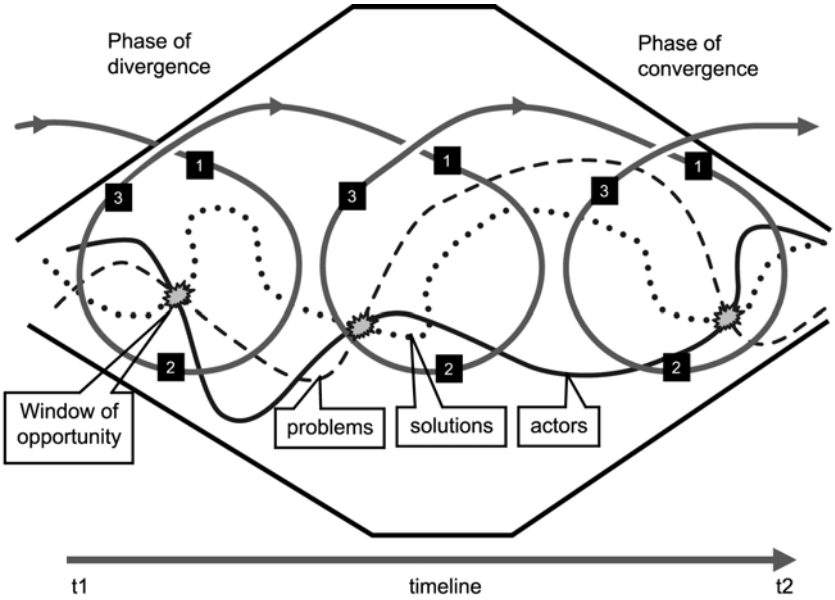

Fig. 21. Interventions of metagovernors (own composition)[888]

In Figure 21, three central interventions of metagovernors are presented in a model that combines the phase, the stream and the rounds model:

1. When a new round starts: (re)designing the governance style mixture. This includes the choice of a main style for the next round, creating new linkages and cutting old linkages; optimising the possibility that windows of opportunity arise. In the phase of divergence it may be useful to involve more participants and create more linkages than in the convergence phase.
2. During a round: managing the governance style mixture. This implies a permanent trade-off between control (in case of urgency), dialogue (in case of unstructured issues) and efficiency (for routine issues, for example), and an awareness for windows of opportunities. It may also require switching to another style[889] or using a contrasting style inter-

[888] 1: Start of new round; 2: During a round; 3: End of a round.

[889] However, a new round may start immediately after a complete style switch.

vention. In the divergence phase participants may not yet trust each other, for example because 'old wounds' from other rounds or processes have not yet healed. Managing therefore includes stakeholder management and conflict management.

3. At the end of each round: harvesting and securing the results of the round. This may require forms of negotiating techniques.

6.5.3 The metagovernor's strategies

In all cases, public managers acted as metagovernors. They managed style-incompatibilities and strived for synergies when combinations of governance styles occurred. They situationally applied three metagovernance strategies:

1. Combining styles and managing linkages between different governance styles

One style (hierarchy) was sometimes used to solve conflicts and another to develop more solutions (network). Hierarchy was used to stimulate the start and to mark the end of a network process. Market techniques like public-relations campaigns were used to stimulate civil society involvement (network governance). Although in a hierarchical approach cost-effectiveness of actions tends to be neglected, sometimes other elements of market governance such as efficient management of routine issues could be observed in a primarily hierarchical setting. A specific challenge of combining governance styles is creating style synergy, for example by investing in trust in order to increase the acceptability of hierarchical interventions when crises occurred. In the policing case, a hierarchical phase was accompanied by attempts to maintain trust of other partners (network governance).

Turning conflicts into synergies may be achieved through a network governance intervention, such as investing in trust and empathy and convincing actors to join in a mutual gains approach. Another strategy is to decide, negotiate or bargain with involved actors in order to implement the use of different 'governance footprints' for different phases and/or subprojects This may cause actors to feel increasingly that their 'culture' is recognised as useful, or at least, 'that their time will come'. The EC soil protection case illustrated this. Several directorates-general opposed to the idea that emerged from the networked consultation phases, namely that the Soil Strategy should include a legal measure (a directive). However, they knew that their time would come in the last phase (decision making inside

the Commission), which would take place behind closed doors and in a hierarchical style.

If governance styles usually appear in mixed forms, and such mixed approaches emerge inside and outside public-sector organisations, and between them and other societal actors, then the concept of linkages, coined by the economist Hirschman in 1958[890], should be an important part of the metagovernor's rationale. Linkage is a sociological concept that identifies a pattern of relationships between an organisation and its environment. Hirschmann distinguished backward and forward linkages in the economic production chain: Backward ('upstream') linkages are channels through which information, material, and money flow between a firm and its suppliers, forward ('downstream') linkages relate to the distribution chain connecting a producer or supplier with the customers. Aveni identified two key dimensions of linkage: strength (how intimately the organisation is connected with any other group) and breadth (how extensive is the support).[891] Linkages are more permanent than two other types of relations between governance systems, interpenetration and interference.[892]

Table 11. Examples of linkages relevant for the metagovernor's rationale (own composition)

Gov. styles: Linkages between:	Hierarchy	Network	Market
Institutions	Legal division of tasks	Covenants	Contracts
Actors	Dependency, subordinacy	Membership, subscription, ad hoc	Contracts
Problems	Causal relations	Unstructured relations	Financial relations

In Section 4.5.5, we mentioned that metagovernance should produce effective linkages between the three governance styles, both in the design and in the management phases of a specific governance mixture. Linkages are possible avenues for influence[893], and hierarchies, networks and markets produce different, types of avenues. As we have seen, in the five in-

890 Hirschman (1958): The strategy of economic development.

891 Aveni (1978): Organizational Linkages and Resource Mobilization: The Significance of Linkage Strength and Breadth.

892 Schaap (2007: 116): Closure and governance.

893 Selin and VanDeveer (2003): Mapping Institutional Linkages in European Air Pollution Politics.

vestigated cases, all three ideal types of governance were used, in different combinations in different situations. As one might have expected, also different forms of linkages that are affiliated with the ideal types, could be observed (Table 11). A hierarchical approach, like in phases in which the Utrecht police considered a zero tolerance approach necessary, depended upon legitimacy on the institutional level, acceptance (subordinacy) on the actors level and a rational, causal logic on the problem level. A network-dominated approach such as in the English soil protection case, relied on consensus between the Ministry and other organisations like the planners organisation, regarding several issues: inclusion (membership, for example) on the individual actors' level, and the conviction on the problem level that the problem of soil protection was a complex and value-laden issue. The market approach that was dominating the measures announced in the Dutch Soil Policy Letter, produced linkages in the form of voluntary agreements with and between organisations, and indirectly to individual actors belonging to branch organisations. The problem was partly framed as a financial problem: who is going to pay for the costs caused by the policy measures?

The metagovernors responsible for the cases had to prevent or solve conflicts arising from incompatibilities between different types of linkages. For example, when the European Commission, after the extensive external consultation period, ´closed the doors´ and switched back to hierarchical governance in order to finalise the internal decision-making process, it was important to communicate (which was done on the EC website) the switch of linkage type from informal and ad hoc to formal procedural linkages (management of expectations).

The examples above illustrate that the concept of linkages may be a useful concept in the rationale of metagovernors, although further research seems to be required.

During the start of a new (policy) project in which a public-sector organisation has a leading role, the project and process architectures are designed. A redesign may take place between two phases or rounds of the project. As mentioned above, 'design' is not meant as using a blue-print, but developing a tailor-made approach. Based on the case studies in this research, it can be concluded that the following governance failures should be prevented:

1. An inflexible and internally oriented design that is not sensitive to alarm bells and weak signals;
2. An informal organisational design. This may make the 'rules of the game' and responsibilities unclear. The 2000 Dutch soil protection project that was set up as a network process, came to an end after a

dispute on who was responsible for the existing contradictory regulation for local soil protection and remediation.

3. A design that is too different from the dominant internal governance style will create conflict and will not be understood. The network governance Pegasus programme (pilot case described in Chapter 3.3.2) encountered trouble after a new Minister entered with a hierarchical style.
4. A design that is not suitable for the type of problem that has to be addressed will in most cases produce unsatisfactory results. In some cases the 'correct' main governance style is easy to determine: in crisis management it is hierarchy, for routine issues it is market, and for 'wicked' problems it is network governance. However, often it is not this simple. In any case, the framing of the problem to an important extent determines the type of governance mixture that will be chosen or develop.
5. A design that does not address all apexes of the governance pentagram of Chapter 3.2.2 may also fail. There should be a mutually compatible governance 'footprint' on vision, structure, orientation, people and results.
6. A design that does not allow the possibility of creating synergies between elements of different governance styles may be less than ideal.

The Shell 2025 scenario approach (see Section 2.5.4) illustrates that it may be important during the design process, to pay attention to possible trade-offs between the three ideal types, that may dominate the 'governance environment'. The authors of this scenario study believe that 'two wins, one loss' outcomes of the trade-off between three governance forces are more plausible than other possible results. We have seen that most of the currently distinguished hybrid forms of governance result from the trade-off between market and network thinking. This is Shell's 'Open Doors' scenario, which is apparently close to the current (global) mainstream thinking of leading people on the government, business and civil society level. In Section 6.5.6 however, the conclusion will be that real-life governance mixtures are also influenced by national, organisational and individual cultures. Nevertheless, thinking along the lines of 'two wins, one loss' scenarios may help to understand the possibilities and plausibility of certain governance combinations, during the process of designing a governance approach. Using the analytical power of such scenarios may lead to more 'robust' designs. For example, it seems useful to ask a question like: How would my governance design cope with a situation that looks like a 'Flags' scenario (communities that protect themselves through hierarchical measures)? Do 'gated communities' exist inside public-sector

organisations? How to deal with such 'flag' communities when addressing them as a public manager? Furthermore, how would my governance design deal address a situation that looks like the 'Low Trust Globalisation' scenario (a trade-off between hierarchical and market thinking, in which hierarchy is used to secure market interests)?

2. Switching to another style, for example from hierarchy to network, or the other way around

Style switches were executed within and between process phases or rounds. In the community policing case, key managers considered it 'natural' to switch between styles when they deemed this necessary, and found that this was accepted by those who were involved in the project because there was a clear common goal. Deliberate style switches were also reported in the other cases. A hierarchical intervention was observed when a network process resulted in 'never-ending talks', and a network intervention like a stakeholder dialogue was decided when a hierarchical process did not lead to a broadly accepted problem definition.

The switch from a hierarchical to a market style dominance in the instrument mixture of the Dutch soil protection policy, was a political intervention. Inside the Environment Ministry it was put through with a hierarchical intervention (levelling up the daily responsibility from a unit head to a director). The switch from hierarchy in the law-making phase of the German soil protection case, to a more network approach in the implementation phase, was necessary because the Federal Government at that moment had no other interventions strategies available: the *Länder* were in charge of the implementation of the Soil Protection Act in their state legislation.

When a public manager is confronted with tensions inside the chosen governance style mixtures, an intervention using a contrasting style may cause a breakthrough. This happened in the Dutch soil protection case, where a hierarchical intervention was used to restart the policy making process. The English soil team used the network intervention of a dialogue with (local) planning agencies in order to convince them that they should use their hierarchical power to include soil protection requirements in their planning system. In the Dutch Green Heart pilot case, the market governance intervention of a public-relations campaign was used to trigger a network process.

3. Maintenance of governance style mixtures

Maintenance is a second order strategy that complements the combining and the switching strategies. One example is style conflict mitigation by temporarily 'closing the doors': (temporarily) separating the sources of the conflict. This strategy may also be used as a prevention method. The latter was used in the aforementioned Green Heart case, though not as a conscious design but by granting the project team a high degree of discretion. This prevented conflicts with financial divisions and it kept the conflict level low with a competing policy department in the same Ministry, in this case the Housing Directorate-General. A switch from a network to a hierarchical style was made acceptable by the announcement that this period would only last six months.

Also managing dilemmas and paradoxes was part of the 'maintenance' strategy, for example the dilemma of creating strong or weak network ties. A phase of hierarchical governance, after a (large) incident has occurred, may lead to 'abuse': Some of the market governance mechanisms, like cost-benefit analysis and other public procurement requirements, are then temporarily 'shut off'. Several examples were reported in which the high measure of discretion of people leading a crisis team was 'abused': A temporary switch from a complex governance mixture towards a simple 'one style' approach creates an attractive environment in which much is possible.

Earlier (3.3.3), the example of the 'tied liberty' paradox was given, which lies behind the question of whether to introduce hierarchical elements like 'house rules' in a network. Networks function better when they are not completely unstructured. The dilemma in this example is whether the network ties should be weak or strong. Paradoxes and dilemmas can be very useful mental constructs when addressing tensions between the three governance styles. Dilemmas are situations in which a manager must choose between two or more unsatisfactory results; paradoxes are seeming contradictions such as "more haste, less speed"[894]. Public sector organisations are full of them.[895] Hesse et al. state that ways of solving public-sector paradoxes may include shocks, crises, policy reversals or simply the passage of time.[896] There is a large literature on how public managers may

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[894] Pollit and Bouckaert (2000: 152-153): Public management reform. A comparative analysis.

[895] Kettl (2002:15; 50): The transformation of governance.

[896] Hesse et al. (2000: 19): Paradoxes in public sector reform.

solve dilemmas[897] and paradoxes[898], however not with a focus on governance style conflict resolution. This might be an interesting area for further research.

6.5.4 Dealing with the limitations of metagovernance

Jessop argued that all three ideal types of governance show typical failures, and that the same must apply to metagovernance[899]: also metagovernance itself probably has typical failures. Dixon and Dogan, who analysed the philosophical background of the three styles, gave a series of nine suggestions for dealing with these failures, of which the following seem the most important:[900]

- "There are no a priori 'correct' (or failure proof) governance propositions, merely governance suppositions;
- Governance problems may not be solvable, but they must be managed;
- Governors must learn to comprehend and evaluate the intended meaning of arguments based on a diversity of methodological perspectives;
- Conflict is normal and necessary, with a degree of tolerable conflict determined by the willingness and ability (…) to join together (…);
- Achieving 'good governance' is an iterative process that involves learning-by-doing and learning-from-experience about what is the right thing to do and how to do things right."

We can find other limitations of applying metagovernance in the absence or insufficient level of the three qualifications mentioned in Section 6.6: willingness, discretion and capability. Metagovernance also requires that to some extent, agreement is reached about the course that will be followed. However, the inability of managing agreement is one of the major sources of organisation dysfunction: "groups tend to embark on excursions that no group member wants" (the Abilene Paradox).[901]

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897 E.g. Dirven et al.(1998: Stuur of overstuur).

898 E.g. Hesse et al. (2000: Paradoxes in public sector reform), De Wit et al. (2000: Strategisch management van publieke organisaties.), De Wit and Meyer (1999: Strategy synthesis.).

899 Jessop (2002): Governance, governance failure and meta-governance.

900 Dixon and Dogan (2002: 191): Hierarchies, networks and markets.

901 Harvey (1996: 15): The Abilene Paradox and other meditations on management.

6.5.5 Feasibility of metagovernance on national, sectoral, process and individual levels

What are the possibilities and limitations of metagovernance on different levels of decision making?

On the *national* level (or the level of a supra-national administrative system such as the European Union), we have seen that the underlying culture influences the feasibility of metagovernance. Usually one governance style is the first to be considered. Awareness of this mechanism creates opportunities but also limitations. In a consensus society like the Netherlands a hierarchical style is difficult to implement, even when the problem at hand is urgent. However, a consensus culture is a good fundament for network governance, an ideal type, as we have concluded, that is especially useful for dealing with complex and unstructured problems.

The *sectoral* level refers to the fact that every policy sector has its own tradition and preferred governance approach. A ministry of economic affairs may have a market governance tradition, whereas environmental ministries, in most countries, have a tendency towards hierarchy: standards, norms, legislation. Unorthodox approaches (including contrasting style interventions) may not be accepted, but on the other hand lead to surprising results. Knowledge and awareness of the dominating culture of the sector seems to be required for successful metagovernors.

On the *process* level, a metagovernor would have to be informed about the history, the current dynamics, and possible futures of a decision making process.

The *individual* metagovernor would have to have a notion of efficacy (a rationale), a reasonable level of willingness, discretion and capability, and should be experienced in applying strategies such as switching (styles), linking, and conflict resolution.

6.5.6 The metagovernor's framework conditions

The public managers in the five cases analysed which governance style mixtures would work most effectively given the possibilities and limitations of the policy issue, whilst also considering the internal and external context. They knew intuitively which conditions would enhance the feasibility of metagovernance, and understood that sometimes a desired style was not feasible for several reasons:

1. The politico-administrative culture, traditions and history of the administrative and societal system:

National cultures and related underlying governance styles influence the composition of governance style mixtures to a certain extent, although they do not predict a specific style (mixture): they predict the first style that is to be considered. In all investigated administrative systems, the first reflex is to try the underlying style, which is (as we have seen before) market governance in the UK, network governance in the Netherlands, and hierarchical governance in Germany. The other styles are only applied when the underlying style turns out to be inappropriate.

There was an awareness of the constraints and opportunities linked to this factor in all five cases. The Dutch Environment Ministry only shifted its main approach from network to hierarchy when all involved actors were 'fed up' with never-ending talks with very modest results. The UK Environment Ministry explored the possibilities of using market instruments and switched to a network approach when they found out that the Treasury would not cooperate along that track. The German task force responsible for the preparation of the Soil Protection Act started in a classical hierarchical way – making a legal unit responsible – and gradually widened their governance toolbox with network and market ideas. The European Commission internally applied a hierarchical style, as was to be expected, but embarked on the 'new modes of governance' train while designing their external governance approach, for various reasons.

2. The personal conviction of the responsible politician

In all investigated cases, the personal conviction of a minister (in the soil protection cases) or a city alderman (in the policing case) accounted for interventions matching with their ideas about how to solve the problems at hand. We have seen the influence of a new Minister coming in (in the cases of Germany and the Netherlands). We have also seen how influential it is when political and/or administrative leaders believe that it is important to allow their policy makers much discretion (observed in the cases of German, Dutch and English soil policy making, and in the Dutch community police case).

In the three national strategic policy-making cases, the responsible minister played an important role. In the UK case, the ministers were not directly involved, because soil protection was not a politically hot issue. In Germany three consecutive ministers each intervened on crucial moments, although also in this case the responsible managers had a great deal of discretion, partly because they could work in a similar political wind shelter as their UK colleagues. The first (Töpfer) was responsible for the estab-

lishment of a legal soil protection unit, the second (Merkel), who was a good negotiator, resolved the competence discussions between federal and Länder level, and the third (Trittin) stimulated a 'soil consciousness' programme after the Soil Protection Act had been issued, based on his conviction that public support is important. In the Dutch soil protection case the responsible (junior) minister primarily played a role in convincing his Ministry that the policy measures and instruments should be mainly based on market governance ideas.

The respondents of the EC soil protection case did not report a strong role for their Commissioner – which is not surprising if we consider that, especially in low priority issues, the Commission has a tradition to 'work around' the 'political level' as much as possible[902], and frame their products as 'technical advice' rather than policy proposals.[903]

The Dutch policing case took place at a distance from national policies, although the project indirectly profited from the decentralisation fashion of the 1990s and early 2000s: the local police managers had a great deal of freedom to operate. Local politics however played an important role: without the enduring support of one of the city aldermen (Spekman) the whole project would not have developed into such a prize-winning success.

3. Societal expectations of the role(s) of governmental organisations

Civil society might lobby for network arrangements, whereas enterprises may strive for either market governance or hierarchical governance (for example legal measures to guarantee a 'level playing field'). When external actors are (politically) influential, they will require involvement in policy making processes, be it in a market style (bargaining to get the lowest possible 'administrative burden'), or in a network style (negotiating to achieve mutual gains).

Societal expectations can be considered as a force that may be used. Going with the flow would mean, for example, that at least the vocabulary of the metagovernor is aligned with a mainstream governance style. The German soil case shows how the societal pressure towards a more open, less hierarchical policymaking process was used to develop unorthodox flanking measures, like supporting the establishment of soil expert communities. The second way of using expectations is to do the opposite: create interventions that contrast with what is fashionable.

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902 Eppink (2007): European mandarins.

903 Robert (2001: 8): The European Commission and its relationship to politics.

4. Organisational characteristics

For example, what is the organisational culture (open or closed, professional or task-oriented), what is the dominant style of leadership (command and control, coaching or enabling), and what is the educational background of policy officers (legal, technical, social sciences)? For example, Ministries of Justice typically prefer a hierarchical governance style. This makes sense because their core business is producing legal instruments. The problem is that the belief system of policy-makers in such departments does not allow for network or market governance when a specific situation would require this. In 2002 when the directorate for the coordination of (ethnic) minorities moved from the Dutch Ministry of the Interior to the Ministry of Justice, this led to a reframing of their task to a focus on immigration and asylum issues (in which hierarchy is essential), away from the earlier focus on integration issues (for which network governance is essential).[904]

The director of soil policy of the Dutch VROM Ministry concluded that one of the factors that prohibited the establishment of a new comprehensive strategy was that the three soil units had conflicting cultures. He used the hierarchical 'window' that had been opened after the failure of the network governance approach, to realign the internal preferences into a new hierarchy of governance styles: first market instruments, then network instruments and only then hierarchical instruments. Officers who were not willing to follow this new line were offered another job or an early pension.

5. The type of policy problem

On the one hand this factor determines which style should ideally be dominant, but on the other hand, if this style is not feasible, the problem may be reframed to one for which the 'preferred' governance style is possible. For example, soil protection can be framed as an integrated, complex and even 'wicked' problem. This requires an approach with a strong network emphasis. If soil protection is framed as cleaning the most polluted bits of land, this may be approached with a mixture of hierarchy (using project management and command and control leadership), and of market governance (making polluters co-responsible and let them co-finance the operation). In case soil protection is defined as a gap in the environmental

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[904] Molleman (2004: 50): Het minderhedenbeleid in historisch perspectief: leren van gemaakte fouten.

legislation fabric, then hierarchy should be dominant. Framing soil degradation as irresponsible behaviour of independent landowners may result in using market governance instruments like financial incentives and voluntary agreements that guidelines of 'good practice' will be used.

If the policy problem is defined as an urgent matter, the rationale is to choose a hierarchical approach. However, such a frame can be 'developed': urgency can sometimes be organised. In the Dutch soil case some informants suspected that the Ministry had purposely caused the consensus approach to fail, because this would increase the call for a top down approach. The UK soil protection managers reframed the problem from 'protecting the soils of England against polluters' into 'helping soil users to protect their own interests in clean soils'. This new frame fitted better into the network style they had chosen as their main approach, and at the same time appealed to the autonomy (market thinking) of the polluters. Also the Utrecht police used problem (re)framing: in order to prepare their street level officers for networking, they trained them to respecting the 'objects' of the programme (drug addicts and homeless people) more than they used to do. A last example: The European Commission officers responsible for soil protection stimulated an external strong call for standardisation (and therefore legislation) by supporting expert conferences, such as the 2004 conference in the Netherlands. They used outside forces to frame the problem into one for which, apart from a strategy, also a (framework) directive was required, against the deregulation mood of the early 2000s.

These are all examples of 'internal framing': framing by or within the governing system. Of course, also the external environment may have a dominant influence on how the problem becomes defined. A strong stakeholder lobby may successfully push for a certain problem framing. For many years, the powerful farmers' lobby in the Netherlands, Germany and France, for example, prevented being politically framed as polluters.

It is impossible to divide the above mentioned factors into two clear groups based on systems theory: characteristics of the 'governing system', and characteristics of the 'governed system'. All factors are mixed in this respect. This is not surprising if we follow Kettl's observation that the boundaries between and inside all politico-administrative systems have become fuzzy.

6.5.7 Conclusion: The metagovernor's rationale

Although they were aware of the constraints, the managers in charge of the five cases, applied Davis and Rhodes' recommendation that "the trick will be to mix the three systems effectively when they conflict with and un-

dermine one another"[905]. They had a characteristic logic of action or rationale, which consisted of mainly (a) understanding the constraints and opportunities offered by the governance environment (the framework conditions) and (b) situationally applying specific intervention strategies, based on combining, switching and maintenance.

This specific rationale is probably different from the logic of action of a politician who acts as a metagovernor: In the first place, concerning the type of framework conditions (the political metagovernor may be less dependent on organisational characteristics). Secondly, with regard to the relative feasibility of the different strategies: style conflict mitigation inside a ministry would be primarily a task for a public manager, for example.

6.6 The metagovernor's qualifications

The next question concerns the conditions that qualify public managers as metagovernors. The managers in the investigated cases applied metagovernance because it had a 'logic of action' to them. They considered the metagovernance of hierarchies, networks and markets, as working with a rich set of options: richer than any of the three styles alone could offer. What made them see things in this way? Why were they successful in applying metagovernance?

From the analysis of the five case studies, three key qualifications of metagovernors have emerged. They are variations of three general conditions for innovative action in social life, formulated by Behrends in German as *"Wollen, dürfen und können"*[906] (Figure 22).

Willingness, discretion and capability may play different roles in different phases of policy or organisation processes and for different objectives (conflict prevention and resolution or creating synergies). How did these concepts emerge and why do they seem important?

Willingness

The first common characteristic of the respondents that was observed in the five cases was their willingness to do what they found important. The

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905 Davis and Rhodes (2000: 25): From hierarchy to contracts and back again.

906 Behrends (2001): Organisationskultur und Innovativität. Eine kulturtheoretische Analyse des Zusammenhangs zwischen sozialer Handlungsgrammatik und innovativem Organisationsverhalten.

involved managers were highly motivated people who believed in what they did, and that their work could make a difference. They had a strong drive to achieve their objectives. Moreover, many were willing to apply unorthodox measures. The question is whether or not this was exceptional? Are all public managers like this? According to the research done by Noordegraaf and Abma[907], 't Hart[908] and others, this does not seem plausible. Therefore it was, at least to a certain extent, a special feature. The respondents distinguished themselves through their conviction that in a dynamic environment one has to learn from what is happening, and to apply the lessons learned. The metagovernors were willing to reflect on what the best governance mix was depending on the situation. They had a learning attitude, tenacity and the courage to make mistakes.

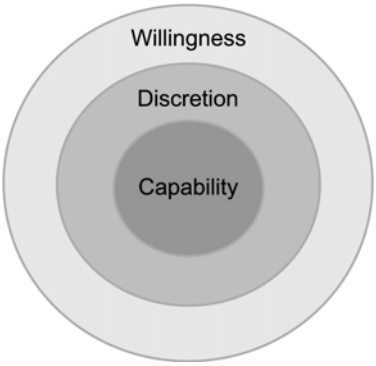

Fig. 22. Three qualifications of metagovernors

Discretion

It was surprising that, although there is a lot of literature about governance style conflicts and about the inherent incompatibility of hierarchical, network and market governance, the respondents in the five cases reported relatively few incidents. One reason might have been that they were working with one 'pure' governance style with its internal 'flawless' logic (see Ch. 2.5). However, this was not the case. Another reason could have been that they simply did not wish to report conflicts. In a pre-interview, a re-

907 Noordegraaf and Abma (2003): Management by Measurement? Public Management Practices Amidst Ambiguity.

908 't Hart and Wille (2006): Ministers and top officials in the Dutch core executive: living together, growing apart?

spondent of the case that was not investigated in the end, gave the following answer when he was asked if there had been any conflicts in his project:

> "No, it was a great success and there were no conflicts at all. Besides, if there had been conflicts, I would not have told you: in our organisation we don't wash our dirty linen in public".[909]

Nevertheless, in the investigated cases the respondents were very open. Of course this does not prove that they disclosed everything that might have been interesting for this research. However, it may be concluded that the most plausible reasons why so few governance style conflicts emerged was that they had enough *discretion* to prevent and solve most conflicts.

Discretion is a condition that Lipsky reported as essential for street-level bureaucrats.[910] It seems to be equally important for strategic policy-makers. Public managers find that the complexity of their environment makes it impossible to ask permission for every action that they deem necessary. In all five cases they used their discretion up to its limits. Discretion therefore is the second condition for metagovernance. With enough discretion it is possible to handle governance style mixtures 'willingly and knowingly', to paraphrase the title of a book on the relations between science and policy.[911]

In the Utrecht policing case, special project managers, such as an area manager, were appointed with an unusually high level of discretion. They were expected to act on all levels with all involved parties. This is also the case in Rotterdam, where so-called 'city marines' are appointed who report directly to the major. In the Dutch soil case, the final responsibility was put on the organisational level where the amount of discretion was high enough, namely at the level of a director. In the soil policy cases in Germany, England and the European Commission the project responsibility was on the level of a head of unit. They had a lower level of personal discretion than directors, but increased this by finding informal ways, 'dirt roads' if necessary, along which they could work without having to ask for permission all the time. For example, in the German case they used network governance elements (like investing in network building among soil experts) and market governance ideas (such as a public awareness cam-

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909 Interview 34, held on 2 July 2006 (translated from German by the author).

910 Lipsky (1980): Street-Level bureaucracy: Dilemmas of the individual in public services.

911 In 't Veld (ed.) (2000): Willingly and knowingly. The roles of knowledge about nature and the environment in policy processes.

paign supported by the issuing of a special stamp). These were 'unorthodox measures' (a term used by several interviewees) that were not covered by their remit – and therefore considered to be feasible. This, however, requires an innovative, exploring attitude (willingness).

The exercise of discretion involves four activities: sense making (from tacid and explicit knowledge), thinking, judging and acting.[912] The degree of discretion required to create a situationally optimal mixture of governance styles can conflict with legitimacy and democratic control. This is an important dilemma. According to Ponsaers, in the more hierarchical police models, the 'military-bureaucratic' and the 'lawful policing' police model, discretion is usually very low. Market thinking in the 'private-public divide' police model leads to the highest discretion levels: "Outside legal limits, everything is allowed"[913]. Some have proposed to introduce forms of public participation, to oversee public administrators, in order to reduce the risks of abusing discretion.[914] Hupe and Hill distinguish three types of public accountability. They can be related to the three governance styles:[915]

Kelly reports from an investigation on discretion of UK welfare and education street level workers, that the public sector reforms of the last decades tend to have decreased the measure of discretion on three dimensions: rule discretion, value discretion and task discretion.[916] The main cause to which she relates this decrease is the introduction of additional accountability systems. This not only causes a lot of paper work, but also forces officers to report on virtually everything that they do. The latter is, as Lipsky[917] already had observed, almost impossible: there are too many variables to take into account. It is plausible that the new constraints also apply to public managers who work at a strategic level in ministries, for example: they also had to become 'managers' in the first place and have to deal with additional control procedures. However, in the five investigated

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912 Cox (2004: 41): Accountability and responsibility in organisations: the ethics of discretion.

913 Ponsaers (2001: 491): Reading about "community (oriented) policing" and police models.

914 Hunold and Peters (2004): Bureaucratic discretion and deliberative democracy.

915 Hupe and Hill (2007: 294): Street-level bureaucracy and public accountability.

916 Kelly (2006: 631): Professionals, discretion and public sector reform in the UK: re-visiting Lipsky.

917 Lipsky (1980: 47): Street-Level bureaucracy: Dilemmas of the individual in public services.

cases, the leading managers were allowed just enough discretion to do their job well.

Capability

The interviewees were less aware of the third characteristic that emerged, than of discretion and willingness. They were all highly educated (academic background) and well-trained (management courses), and had at least five years experience in line or project management jobs. The question is, if the fact that they 'knew' how to apply metagovernance was an exception. Was it a key success factor? It may be useful to approach this from the opposite side. There are public managers who are 'caught' in one governance style or specific style mixture. They are not capable of switching between styles and style mixtures. Some have a belief system that is hierarchical. A legal or financial academic background fosters this type of management. Others have a strong affinity with market governance. They are economists that side with the political mainstream of the early 2000s: market-liberal politics. A third category: Public managers, who strongly believe in a network approach, are much less common. They may be expected in environmental and welfare policies for example, where public-sector organisations are relatively dependent on co-operation with NGOs and businesses.

Their ability to take *multiple perspectives*, to stand 'above' the three governance styles and combine them in a way that did not conflict with their own values, distinguished the metagovernors from their colleagues in the investigated cases. Important in this context is Laske's differentiation between capability and competences: Capability is linked to personal development stages, and is an enabler of competences. Capability represents what somebody *is*, while competence indicates what somebody *has*.[918] This differentiation is important for management development programmes that aim to enhance the metagovernance-capability (see also Section 7.3).

Four dimensions of metagovernance-capability that were observed in the case studies were also formulated earlier by Jessop[919]. He distinguished a reflexive orientation; the recognition of complexity and variation; self-referentiality, and 'requisite irony'. A last dimension that seems to be important is casting ability.

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[918] Laske (2006): On leadership as something we are rather than have.

[919] Jessop (2003): Governance and metagovernance: On reflexivity, requisite variety, and requisite irony.

Reflexivity: Understanding that knowing about a system changes that system is one of the key principles of change in social relations.[920] Jessop defines reflexivity in the context of governance as follows:[921]

> "(…) the ability and commitment to uncover and make explicit to oneself the nature of one's intentions, projects, and actions and their conditions of possibility; and, in this context, to learn about them, critique them, and act upon any lessons that have to be learnt. In relation to governance, this involves inquiring in the first instance into the material, social, and discursive construction of possible objects of governance and reflecting on why this rather than another object of governance has become dominant, hegemonic, or naturalized. (…) And it requires learning on about how to learn reflexively."

Flexibility: The ability to switch between alternative governance styles is an expression of flexibility. A crisis enhances flexibility: an old saying goes that under pressure everything becomes fluent. This happened in the Dutch soil case. A crisis was necessary to make it possible to switch from the viscosity of the preceding network phase to a hierarchical approach. Flexibility is important in situations that are dynamic and uncertain. However, Starkey et al. warn against the rhetoric of flexibility: there are and will be situations where flexibility is not a useful concept.[922] The example of the salary department clarifies this: it has to be reliable, not flexible or even worse, creative.

Self-referentiality: Dunshire coined the term collibration for the active intervention to reach balances in complex systems: "introducing a bias or compensator into such a field so that it arrives at a steady state where otherwise it might not".[923] Starting from autopoietic theory[924], he distinguishes two key problems for what we call metagovernors: (1) how to cope with other actor's self-referentiality, and (2) how to cope with their own self-referentiality. Collibration "makes use of the built-in checks and balances

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920 In 't Veld (1999: 30): Ordelijke chaos noodzaak voor innovatie.

921 Jessop (2003: 7): Governance and metagovernance: On reflexivity, requisite variety, and requisite irony.

922 Starkey et al. (1991): Flexibility, hierarchy, markets.

923 Dunshire (1996: 319-320): Tipping the balance: Autopoiesis and governance.

924 An autopoietic system is one that is continuously producing its internal structure, without reference to any outside source, in the interest of maintaining, through perturbation, its essential identity (Dunshire, 1996: 301). See also Dunshire (1993: 252, Manipulating Social Tensions: Collibration as an Alternative Mode of Government Intervention) and In 't Veld et al. (1991: Autopoiesis and configuration theory: new approaches to societal steering).

of a particular kind of social subsystem or action arena". Furthermore, "A relatively small use of power, as stick, carrot, or sermon, may then tip the balance of self-policing tensions already manifest in the pair system". This approach recognises that there are three governance styles or approaches, stick (hierarchy), carrot (market) and sermon (network) that can be used to influence unsatisfactory ('unbalanced') situations with a binary focus.

Self-irony: Jessop argues that because of the inherent failures of each of the ideal types and of metagovernance, it is important that metagovernors possess a self-reflexive 'irony': recognition of the likelihood of failure but proceeding as if success were possible.[925] Designing and managing governance style combinations is an 'art' more than an act, and requires that the 'artist' has a certain degree of self-irony.

Casting ability: 'Good casting' has been distinguished as a requisite for community policing,[926] but it also seems to apply to strategic policy-making. The personal conviction of key players in the policy game is an important factor. Good casting is difficult when it concerns politicians. There may be many reasons why they are appointed, but usually a management assessment is not part of the procedure. However, the personal governance style of a minister or a regional or local politician may dominate the capacity of the public sector to exercise metagovernance. Around the year 2000, a Dutch Environment Minister who believed in hierarchy as the best means of societal coordination, unexpectedly established a network cooperation on important environmental issues (the 'Green Polder Model'). However, he was not prepared to invest in trust between the partners and wanted to stay in control. Soon disappointment and distrust arose, and some actors left the network. Not much later, the 'Green Polder Model' was history.[927]

Relations between discretion, willingness and capability

The case studies showed that the three qualifications of metagovernors are interrelated (Figure 23). The willingness to metagovern requires enough discretion, insight and know-how (capability). Capability requires the will to apply the insights and the discretionary power to act. Finally, discretion with out the will or capability to use it is pointless. It seems that if one of

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925 Jessop (1998: 44): The rise of governance and the risks of failure.

926 Presentation Pieter Tops at the Conference 'Doorbraak in lokale veiligheidsaanpak', 7 March 2007, Zwolle, the Netherlands.

927 Weggeman (2003): Controversiële besluitvorming; opkomst en functioneren van het groen polderoverleg. Dissertation.

the three cornerstones for metagovernability is absent, metagovernance is not possible.

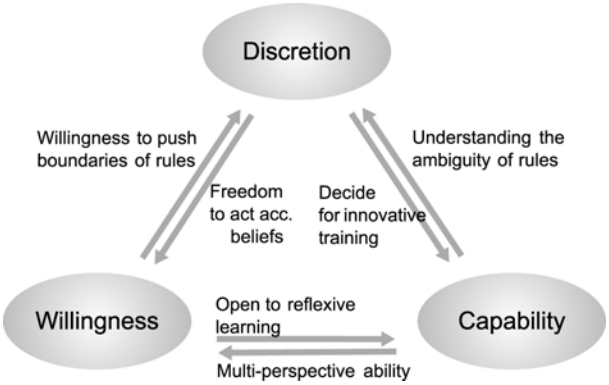

Fig. 23. Relations between three qualifications of metagovernors

Willingness is linked in two ways to the concept of discretion. A US study on how public managers use the organisational 'grey zone' (areas where the law is ambiguous or silent on the actions they can take), showed that those who increased their discretion in this way, were willing to push the boundaries of the law to achieve their purposes, or tried to change the rules that restricted their discretionary power.[928] The other way around, discretion creates the freedom to act according to ones beliefs: to do what is important, what is of value.

Willingness and capability are also linked. A willingness to invest in reflexive learning and in other competences which enhance the metagovernance capacity is required. In the UK soil protection case, the fact that UK public managers and policy officers are used to being seconded to other ministries stimulated them to have an open mind for other perspectives. The capability to use multiple perspectives is important for directing one's 'drive' to reaching results that are based on a multiple governance (metagovernance) approach. Many of the interviewees in the five investigated cases seem to have this capability that complemented their strong willingness.

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[928] Landsbergen and Orosz (1996: 252): Why public managers should not be afraid to enter the "gray zone".

Finally, capability is linked with discretion. Public managers have to be able to understand that the ambiguity of many rules and regulations is an opportunity rather than a constraint in creating strategic action. A background in law may be an advantage, because people with a legal background are taught that (most) law is ambiguous. [929] An adequate level of discretion is required to decide whether or not to use innovative or unusual training methods and objectives. An example is the training that police officers in the Utrecht case received, that helped them to change how they perceived the target group: In stead of labelling them 'useless drug abusers', they came to see them as 'drug using citizens' who were entitled to basic respect.

These findings are in line with what Lowndes and Skelcher concluded in their study on urban renewal projects in the UK.[930] In these projects an optimal form of switching between governance styles was observed when a new project phase begun. The project managers had the willingness, the discretion, as well as the capability.

Counter-cases: Do unsuccessful projects score low on the three requirements?

The argument that the three variables are requirements for the exercise of metagovernance would be stronger if we could illustrate that in unsuccessful policy processes the managers did not possess (all) these qualifications. This seems to be the case in the following examples, although empirical research should follow to confirm this.

A well-documented[931] failure is that of a policy process that was carried out in the Netherlands from 1995-1997: the 'Environmental and Spatial Planning'[932] Project. This project had no output (there was no final report) and a very low outcome (in terms of the aimed better relations between these policy fields). It showed fundamental flaws in terms of metagovernance. The objective of the project was to decrease the permanent tensions that existed between the two fields that were housed in the same Ministry of VROM, and at the same time increase the Ministry's pecking order in comparison with other Ministries. In order to achieve this, the idea was to

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929 Landsbergen and Orosz (1996: 254): Why public managers should not be afraid to enter the "gray zone".

930 Lowndes and Skelcher (1998): The dynamics of Multi-Organisational Partnerships: an Analysis of Changing Modes of Governance.

931 Vrakking et al. (1998): Evaluatie project Milieu & Ruimte.

932 'Milieu en Ruimte'.

try to combine environmental policy and spatial planning into a new policy field. The first problem was that this objective had to be reconstructed afterwards: there was no starting document. The two directors-general in charge were both unmotivated: it was the Minister's idea and even she had no clear picture of the desired result. Other ministries were left out on purpose although they had a lot at stake. They successfully obstructed the Cabinet from making decisions on the matter, although the Minister for the Environment attempted such. The project lacked hierarchical leadership and good project management. Furthermore it lacked network forms of dialogue that might have helped bridge the wide cultural gap between the environment and spatial planning directorates-general.[933] Finally, it lacked efficiency incentives that would have come from a market governance perspective: three years of extensive resources were wasted. In this example there was no common vision in the Ministry, and there were no shared values: two factors that are considered to be better success factors for bridging differences than just connecting internal structures.[934] The project manager had a low degree of discretion: Two directors-general above him were opposing the project. Nevertheless, in some of the working groups of the project a learning attitude developed. The members of the working groups were in fact unaware of the unwillingness of the top management.

The 'culture' of the environment department was mainly hierarchical[935], whereas the spatial planning department had a more networking attitude. The environmental officers mocked these "poor colleagues" for having to do their work by networking, because spatial planning lacked a centralised legal system. The capability of the key managers to frame the issue as an opportunity in which to combine the best of different governance styles may be doubted. At least, the external evaluation study found no signs. However, it is possible that the lack of discretion of the project manager and the lack of willingness from the top may have covered an existing capability.

Other examples of metagovernance failures are mentioned by Entwistle et al. They highlight the inefficiency of attempts to combine hierarchical,

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933 This cultural gap had been widened by the enthusiastic introduction in the Ministry of the market-governance idea of integral management: managers from both sides were responsible for their own policy and resource management, not for the interlinkage of policies (In 't Veld (ed.), 1996: III).

934 In 't Veld (ed.)(1996: IV): Rapportage onderzoek Besturingsconcepten VROM.

935 "If anything characterises environmental policy (in VROM), it is the use of 'command and control'." Ringeling (1997: 4): Sturing van het milieubeleid.

network and market governance in all dimensions: this would produce a significant waste of resources, because some arrangements would be coordinated more than once. "Governments cannot have the best of all worlds. High levels of trust and reciprocity entail relatively low levels of hierarchy and market coordination and their co-relative benefits."[936] Entwistle et al. found in 6 out of 10 case studies of partnerships in Wales, that a mix of hierarchical and market dysfunctions emerged (because the cases relied on these styles and not on trust, equality and reciprocity). They suggest that the more a partnership depends on one ideal-typical coordination style, the more likely is it that dysfunctions of that style will influence the success.[937]

[936] Entwistle et al. (2007: 66): The dysfunction of markets, hierarchies and networks in the meta-governance of partnerships.

[937] Entwistle et al. (2007: 76): The dysfunction of markets, hierarchies and networks in the meta-governance of partnerships.

7 Practical implications: Increasing the metagovernance capacity

Chapter 6 concluded that metagovernance played an important role in the five investigated cases, and that public managers acting as metagovernors had a characteristic logic of action. We will now discuss the practical implications of the concept of metagovernance for public managers, regarding three themes. Chapter 6 proposed that willingness, discretion and capability are three main qualifications for metagovernors. It is desirable to improve them, by increasing the willingness to take multiple perspectives, by optimising the level of discretion, and by selecting and training managers with metagovernance capabilities. This is addressed in Section 7.1.

Increasing the capability to apply metagovernance is a challenge for *management development.* Section 7.2 discusses what role management development may play in increasing the capacity of public-sector organisations as a whole, and of individual managers, to apply metagovernance. It will be argued that public managers should learn to manage all three styles. Personal development models may help to reach a level in which managers are able to take multiple perspectives.

Willingness and discretion are both linked to the culture and traditions of the organisation for which the metagovernor works; increasing these qualifications seems a matter of organisational change. What might the concept of metagovernance contribute to organisational development and change? Should metagovernance be an issue in public sector *reform programmes*, and if the answer is positive, how may this be addressed in such programmes? (Section 7.3).

7.1 Optimisation of the metagovernor's qualifications

7.1.1 Increasing the *willingness* for metagovernance

The cases illustrate that the willingness of public managers to develop and manage a governance approach that was appropriate for a policy process, and of their team members to accept this, depended on several factors.

Firstly, the motivation to work in a reflexive and creative way, and the drive to find solutions for problems, even if this means that unusual roads must be travelled. This requires that the 'right' people are selected and appointed to lead processes, and a reflexive attitude is rewarded. Secondly, the objective of a policy process should be clear to all involved, and there must be a shared sense of urgency. In the Dutch policing case this was reported as the key factor that made it possible to switch between governance styles with complete acceptance from the staff. Taking these factors into account may be useful when willingness seems to be the bottle-neck.

7.1.2 Optimisation of the level of *discretion*

When there is enough willingness, the discretion must be optimal in order to make the willingness effective. The challenge is to reach a high enough level of discretion which is still accountable and legitimate. The case studies and other examples provide the following strategies:

- *Create 'short-cuts' in the line organisation*: linking managers directly to (very) high levels. This was a success factor in the Dutch police case, in the Dutch soil case and in the German soil case. In the Green Heart pilot case it was the same: the project team had weekly meetings with the Minister, without the presence of the director or director-general.
- *Give trust* to the responsible managers: Trust that they will not cross 'sound' levels of accountability and legitimacy, and that if they make a mistake, this is accepted. Mistakes are considered as an investment in learning. This played a role in all cases.
- *Inform internal financial, HRM and legal units* as to what level of discretion the responsible manager is given. In the Pegasus pilot case, this was a failure factor: The financial unit was not informed about the budget that the top management team of the Ministry had allocated to the project. This caused a delay of several months.
- Allow for a *flexible use of budgets*: 'miracles' have been done with a little 'multiplier money'. The Dutch Environment Ministry in 1993 spent 25.000 euro in order to transport contaminated soil from a nature and recreation development area. This initiated the break-through for a 5 million euro development programme that had been blocked because none of the other (public-sector) parties had the discretion to allocate their funds for hiring trucks for the removal of the contaminated soil.
- In order to prevent inconvenient surprises, it is worthwhile to develop an *internal code of conduct* for dealing with external actors, espe-

cially for the degree to which, and the type of agreements that may be made.

In her analysis of a series of debates between Dutch police managers, including those involved in the Utrecht case described in Chapter 5, de Graaff names several of the above mentioned critical factors for the willingness dimension, but also presents other factors that are important to guarantee an adequate measure of discretion:[938]

- A careful selection of partners; in any case, those who feel the problems most, or are involved in one way or the other (between being informed and co-deciding);
- A clear leadership and direction;
- Attention to the different 'logic of appropriateness' of the involved organisations;
- A clear process design;
- Results are ascertained so that continuity is guaranteed;
- There is an intention to create a balance between 'soft' and 'hard' approaches.

Landsbergen and Foley argue, based on case studies in US public-sector agencies, that a 'grey zone' of discretion has to be negotiated, and that "rather than running from the gray zone because of fear, public managers should jump into the gray zone because of the opportunities".[939] These negotiations about discretion take place between higher and lower level public managers, but also between managers and their political superiors. The Dutch director-general Frequin, in his reflections on his cooperation with more than twenty ministers and junior ministers, emphasises the importance of a clear division of tasks. Public managers must combine options and prepare proposals, whereas the job of politicians is to make choices.[940] Hansen and Ejersbo explain the sometimes difficult relationship between politicians and administrators as a 'logic of disharmony'. Politicians approach issues case by case and have an inductive logic of action, whereas administrators approach issues by referring to general laws and objectives, thus having a deductive logic of action.[941]

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938 De Graaff (2007: 7-16): Tien basisprincipes van programmasturing.

939 Landsbergen and Orosz (1996: 260): Why public managers should not be afraid to enter the "gray zone".

940 Frequin (2006: 31): Ja minister, nee minister.

941 Hansen and Ejersbo (2002: 738): The relationship between politicians and administrators – a logic of disharmony.

Scholarly literature on discretion concludes that there are two challenges for management development. Firstly, it is important to create the organisational learning and support environment in which an optimal measure of discretion is possible.[942] Secondly, managers should develop a good insight in jurisprudence and in the ambiguity and 'silence' in the law, before they can start using the law in their strategies.[943]

7.1.3 Increasing the metagovernance *capability*

Chapter 6 concluded that the third qualification of metagovernance is the capability of responsible managers to 'stand above' all governance styles, including the one they may have a personal preference for. This is a quality that is relatively scarce in any (professional) organisation, because governance styles are related to deeply rooted cultures. Laske estimates that no more than 10% of the people in (professional) organisations are at this 'Stage 5' level of development (see also Chapter 7.3.6).[944] Strategies to improve the metagovernance capability might focus on *selection* of people with this ability and consider putting them in charge. Although the managers involved in the successful case studies apparently found this a 'natural' capability, in other projects this may not be case.

Laske argues that being at this development level does not imply that a management position has been reached. If the main organisational culture is either hierarchical, market or network oriented, promotion to management levels may even be untypical for these people. Therefore, when public officers who are at this 'Stage 5' level are 'spotted', it might be worth considering providing specific *training facilities* to develop their management competence. In general public-sector *training programmes*, the importance of the 'Stage 5' ability should become a key issue, as well as the competences required for applying each of the ideal-typical governance styles.

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942 Cox (2004: 49): Accountability and responsibility in organisations: the ethics of discretion.

943 Landsbergen and Orosz (1996: 260): Why public managers should not be afraid to enter the "gray zone".

944 Laske (2006: 32): Measuring hidden dimensions. The art and science of fully engaging adults.

7.2 Metagovernance and management development

In this section we will first look at the 'state of art' of management development in public-sector organisations from a governance perspective (7.2.1), and proceed with the requirements of management development (MD) as a basic training in all three ideal types (7.2.2-7.2.4), as training in analysing the governance environment (7.2.5), and as stimulating personal development (7.2.6).

7.2.1 Introduction: Management development in the public sector

The human dimension is the key to the quality of public-sector organisations.[945] What would optimisation of the qualifications for metagovernance require of management development programmes in the public sector?

Firstly, it would help managers to develop governance styles towards which they feel no 'natural' affinity. This lack of affinity may have been caused by their academic background: for example, background in law tends to promote an affinity towards hierarchy, and a dislike of 'sloppy' network approaches. It may also be a personal preference linked to their moral values. An MD programme that is 'fit for metagovernance' would therefore have to consist of a mixture of ingredients: training in line and project management (for hierarchy), in business management (for market) and in process management and other forms of network management (for network).

Secondly, it would encompass training in investigating and assessing the governance environment: problem frames, actors, interests and risks, to name some of the factors.

Thirdly, such an MD programme should focus on personal development, aimed at developing a 'metagovernability'. This addresses the question of how to become someone who is able to reflect on all governance styles and has enough self-insight to understand one's own biases.

The education and selection of (senior) public officials has a history as long as that of the public sector itself. Already in the 1940s, Simon argued that organisational problems cannot be seen apart from recruitment and training of employees.[946] Education and selection were focused on develop-

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[945] Wolf (2000: 696): Trends in public administration – a practitioner's view.

[946] Simon (1997: 311): Administrative behaviour. (Third edition; 1st edition is of 1946).

ing hierarchical thinking, because public-sector organisations have been mainly hierarchical for decades. The term 'management development' emerged from the New Public Management movement during the 1980s. It comprises a range of activities that facilitate the development of managerial skills. The influence of New Public Management extended the classical training of public officials to management issues: performance measurement, delegation, and contract management, to name a few. Since then, senior officials who are responsible for an organisational entity are not only administrators but also 'managers'. MD in the public sector has since then essentially followed the topics that were fashionable in the business sector, like accountability in the late 1990s and leadership and network abilities in the early 2000s. Furthermore, many MD-programmes have broadened their scope from the original target groups (managers and potential managers) towards all civil servants. In this section, we will concentrate on management development challenges *sensu strictu:* selecting and training (potential) public managers.

If we look at the public sector in a more narrow sense, the civil service, two distinct systems can be distinguished: a 'career' and a 'position' model.[947] Civil servants in the first category follow a specific career path, and will get a life-long position. This system, that is primarily hierarchical, existed as an ideal type in Germany, France and Spain, for example. In the second system civil servants are, in contrast, appointed to certain tasks, and do not have a life-long position (like, in principle, in the Netherlands, the United Kingdom and Scandinavian countries). In administrations of the career type, mobility is usually low and civil servants are trained by special (state) schools. In position type systems mobility is usually high, and there are often no special schools for the training of public managers. Both models may have advantages for MD, depending on what the objectives of MD are. The career model has the advantage that certain training is compulsory. The position model has the advantage of flexibility.

The two systems seem to develop into a mixed situation: the extremes are moving towards each other. In countries like the Netherlands, top managers of the national administration, are trained by a 'Senior Public Service'[948]. A (non-state) 'National School of Public Administration'[949] provides training courses (and has to compete with other schools). Germany meanwhile stimulates the mobility of (top) civil servants. The European

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947 Auer et al. (1997: 33-37): Der öffentliche Dienst im Europa der Fünfzehn. Lage und Perspektiven.

948 Algemene Bestuursdienst (ABD).

949 Nederlandse School voor Openbaar bestuur (NSOB).

Community Institutions were a late-comer in management development: The 2001 Reform Programme of Commissioner Kinnock stimulated de development of training facilities for EU officials. In line with the similarity in the underlying governance style preferences, the European Administrative School (EAS) which was established in 2005, introduced a master programme in 2006 that is based on a co-production of the French Ministry of Administrative Affairs and the German Federal Ministry of the Interior.

However, although a mixed form is emerging, this is not one single model. Training and education of civil servants reflects national traditions and each country has found its own, individual solution.[950]

A dominant culture inside a public-sector organisation may directly influence the character of civil servant training. During the 1990s, the Dutch Ministry of VROM obliged all policy-makers to take part in a 3-day training programme in network negotiation based upon the Mutual Gains Approach[951]. This ended with the New Millennium, when the politico-administrative climate turned back from a dominating market ideology towards a focus on hierarchy. Most policy-makers of this Ministry still follow a basic training in project management (aimed at controlling resources during a project), whereas network governance would ask for training in process management and network abilities.

It is important to acknowledge that management development may have different, even mutually undermining objectives, depending on the type of governance style reflecting the dominant belief system of the top managers in a public-sector organisation:

- From the viewpoint of hierarchical governance, "training prepares the organisation member to reach satisfactory decisions himself, without the need for the constant exercise of authority or advice. In this sense, training procedures are alternatives to the exercise of authority or advice as means of control over the subordinate's decisions"[952].
- Market governors will prefer MD training to produce management tools that help making decisions that are more efficient.
- Training for network governance aims at helping public officials to learn how to 'muddle through'[953] in an irrational, permanently chang-

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950 Toonen and Raadschelders (1997): Public sector reform in Western Europe.

951 See Susskind and Field (1996): Dealing with an Angry Public: The Mutual Gains Approach to Resolving Disputes.

952 Simon (1997: 13): Administrative Behaviour (Fourth Edition).

953 Lindblom (1959): The science of muddling through.

> ing multi-actor organisational environment, in which solving societal problems involves managing societal learning. [954] Network governance and related forms such as deliberative governance, may need to establish learning communities and other informal alliances that allow people to learn from each other's experience. [955]

This illustrates that it is risky if management development is purely 'demand-driven', although this is often promoted following the introduction of market thinking in the public sector. As shown in the above section, individual public managers may have a strong preference for one governance style, according to their academic background (legal, financial and natural sciences versus social sciences) and personal preference, combined with the predominant style of their organisation. They therefore may tend to prefer a type of training that matches with their 'beliefs'. This leads to the expression of training needs that may or may not reflect what the organisation requires. Purely demand-driven MD may not attract many 'customers' to training (module) in metagovernance: they would not know what to expect. Moreover there may be a strategic organisational need to train managers in metagovernance capability; in that case, voluntary courses may be the wrong measure. Therefore, a precondition seems to be that top officials consider raising awareness about the problems and opportunities of metagovernance as a strategic issue.

7.2.2 Hierarchical management: Line and project management

Although the Utrecht community policing case (Chapter 5) was in the first place characterised by network management, hierarchical management was used in case incidents occurred. The police were able to switch immediately to hierarchy, because they had a hierarchical management system 'running in the background'. The main aim of this hierarchical management system is to be able to command and control subordinates (and other actors, if possible). This requires a top-down *vision* and a planning and design type of *strategy*. Blue-printing may be a good design approach. The *orientation* is mainly internal, and is only externally directed as far as required to reduce risks, ambiguity and uncertainty. The *structure* should be inflexible and therefore predictable. The line organisation is the prototype for this. A matrix organisation or a project structure, are slightly more

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[954] Termeer (199: 92): Van sturing naar configuratiemanagement.

[955] Scott et al. (2004: 20): Deliberative governance: Renewing public service and public trust.

flexible forms, but they still aim at creating the best possible conditions for command and control. *People* management consists of top-down steering. Training subordinates aims at creating more discipline. *Results* should be controllable, which leads to a preference for developing legislation instead of 'soft agreements'.

Project management is an approach that is developed as a means to maintain control on the financial, HRM, time and other resources of projects, and to keep them accountable. Table 12 highlights the main differences between project management (used also in market governance) and process management (a requisite of network governance, see also hereafter). A project approach is suitable for the building of a house and for financial management, for example. The objective is clear and undisputed, as is the sequence of steps to be taken. A process approach is required for creating universal solutions to complex problems. The problem and the objective are the object of a dialogue, and it is not clear at all what the outcome will be.

Both approaches have their advantages and disadvantages. De Bruijn et al. investigated the failure of an attempt to introduce a new sport television channel in the Netherlands, and concluded that the main failure factor was that a *project* approach was chosen for a problem in which many autonomous stakeholders, with contrasting interests, appeared: here, *process* management would have been better.[956] Process management provides better opportunities for dealing with controversies that arise when a new actor enters an existing network, than project management.[957]The same happened with the failure of an attempt to establish a common 'water-chain company' in one of the Dutch provinces.[958] These examples illustrate that project management is still the 'reflex' of hierarchical organisations, even when they have to deal with complex problems. In the Utrecht policing case, project and process management were combined, although the process was the main focal point. The fact that project management was also applied made it easier to return to a 'controlled situation' when this was deemed necessary: it enhanced the metagovernance-capacity.

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956 De Bruijn et al. (1999): Sport 7. De opkomst en ondergang van een Nederlandse sportzender.

957 Sminia (2003: 1621, The failure of the Sport7 TV-channel: Controversies in a business network) argues that that the lack of capacity to settle such controversies, led to the failure of this venture.

958 In 't Veld et al. (2006): Koudwatervrees? Lessen uit het project waterketens Limburg over ketens, netwerken en processen.

Table 12. Differences between project and process management.[959]

Project management	Process management
Focus on content	Focus on stakeholders
Clear objectives, good plan	Good process; objectives and plans result from this process
Push for action: Quick and clear decision making creates better results	Keep options open: stakeholders must continue to find the initiative attractive
Communication with stakeholders is mainly explaining and convincing of the quality of the plan, and follows after decision making	Communication is a process of discussion and negotiating; decision making is the result
Focus on execution of the decision; dynamics make the execution difficult	Focus on generating a win-win situation, resulting in dealing with dynamics

7.2.3 Market management: 'Public' business administration

When the management environment in public-sector organisations is considered as comparable with a market environment, public managers will have to be trained in business administration, as in MBA programmes for example. Since market thinking became popular in the public sector, especially for junior managers, acquiring an MBA degree has been encouraged. This teaches them to maintain a *vision* in which competition, autonomy and price (efficiency) are important. Their *strategy* will focus on creating a competitive advantage ('positioning school' of Mintzberg), and their *orientation* to other actors will be mixed: both internally and externally, as long as this leads to more efficient projects. Market managers may accept the *structure* of a line organisation as long as this comes with enough discretionary power (autonomy), but tend to prefer the relative autonomy of projects or of decentred organisations. Their *people* management will aim at empowering and they will introduce merit systems for promotion, performance contracts and other incentives. Their preferred *results* are bargained contracts or voluntary agreements that leave enough flexibility, instead of 'inflexible' legislation or 'weak' covenants. Finally, they count on the 'invisible hand of the market' as a mechanism for checks and balances.

The market governance paradigm only indirectly influenced the five investigated cases, but it was not an unimportant factor. Market managers in

[959] After De Bruijn et al. (1999): Sport 7. De opkomst en ondergang van een Nederlandse sportzender.

the Financial and Economic Departments in all cases investigated in Chapter 4 tried to prevent the Environmental Departments from developing new soil protection legislation.

7.2.4 Network management: Network abilities and process management

The application of network governance requires knowledge of network characteristics and experience with networking. A network manager must understand what networks are, how they function and what is expected of members of a network and of a 'network moderator'.

Network managers act from the *vision* that other actors are partners that are interdependent. They apply the 'learning school' of *strategy*; blueprinting is out of the question. This was clearly the case in the Utrecht policing case: the process developed in an incremental way, the problem was reframed several times, and gradually more actors became involved and added their ideas. Network managers have an *orientation* that is mainly external, but internal actors are also considered to be important. They tend to *structure* their work in the form of essentially regulated networks; a project team may support this and become the 'network motor'. The 'structure' is run using process management. *People* management primarily involves facilitating and coaching, and the intended *results* are a consensus or a more formalised form, such as a covenant. Network managers have adopted new roles, such as the 'webber' (designing and maintaining network infrastructure[960]), and the 'human portal' and 'T-shaped manager' (connecting vertical and horizontal thinking).[961]

Several handbooks on 'network management' have been published that address most of these issues. Not surprisingly many have been written by Dutch scholars, who live in a country with deeply rooted network values. Koppenjan and Klijn concentrate on the management of networks as a better answer to dealing with uncertainties than the New Public Management solution of using markets and contracts, because the requirements of market governance "are not always realistic".[962] They consider hierarchical governance, the "standard response of public actors", as "increasingly dys-

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960 Roobeek (2007: 61): The networking landscape. Navigation for the route to networking organisations.

961 Hansen and von Oetinger (2001): Introducing T-shaped managers: Knowledge management's next generation.

962 Koppenjan and Klijn (2004: 107): Managing uncertainties in networks.

functional", especially when dealing with the uncertainties of 'wicked' problems.[963] Taking this view, their book offers a thorough analysis of network management. Nevertheless, their approach has limitations for the tasks of public managers. Firstly, they only look at complex, unstructured problems, whereas public managers also have to deal with many structured and routine issues. Secondly, they frame society as a "complex network society". This is one of three possible points of departure, the others being society as a market and society as a hierarchy. If we take the view that hierarchies, networks and markets appear in dynamic mixtures and that the management of networks, or markets, or hierarchies is not the main challenge, but the design and management of these mixtures, then 'network management' is only part of the solution. Concentrating on network management may even lead to using this approach for approaching problems for which a hierarchical or market approach would be better suited. De Bruijn and Ten Heuvelhof depart from the network metaphor for the development of public management strategies and the introduction of network instruments.[964]. In a more recent book they take a view that is close to the understanding of metagovernance in this research. They argue that working in a network process requires a good balance with hierarchical thinking, and hierarchy should be used as a means to overcome network failures by introducing a degree of structure, such as rules for the behaviour of network partners.[965] However, they propose governance styles as a dichotomy: hierarchy and network, and do not distinguish market governance as a third force.

Framing the problems of public managers as networking challenges has shed a new light on how complex societal problems can be solved. However, this is only part of the picture. One of the risks of taking the 'network paradigm' as the basis is that this may cause *all* problems to be framed as network problems, and to reframe issues that are difficult to deal with, as an extension of the paradigm. The concept of 'power networks' in 'adaptive governance'[966] might be an example of this. From another perspective, power networks are essentially hierarchical governance structures. Another risk is that non-network structures are considered to have become 'void', as in Voss et al., who use the concept of 'reflexive governance', as an al-

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963 Koppenjan and Klijn (2004: 99): Managing uncertainties in networks.

964 De Bruijn and Ten Heuvelhof (1995): Netwerkmanagement. Strategieën, instrumenten en normen.

965 De Bruijn and Ten Heuvelhof (2004: 86): Management in netwerken.

966 Nooteboom (2006): Adaptive networks. The governance for sustainable development.

ternative to all other forms of governance, because "of the gap which (…) control-oriented management approaches have left"[967].

When comparing *process management*, introduced in Section 7.2.2 with project management, it is a key requisite for network managers, especially if they are dealing with unstructured and dynamic problems. In such cases, there is no objective information available and the value and norms of the involved actors are different.[968] 'Wicked problems' such as soil protection and local safety are examples. De Bruijn et al. distinguish between the design ('process architecture') and the management of processes. Process management is sometimes framed as an approach to replace hierarchical relations.[969] However, in all real-life policy and organisational processes, elements of network governance are present, even in seemingly pure hierarchical cases: It might therefore be suboptimal to confine the use of process management to 'pure' network governance alone.

The examples in Section 7.2.2 showed what may go wrong if project management is applied in a dynamic environment, where process management would have been more suitable. The opposite situation can also occur. For example, applying process management without awareness of how to responsibly use resources and to reach an objective may produce unsatisfactory results. The 'BEVER' project that preceded the Dutch soil protection project (4.2) suffered from 'endless talks' and created a resistance against 'time-consuming' network governance. From a metagovernance perspective, it is therefore important to always combine project and process management.[970] Interestingly, handbooks on project management[971] as well as handbooks on process management[972] tend to disregard 'the other perspective'.

The application of metagovernance does not imply a choice for an adhocracy (project groups, networks) as organisation type: it requires mixing line, project and process management in a situationally optimal way. Me-

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967 Voss et al. (eds.)(2006: xiv): Reflexive governance for sustainable development.

968 De Bruijn, Ten Heuvelhof and In 't Veld (1998: 2-6): Proces management.

969 Termeer and Königs (2003): Vitaliserend procesmanagement.

970 See also Spaink (2005): Handboek Public Management.

971 E.g. Kor and Wijnen (1997): Projectmatig werken bij de hand.

972 Also the seminal work of De Bruijn, Ten Heuvelhof and In 't Veld (2004: Process management: Why project management fails in complex decision making processes) concentrates on the importance of process management and does not advise to combine this with project management, probably because they focus on complex problems.

tagovernance as management can be applied in a line organisation, in a project organisation, and in a network organisation. This does not imply that each type of organisation can solve problems and be innovative in the same way. Innovation in a hierarchical organisation may focus on changing the organisation structure; a network organisation may emphasise the organisation of optimal processes of cooperation and co-creation; in a market organisation typically the mechanisms of competition and price will be used to stimulate innovation.

7.2.5 Training in analysing the governance environment

Each governance approach requires that the governance environment is adequately understood. Who are the players? What are their interests and relative power position? What are the risks they have to deal with during their work, etcetera? For a hierarchical approach it is important to understand which actors would not acknowledge the hierarchical position of government: they may frustrate the implementation of new policies. For a network approach it is mandatory to make an inventory of which actors would like to be involved in the policy network: actors who feel left out of the network could 'pop up' in the game anytime. For a market approach it is important to know the capabilities and willingness of actors in order to be reliable contract partners.

There is a range of complementary methods to assist in answering these questions:[973]

- *Factor analysis* (What is the problem? Whose problem is it? Why is it a problem *now*? Is it a simple or a complex problem?);
- *Actor analysis* (making a list of the stakeholders that may be interested/needed; discussing their possible roles, assessing their interests and standpoints, and how to select their representatives);
- *Strength analysis* (identification of power and positions of actors. Can we trust them? Are their interests opposite or congruent with government's interests?); What are the strategies for dealing with 'enemies', 'opponents', 'coalition partners' and 'friends'?
- *Network/relation analysis* (what are the relations between the stakeholders; are they involved in other networks/co-operations?);
- *Argumentation analysis* (what is the present state of the debate? Who argues on an ideological level, on a technical level, on a problem level, etc.?);

[973] Meuleman (2003, Ch. 6-8): The Pegasus Principle.

- *Risk analysis* (what are the risks during the policymaking process or internal project? Are these risks important, and can they be influenced or not?);
- *Organising meetings*: Examples of types of meetings for specific situations include: an internal start-up meeting (internal partners, such as other ministries, also have interests), an external start-up meeting (if this is about creating many ideas, the 'open space' technique could work well), an expert meeting, an opinion-forming meeting, a reflection meeting, a decision-making meeting and an evaluation meeting.
- *Negotiation methods*. In the classical method of negotiating, governments and other actors try to create a compromise. However, in a compromise, everybody looses a bit (or more than a bit). A compromise often results from a situation in which there is little trust between parties. This is normal in a hierarchical governance approach: some partners (in this case: governmental actors) are 'more equal' than other partners. In a market approach trust is a delicate thing. Involved parties are, in principle, autonomous and will strive for their own interests. If one chooses a more participatory approach, then building trust is required. Networks rely on mutual understanding of interests, and on the notion that actors are more or less interdependent. This context requires a type of negotiation that concentrates on creating a consensus (everybody may win, to a certain extent. In the early 1990s Harvard University in the USA developed the so-called Mutual Gains Approach (MGA), which does exactly this.[974] This approach is especially suited to complex issues in which many stakeholders involved, such as sustainable development. A core concept of MGA is to make a distinction between positions and interests: Interests open up a wider range of possible actions than positions. Another interesting difference with the classical 'compromise' approach is that one starts not with trying to simplifying the issue, but on the contrary, to make the problem more complex. Looking at the interests of stakeholders outside the direct focus of the policy issue may provide more interesting package deals in the end. The strength of this approach is "the acknowledgement of the participants' conflicting interests as a natural fact".[975] Negotiating techniques for a multi-

[974] E.g. Susskind and Field (1996): Dealing with an Angry Public: The Mutual Gains Approach to Resolving Disputes.

[975] Levin (2004: 80): Organising change processes. Cornerstones, methods, and strategies.

stakeholder environment such as the MGA approach requires excellent communication skills of the involved public officials.

7.2.6 Metagovernability and personal development

The ability to take a metagovernance perspective requires insight in the incompatibilities and synergies of the three management approaches described in Sections 7.2.2, 7.2.3 and 7.2.4, along with experience with methods for the analysis of the governance environment (7.2.5). Besides competences, a personal capability to view the world from different perspectives is also necessary.

Competences

Governance styles not only encompass organisational visions, strategies and leadership forms, but many more aspects of organising and coordinating. A metagovernor must have all three ideal typical management approaches 'running in the background'. We might compare this with computer software packages like Office, in which a word processor, a spread sheet programme and a presentation device run at the same time, and switching between them is quick and easy. Which 'competences' does an effective metagovernor require?

Competences and 'competence management' have become a central theme of public management development. It would be interesting to know how contemporary lists of key competences for public managers match with the competences required for the application of the three governance styles and of metagovernance by public managers. One example is the list of 42 competences for the 900 senior managers who work for the Dutch ministries and their agencies, compiled by the Dutch Senior Public Service department (ABD).[976] These competences are tentatively linked to the three governance styles and to metagovernance in Table 13. This table shows that, although the ABD presents its list in an alphabetical order, the competences can be grouped into four categories. The list is 'metagovernance-proof': it contains essential competences for hierarchical, network and market management and for metagovernance. Therefore, this list seems a good fundament for management development with a focus on metagov-

[976] ABD (2003): Competentiemanagement Algemene bestuursdienst.

ernance. However, Van der Meer and Toonen warn against too much optimism about the practical value of this (type of) competence systems:[977]

> "Because competency management links personnel development to pay and career decisions, it could well elicit strategic behaviour by staff members; at worst, it could run the risk of becoming a self-defeating initiative."

Table 13. Relation of 'ABD-competences' with governance approaches (own composition).[978]

Hierarchical competences	Network competences	Market competences	Metagovernance competences
Anticipation Decision making ability Political sensitivity Objective oriented management Giving direction to organisation Sensitivity to organisational rules Planning and organising Task-oriented management Tenacity Control of performance/ progress	Involvement Maintaining integrity Learning ability Listening Motivation of others Network ability Team leadership Cooperation Stress resistance	Willingness to delegate Initiative Interpersonal sensitivity Client oriented Oral presentation Development employees Conviction power Motivate to performance	Anticipation Adaptability Conceptual flexibility Courage Energy Flexible behaviour Information analysis Judgement from diff. perspectives Situational management Vision of future Self-insight Invest in self development Self-confidence

Capability

A vital competence needed for the successful use of metagovernance is the ability to take different perspectives. It is not a new insight that this is im-

977 Van der Meer and Toonen (2005: 839): Competency management and civil service professionalism in Dutch Central Government.

978 Based on a comparison of the description of 42 competences with characteristics of the 3 ideal types of governance and of metagovernance.

portant. Morgan elaborated the idea that organisations should be perceived using a series of metaphors, each of which explains a specific 'image' of the same organisation.[979] Mintzberg et al. used the story of six blind men who all describe a different part of an elephant, believing that they have the whole 'picture', to illustrate that strategy formation should combine different approaches that together are more than the sum of the parts. They advocated a multi-perspective approach, a 'configuration school' of strategy formation that 'reconciles' the tensions between the other 'schools'.[980] This hybrid pattern of strategy formation is also advocated for dealing with complex issues such as sustainable development.[981] A last example that virtually every (public) manager knows is that of Hersey and Blanchard's concept of 'situational leadership': applying a different approach in different situations.[982] Again, individual public managers may have a preferred personal style. An example illustrates the impact of such a style difference that may or may not be a mismatch. Suppose that a public official has made a mistake that implies a loss of 1 million euro. A hierarchical manager may relieve him of his post, stating: "I can not rely anymore that you won't make such terrible mistakes". A market manager may say: "You can keep your position if you refund the loss by taking efficiency measures in your project". Or: "There is no question that I would remove you from your post: I have just invested 1 million euro in your education!" Finally, a network manager may react: "Let's see what we can learn from this: Please give a presentation about what you have learned from this experience in our team meeting next week".

This brings us to the dimension of personal development, which is more than just trying to change the habits and behaviour of employees. The capability to work as a metagovernor requires more than learning to master competences. Behaviour is the "observable manifestation of a specific development position"[983]. Therefore, it seems important to train people to reach the 'right' development position.

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979 Morgan (1986/1997): Images of organisation.

980 Mintzberg et al. (1998): Strategy safari. A guided tour through the wilderness of strategic management.

981 Steurer and Martinuzzi (2005): Towards a new pattern of strategy formation in the public sector.

982 Hersey and Blanchard (1982): Management of organizational behaviours: Utilizing human resources.

983 Laske (2004: 44): Can evidence based coaching increase ROI?

Table 14. Comparison of three development levels of Graves et al., the three ideal typical governance styles, and three 'ways of life' of Thompson et. al.**.**

Graves/Beck/Cowan dev. levels	Governance styles	'Ways of life'
Green (Communitarian, equality, learning from others, openness and trust, leaders are facilitators)	Network governance[984]	Egalitarism
Orange (Entrepreneurial, rational, personal success, money rather than loyalty, competition, autonomy)	Market governance	Individualism
Blue (Authoritarian, loyal to truth, obedience, discipline, pyramidal organisation structure)	Hierarchical governance	Hierarchism

Two human development models are briefly introduced below. The first is Graves' model of human development in eight levels[985], which was adapted and further developed by Beck and Cowan[986], and is relatively popular in the Dutch police organisation, for example. The three most commonly occurring development levels in (Western) societies and organisations are *'blue'*, *'orange'* and *'green'*. They are closely related to hierarchical, market and network governance respectively, and to the three most common 'ways of life' Thomson et al. have distinguished in their 'Cultural Theory'[987] (Table 14). It is interesting to note that the historical emergence of hierarchical, market and network since the 1950s took place in the same sequence as the development stages *'blue'*, *'orange'* and *'green'*.[988]

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984 This is network governance with a focus on trust and partnership (related to the Dutch 'polder model', which is a corporatist model). Network governance with a focus on content is more related to the yellow than to the green value system.

985 Graves (1965): Value systems and their relation to managerial controls and organizational viability.

986 Beck and Cowan (1996): Spiral Dynamics: Mastering Values, Leadership, and Change (Developmental Management).

987 Thompson et al. (1990): Cultural Theory.

988 This is in interesting coincidence. A critical question would be: Is it possible that Graves' development model is rather an expression of the development of (Western) society since the 2nd World War, than a universal model? However, how could he then have predicted (in the 1960s) the emergence of market thinking in the 1980s and network thinking in the 1990s? On the other hand, Laske's development model shows a sequence that is different (Table 15).

Like governance styles, these development levels may occur simultaneously in mixtures, but these mixtures may be inherently conflicting. If there an apparent relation between governance styles and development levels, where should we position metagovernance? Thompson et al. do not differentiate a separate 'way of life' in which people look beyond their own perspective. Graves et al., however, did distinguish a 'higher' level (in terms of being able to deal with more complexity) that reflects the capabilities that metagovernors need: the *'yellow'* level (Table 15).

Table 15. Metagovernance and the 'yellow' development level**.**

Graves/Beck/Cowan dev. levels	Governance styles	'Ways of life'
Yellow (Multi-perspective ability, dealing with complexity, chaos and change; leadership without dominance)	Metagovernance	?

This level of development represents a 'quantum shift' in capacity to take multiple perspectives in life. Other than in blue, orange and green levels, 'yellow' people do not consider their value system as 'the' value system. 'Out of the box' thinking is a natural capacity of 'yellow'. Uncertainty, ambiguity and paradoxes are challenges instead of problems.[989]

Thompson's 'ways of life' are not positioned in a developmental manner. Grave's model, however is a development model: the higher the level, the more efficiently the problem of complexity can be dealt with.

Understanding the different development levels may contribute to the understanding of (public) management challenges.[990] This was illustrated during a conference on governance styles and immigrant integration policies in 2004.[991] The participants, who had filled in a questionnaire that linked them with a dominant 'colour', were placed together in groups of the same colour. All groups had to answer the same question: What should the Minister tell the press about a recent 'honour killing' in immigrant circles of a young woman, that had shocked the nation? The 'green' groups (network) urged that the Minister should radiate 'togetherness': "We have to solve this problem together with the immigrant groups". The 'blue'

989 Herold (2005: 107-113): Denkfundamenten onsluierd!

990 Besides Beck and Cowan (1996), also Herold has published on the management perspectives of 'Spiral Dynamics' (Herold, 2005: Denkfundamenten onsluierd!).

991 Conference 'Showing one's colours', ('Kleur bekennen') organised by VOM, March 2004, The Hague.

groups (hierarchy) stressed that immigrants should respect the Dutch law and that there could not be any compassion with such cultural practices. The 'orange' group (market) advocated a rational and entrepreneurial reaction: "I will take immediate action to get to the bottom of this problem", and stressed that, for public relations reasons, the Minister should not forget to mention that "We have to stay together". A 'yellow' group (metagovernance) was not formed: too few participants had this as their dominant style. What this example shows is that if teams are composed of people with different 'colours', the range of (policy) options may be much richer than when there is a dominance of one colour/style only.

The second human development model (for example used by the European Commission) is Laske's model of individual adult development.[992] It builds on the models of Graves, Wilber and Kegan and distinguishes social-emotional and cognitive development. Adults develop over their life span in two different but related ways: in terms of their *social-emotional* capability to make meaning of their experiences, and their *cognitive* capability of thinking systemically and critically, Laske distinguishes adult *capability* from capacities and competences. Capacities refer to pre-adult 'character structure' (personality), while competences refer to skills and attitudes that have been learned throughout life. Capabilities are central: capacities and competences derive from capabilities.

Laske's model may help in 'discovering' good metagovernors and developing the metagoverning capabilities of public managers. He argues, that the social-emotional capability of adults develops in four stages (stage 1 or S-1 is pre-adult and therefore not included) (Table 16). In this model, development also follows patterns that resemble elements of the governance style ideal types, although not as 'neatly' matching as with the Graves' model. The S-5 level is the most important one for metagovernance. This is again a level (like the 'yellow' level of Graves et al.) in which people are capable to think in a systemic, multi-perspective way and have a very high level of self insight. This leads to the expectation that metagovernance needs people developing into the direction of S-5. As Laske puts it[993]:

> "It seems to me that metagovernance as you define it heightens the accountability burden of those inside the public organisation, and thus requires not so much new 'competences' but more solid 'capabilities.' For one thing, conflict of any kind cannot be well negotiated by people at de-

[992] Laske (2006): Measuring hidden dimensions. The art and science of fully engaging adults.

[993] Otto Laske, personal communication by email, 3 July 2006.

velopment level S-3 of other-dependence because they don't have sufficient 'backbone' to act from their own values and will try to please others they depend on. Principled action in the face of conflict will be difficult or impossible for people of that developmental culture. Better conflict resolution can be expected from more highly developed people at development level S-4 since they are 'marching to their own drummer', following principles they believe in. However, this culture has its own pitfalls, since level S-4 persons tend to reinforce their own values and principles and take them to be that of the bureaucracy or organisation. This blind spot can only be overcome by a few people moving into development level S-5."

Table 16. Changing orientations across adult stages[994]

Orientation	S-2 (10%)[995]	S-3 (55%)	S-4 (25%)	S-5 (10%)
View of others	Instruments of own need gratification	Needed to contribute to own self image	Collaborator, delegate, peer	Contributors to own integrity and balance
Level of self insight	Low	Moderate	High	Very high
Values	Law of jungle	Community	Self-determined	Humanity
Needs	Overriding all others' needs	Subordinate to community, work group	Flowing from striving for integrity	Viewed in connection with own obligations and limitations
Need to control	Very high	Moderate	Low	Very low
Communication	Unilateral	Exchange 1:1	Dialogue	True communication
Organisational orientation	Careerist	Good citizen	Manager	System's leader
Link with governance style ideal types	Hierarchical governance	Network governance	Market governance	Metagovernance

994 After Laske (2006, Measuring hidden dimensions). Last row: own interpretation.

Therefore, it seems that the capability of applying metagovernance not only requires a certain social-emotional development stage, but also a high degree of cognitive development. It requires dialectical thinking[996]. It is also a matter of "systemic thinking, thus cognitive development, whether somebody can negotiate a network and a hierarchical model."[997] According to Laske, usually only 10% of adults reach level S-5. These people are not only found at the (management) top of organisations, because they have capabilities that are not always asked for. If we follow the argument of Graves et al. and of Laske, that capabilities that are essential for metagoverners can be developed to a certain extent, then this implies an important challenge for management development in public-sector organisations.

This leaves us with important questions for further research. How to train politicians, who are usually only 'passers-by', often laymen, and in some countries have developed a problematic relation with the core executive: a "climate of mutual caution and sometimes upright suspicion"?[998] This question also takes us back to the problematic democratic anchorage of metagovernance, discussed in Chapter 2. Last but not least, it will be important to further investigate the intercultural transferability of organisational and human development models. How culturally neutral are they? Are the values behind metagovernance, such as 'leadership without a dominance' (Graves' yellow level) and with humanity (Laske's S-5 level), universal values that are required for dealing with high complexity and chaos: Do they also apply to developing countries? It is, however, not unthinkable that applicability of these models is more or less confined to Western democracies.

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995 Percentages indicate the proportion of people attaining one of the development stages indicated, and are based on empirical research of the Kohlberg School at Harvard University Graduate School of Education.

996 Basseches (1984): Dialectical thinking and adult development.

997 Otto Laske, personal communication by email, 5 July 2006.

998 't Hart and Wille (2006: 144): Ministers and top officials in the Dutch core executive: living together, growing apart?

7.3 Metagovernance, reform and organisational change

7.3.1 (Meta)governance in public-sector reform programmes

A large body of public administration literature is dedicated to the analysis of the public-sector reform programmes of the last decades. These reform programmes have addressed a dual challenge, consisting of the introduction of market values and of network values in the public sector, which applies to the ways public-sector organisations function as well as to how they operate in society. This dual challenge can be observed worldwide – at least in the Western world and in countries with governance structures that are influenced by international institutions like the World Bank, the OECD and the UN. Therefore, a convergence of reform objectives and results has been expected.[999] However, a convergence may have developed in the reform rhetoric, but not in real-life reforms. In different countries, different types of reform have taken place, although they can be grouped according to certain types: Anglo-Saxon countries combine the 'marketiser' (introduction of market mechanisms) and 'minimiser' (small state) type. Continental-European countries have chosen a combination of the 'preserver' (marginal changes) and the 'moderniser' (integrated changes) types.[1000]

What do recent reform programmes of Western European public administration since 2000 say about governance style management? First, most reforms programmes (of the UK, NL, D, EC, OECD for example) have in common that they stimulate network governance as well as market governance, and on top restore elements of hierarchical governance that are considered to have become too weak, such as control and accountability procedures. Figure 24 illustrates this for reform programmes in three administrations: the Dutch 'Programme Different Government' (2003), the German 'Modern State, Modern Administration (1999), and the two reform programmes of the European Commission (the White Paper on Reforming the Commission, 2000, and the White Paper on Governance, 2001).

These reform programmes have all been heavily criticised. The Dutch programme was reproached for a lack of direction and a focus on process only.[1001] The German reform attempts have been considered to be rather

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[999] Pollit (2001): Clarifying convergence. Striking similarities and durable differences in public management reform.

[1000] Bouckaert (2004: 23-24): Die Dynamik von Verwaltungsreformen.

[1001] Kickert (2005: 29, Overheidshervormingen - Lessen uit het verleden) inter-

embellished. "Like everywhere, the question is what has effectively changed, beyond glossy brochures and official reports of success"[1002]. The EU White Paper on Governance emphasised the need for a stronger culture of voluntary cooperation. However, was this because hierarchical steering was not working well enough anymore? 'New modes of governance' such as the Open Method of Coordination, are almost always introduced after legislative deadlocks.[1003] The White Paper's statement that networks 'self-organise' and 'self manage' is questionable. Schout and Jordan argue, that in the case of complex, cross-cutting policy challenges such as sustainable development and the implementation of the environmental policy integration (EPI) principle in the EU member states, more active forms of government involvement are necessary.[1004] The poor results of the *internal* implementation of the EPI principle in all EU-policies since its introduction in the treaty of the European Community in 1987, was already noticed long before the White Paper on Governance was published. Malek and Hilkermeijer relate this to the incapability of the European Commission to develop into a learning organisation.[1005]

Robert claimed that the European Commission conceals the creative and the ideological dimensions in its work, "by presenting them as dictated by a certain rationale (juridical, technical) and/or compelled by European common interest".[1006] In line with this, Follesdal criticized the hidden political theory of the White Paper on Governance. The five principles on which the Paper builds are sometimes contradictory and often unclear in their consequences. Some examples:[1007]

- Openness: it is overlooked that this might come at the price of 'efficiency', one of the other principles;

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viewed 18 experts (scholars, former politicians, top public managers) on Dutch reform programmes of the last decades and of the then running programme 'Different Government'.

1002 Jann (2004: 102): Verwaltungsmodernisierung auf Bundesebene.

1003 Eberlein and Kerwer (2004: 125): New governance in the European Union: A theoretical perspective.

1004 Schout and Jordan (2004: 203): Coordinated European Governance.

1005 Malek and Hilkermeijer (2001: 2): The European Commission as a learning organization? Theoretical considerations and empirical ideas.

1006 Robert (2001: 8): The European Commission and its relationship to politics. How and why doing politics and pretending not to?

1007 Follesdal (2003: 76-82): The political theory of the White Paper on Governance: Hidden and fascinating.

- Participation: the White Paper seems to assume that any increase in participation also increases the legitimacy of the process and/or the result;
- Accountability: Some of the measures diminish rather than enhance accountability. The European Parliament should not carry out a detailed scrutiny of the Commission but rather should maintain broad oversight.
- Effectiveness: The White Paper gives the impression that it is the Commission who defines the goals according to which effectiveness has to be assessed – not the Council of Ministers.

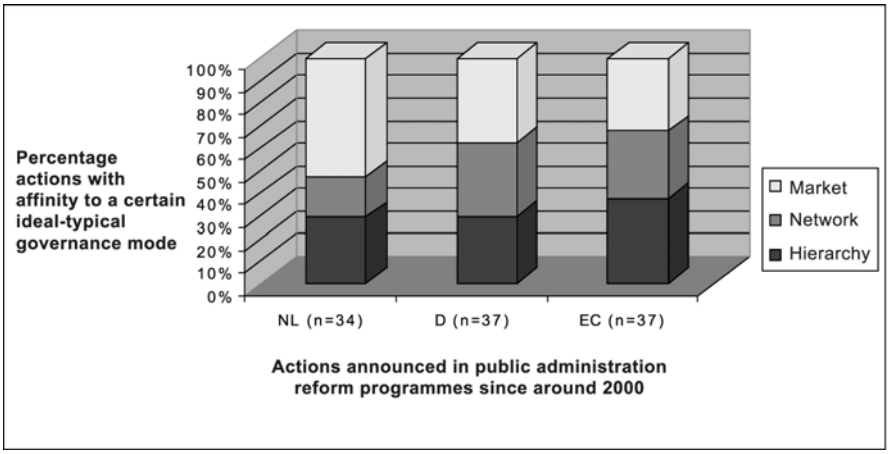

Fig. 24. Affinity with hierarchy, network and market governance of reform measures of the Netherlands, Germany and the European Commission (own analysis)

Because these reform programmes stimulate all three governance styles, and because we have seen that conflicts and potential synergies between hierarchical, network and market governance are bound to emerge in public-sector organisations, it should be expected that the reform programmes comprise proposals about how to deal with such conflicts and synergies. However, this is not the case. The post-2000 reform programmes of the Netherlands, Germany and the European Commission, do not address governance style interactions. Consequently, the question how to deal with these interactions (the question of metagovernance), is also not addressed. Apparently, the people who were responsible for drafting the reform programmes were neither aware of the (inherent) incompatibilities of governance styles, nor conscious of the importance of situational mixing governance styles.

Would using the metagovernance model have increased the chance that the reform programmes became more successful? There is no empirical research available yet, but it seems plausible. Firstly, because a metagovernance perspective would have implied an awareness of the conflict potential of governance mixtures. Secondly, such reform programmes would have discussed the requirements for a metagovernance approach in the implementation phase of the programmes (willingness, discretion, and capability). Finally it would have added an awareness of the limitations of reform programmes. This might have led to explicitly addressing the stumbling blocks for public-sector reform, including those resulting from governance style interactions.

7.3.2 Metagovernance and organisational change projects

Reform programmes are usually overarching: they contain a (large) number of concrete change projects. For example, the Dutch 'Different Government' programme contained around 60 actions. The modest to bad performance of many organisational change projects has been widely discussed in scholarly literature. In Section 3.2.2 we saw that Boonstra formulated five general 'stumbling blocks for (organisational) change': inadequate policy-making and strategic management, existing organisational structures, power and politics in organisations, organisational cultures, and individual uncertainties and psychological resistance to change.[1008]

Bennebroek Gravenhorst and In 't Veld distinguished four explanations for the lack of effectiveness of many change projects in Dutch public-sector organisations: [1009]

- The tendency to focus on single issues and ignoring complexity;
- The dominance of the perspective of top managers;
- Focus on content and neglecting the process of changing itself;
- The use, in general, of a top-down approach.

Would a metagovernance perspective contribute to mitigating these factors? It seems that a metagovernor's view indeed might do this. Ignoring complexity, the dominance of one perspective, neglect of the process and choosing only one style of steering (top-down), are all 'sins' against the concept of metagovernance. The pilot case described in Section 3.2.6 (the

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[1008] Boonstra (2004: 1-2): Dynamics of organizational change and learning. Introduction.

[1009] Bennebroek Gravenhorst and In 't Veld (2004: 318-319): Power and collaboration. Methodologies for working together in change.

Pegasus programme), a change programme in the Dutch Environment Ministry, was an example of an overly narrow focus on one style. Its objective was to promote network governance, and it aimed at managing the change process accordingly. However, we already saw that the programme mainly reached those who were already (almost) convinced that network governance would enrich the 'governance toolkit'.

A change process that is fuelled by metagovernance may successfully prevent the four pitfalls that are mentioned above, but there is no guarantee. To a certain extent, all governance is contingent: there are always factors which can not be influenced. However, a metagovernance approach might at least result in a better ability to make sense of what happens in the change process, and to make better decisions.

In addition, a metagovernance approach to organisational development and change:

- Encourages the change objective to be *framed* in a way that makes sense to the people who are the 'subject' (from a hierarchical view), 'partner' (from a network perspective) or 'customer' (the market term) of the process;
- Helps keeping the process accountable (H), empathic (N) and flexible (M);
- Encourages a reflexive attitude of the 'change agents'.

In 2006, Hovestadt analysed the conditions for a planned change of the 'business operations' (which focuses on managing the 'overhead' or 'secondary process') of the Dutch Ministries towards a concern-like model. She used the concept of metagovernance from an earlier paper[1010] to help develop an architecture for the change process, and to develop propositions for the management of the change process. Most of the 35 top managers she interviewed, expected that a conscious mixture of governance styles would produce much better results than having only one of the styles dominating.[1011]

Should the metagovernance model, when used in the design and management of change projects, be adjusted to the type of public-sector organisations? The answer seems to be negative, because metagovernance is a situational approach. However, in ministries, the political arena may have a negative impact on the metagovernance capacity. This applies to policy change more than to change of business operations. In agencies and

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[1010] Meuleman (2006): Internal metagovernance as a new challenge for management development in public administration.

[1011] Hovestadt (2007: 289): Concern over het Rijk of het Concern Rijk?

organisations such as the police force, the relative distance from political intervention may therefore account for rather better qualifications for metagovernance. In hybrid organisations, which are positioned between the public domain and the private sector and therefore are not always balanced mixture of cultures[1012], a domination of the market paradigm may lead to a tendency to rush through a change process ('time is money'). This may result in a lower willingness to implement careful change management.

7.3.3 Measuring governance and metagovernance

The last question that has to be addressed is how governance and metagovernance can be measured. In 1999, the World Bank published a list of indicators to construct an overall governance measure.[1013] The IMF also published a list.[1014] A team commissioned by the United Nations University addressed several methodological problems with this approach and concluded that it is important to distinguish between performance indicators and process indicators.[1015] In addition, they promote a human rights based approach, and assessment of the criteria by local experts rather than by outside experts. Since then, their 'World Governance Survey' continues to produce further discussions papers[1016] and comparative country reports.

Most methodological work on measuring governance has until now been done by international institutions like the World bank, the IMF and the United nations, and by NGOs like the World Peace Foundation[1017] and the Freedom House.[1018] Their research concentrates on developing countries, although sometimes developed countries are also included.

Measuring governance quality is still an ill-researched area.[1019] Research on how to measure metagovernance capacity and capability has yet to start.

[1012] In 't Veld (1995: 9): Spelen met vuur.

[1013] World Bank (1999): Governance indicators.

[1014] Kaufmann et al. (2000): Governance matters: from measurement to action.

[1015] Court et al. (2002): Assessing governance: methodological challenges.

[1016] Hyden et. al. (2003): The bureaucracy and governance in 16 developing countries.

[1017] Besançon (2003): Good governance rankings: the art of measurement.

[1018] Freedom House (2001): Freedom in the World, 2000-2001.

[1019] Even the specialised academic journal 'Governance' has not yet published articles with the term 'measurement' or 'measuring' in its title (checked online on 26 August 2007).

8 Conclusions

A theory produces generalisations about observations, and consists of an interrelated, coherent set of ideas and models. In Chapter 2 we saw that the existing theoretical notions on metagovernance have not yet resulted in a robust theoretical framework. Would the conclusions we have drawn up until now, provide some new building blocks for a 'grounded' theory of metagovernance? More specifically: What can now be concluded on the metagovernor's rationale? Five conclusions can be generalised as theoretical propositions.

The first proposition that emerges from the empirical data is that mixtures of mutually competing governance styles (hierarchy, network and market), occur irrespective of different national or organisational cultures, although the *composition* of these mixtures is influenced by this cultures to a certain extent. The theoretical expectation that the three ideal-typical governance styles always form combinations was confirmed in all of the five investigated case-studies. The four similar cases of strategic environmental policy-making that were investigated have shown very similar inter-style tensions and synergies, but the resulting governance mixtures which were applied in the process (phases) were, despite being influenced by the underlying macro-styles (market governance for the UK, network governance for the Netherlands and hierarchical governance for Germany and the European Commission), also the result of a range of other situational factors. These factors include the type of problem, the topical political 'mood' and the affinity of public managers with one of the governance styles.

This explains why the export of 'pre-fab' Western governance models to non-Western countries is difficult, if not impossible, as is argued by several scholars (see Chapter 6). A governance-mixture should be situational. The proposition is:

1. In the five investigated cases, all three governance styles were used in situationally determined combinations. As this confirms what governance literature leads to expect, the generalised proposition would be that in all socio-politico-administrative systems, complex and dynamic processes (on strategic, tactical and operational levels) are in-

fluenced by three competing governance styles (hierarchical, network and market governance), but in different ways. The underlying preferred style in a specific system tends to be the starting point of trade-offs between the governance styles.

The second proposition argues that public management requires metagovernance-capacity: the means to "mix the three systems[1020] effectively when they conflict with and undermine one another"[1021]. Therefore, it is important to also address metagovernability in public-sector reform programmes (which is until now not the case in recent reform programmes of the four administrative systems that the cases were taken from):

2. Focussing public management (reform) solely on hierarchical management, or network management, or market management, risks achieving suboptimal results: Metagovernance, defined as consciously designing and managing situationally optimal mixtures of governance styles, should become an essential part of public management.

Proposition 2 may sound like a critique to scholars who invest their time in doing research on optimization of one of the three governance styles. However, it is not meant like that. For example, in a given situation in which network governance is the main style, such as with community policing, optimisation of network management is important, though, according to our findings, not enough.

In Chapter 2 it was argued that framing metagovernance broadly as the governance of combinations of hierarchical, network and market governance is closer to what public managers recognise as a requirement than other forms of metagovernance, such as metagovernance as managing networks. Indeed, in the five cases studies this broad form of metagovernance was observed and seemed to make sense to the interviewed public managers. Other forms of metagovernance, like enhancing network governance, may be useful for specific issues, such as when the focus lies on the democratic quality of (new modes of) governance. The case studies have shown that public managers, to a certain extent and under certain conditions, are able to act as metagovernors. The third proposition is:

[1020] I.e. hierarchical, network and market governance.

[1021] Davis and Rhodes (2000: 25): From hierarchy to contracts and back again: Reforming the Australian public service.

3. In practice, public managers have the opportunity to act as metagovernors: to a certain extent, they consciously design and manage situationally optimal mixtures of governance styles.

The fourth proposition concerns the logic of action of public managers as metagovernors. The case studies suggest that there are a number of factors which influence the 'metagovernor's rationale': The politico-administrative culture, traditions and history of the administrative and societal system; the personal conviction of a political leader; organisational characteristics; societal expectations of the role(s) of governmental organisations. The metagovernor's logic of action seems to consist of understanding the governance environment and situationally applying intervention strategies:

4. Public managers acting as metagovernors dispose of a characteristic rationale that consists of (a) understanding their specific internal and external governance environment, and (b) situational application of three strategies: (1) combining governance style elements, (2) switching between governance styles, and (3) maintenance of the governance mixture.

The last theoretical point is that the metagovernance-capacity depends on the 'right' combination of three variables: willingness, discretion and capability. These variables form the metagovernor's qualifications. If one of these three is absent or insufficient in a specific situation, the results of public managers' actions will be compromised. From this, it follows that public-sector organisations should invest in all three factors, and direct their management development programmes towards these factors:

5. The metagovernance-capacity of public managers in a specific case (M_S) is a function of the situational optimum of three qualifications: willingness (W_S), discretion (D_S), and capability (C_S). In a formula: $M_S = W_S * D_S * C_S$.

The aforementioned generalisations will require further research. Suggestions for a research programme to follow up are given in Chapter 9.

9 Further research questions

This research confirmed the claims of existing governance literature that hierarchical, network and market governance are interlinked, and in practice do undermine each other but also can be applied in a synergetic way. Important interdependencies include:

- Hierarchy is sometimes used to stimulate network and market governance;
- Networking is sometimes used to optimise hierarchical and market governance;
- Market governance is sometimes used to make hierarchical governance more efficient and effective and network processes shorter and less costly.

The five investigated cases were all successful examples of policy-making and implementation, all having taken place in a complex policy field and environment, where tensions between different governance styles were likely to occur. The conclusion that metagovernance was applied, and that the public managers who acted as metagovernors used a characteristic metagovernance rationale, should be further investigated in other cases.

This leads to proposing further research in five areas. The research proposals given below do not prescribe which disciplines should be involved. However, the issue of how to further investigate the practicality of the model of metagovernance, should be of interest to public administration, political science, organisational development, change management, cultural theory, cultural anthropology, organisational psychology, sociology, discourse analysis, behavioural sciences and economic theory. Interdisciplinary cooperation and the inclusion of practical knowledge through transdisciplinary approaches, seem to be important.

The preference of scholars to investigate certain (mixtures of) governance ideal types seems to be related to the nature of the politico-administrative systems they concentrate on. The study of public administration is, as Kickert states, "dependent on the object of study"[1022]. He

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[1022] Kickert (2005: 538): Distinctiveness in the study of public management in Europe.

points towards an underlying 'watershed' between continental Europe and the Anglo-Saxon world ("the legalistic difference between public and common law"), which has a great influence on the focus of the study of public-sector organisations and governance. This might provide an argument for international research teams.

On the occurrence of metagovernance

1. Would metagovernance also happen in policy fields that are less directly societally oriented, and would this imply a different rationale for metagovernors?
2. How and to what extent is metagovernance applied in other cases of strategic policy-making? Is soil protection policy an exception or not?
3. How and to what extent is metagovernance applied in other cases of operational policy-making? Is community policing an exception or not?
4. Is metagovernance of governance style mixtures absent in 'failed' policy cases?

Metagovernance as "the ability of the state to manage the mix of hierarchies, markets and networks that have flourished since the 1980s", risks undermining the bottom-up orientation of societal networks.[1023] Therefore, the question is:

5. How can the apparent incompatibility of metagovernance as state steering and network governance as a bottom-up societal form of coordination be overcome?

On the logic of action of metagovernors

6. The 'governance trilemma' is a concept that draws our attention to three connected dilemmas and trade-offs that should be made between the ideal types. What is the practical value of the governance trilemma for the application of metagovernance?
7. We have seen that scenarios based on trade-offs between governance styles, can be powerful analytical tools, at least on the global level. What could this scenario approach mean for the development of metagovernance on a national, local, or organisational level?

[1023] Rhodes (2007: 1257): Understanding Governance – Ten years on.

8. There is a large literature on how public managers may solve dilemmas and paradoxes, however not with a focus on governance style conflict resolution. This might be an interesting area for further research.

On the qualifications of metagovernors

9. What are the conditions for creating 'just enough' discretion to exercise metagovernance, balanced with problems of legitimacy and democratic control?

Section 3.3 mentioned that Rhodes argues for a shift in focus from studying institutions to studying meanings in action: Listening to actors' own interpretation of their beliefs and practices may reveal the contingency of governance narratives and a more diverse view on state authority and its exercise.[1024] His argument can be interpreted as a plea for more research on the 'willingness' of public managers and other officials to mix governance styles.

10. What are the conditions for stimulating the willingness to apply metagovernance and what are the risks of being 'willing' to such an extent that this damages other policy objectives?
11. What are the conditions for improving the metagovernance capability? How may management development and organisation development scholars and professionals enhance the metagovernability of public managers and public sector organisations?
12. What are the differences in the qualifications for metagovernors in politically-led organisations like ministries and in organisations that are relatively independent from politics, such as agencies and hybrid organisations?
13. How can adequate training be developed for politicians, who are usually only 'passers-by', often laymen, and in some countries have developed a problematic relation with the core executive (a "climate of mutual caution and sometimes upright suspicion")?[1025]
14. How may public-sector reform programmes deal with the metagovernance of hierarchies, networks and markets?

[1024] Rhodes (2007: 1259): Understanding Governance – Ten years on.

[1025] 't Hart and Wille (2006: 144): Ministers and top officials in the Dutch core executive: living together, growing apart?

On the cultural perspective of (meta)governance

15. Would EU metagovernance be more successful when the constraints and opportunities of national and regional 'underlying' governance styles were better understood?
16. What are the negative impacts of the 'export' of Western pre-fab governance approaches to developing countries? Is it possible to formulate a set of conditions for developing countries that help minimise the damage done by the obligated 'standard' governance models?
17. How culturally neutral are organisational and human development models? Are the values behind metagovernance, such as leadership without a dominance (Graves' yellow level) and humanity (Laske's S-5 level), universal values that are required for dealing with high complexity and chaos: Do they also apply to developing countries?
18. What are the strengths and limitations of a cultural perspective on (meta)governance? Pollit and Bouckaert suggest that an approach from *cultural theory* neglects factors such as specific service characteristics and dominant technologies.[1026] What other factors may be overlooked?

From a meta-perspective on public administration research

19. To which extent does the 'conceptual crowd' regarding new modes of governance hinder the further development of metagovernance theory? Why do so many public administration researchers concentrate on (the management of) network governance (as in the Netherlands) or on academic critiques of 'new public management' (as in the UK)[1027], whereas in practice all three governance styles play influential roles?[1028]
20. Would combining different public administration approaches like (neo) institutionalism and narrative and discursive approaches lead to a better understanding of actual governance processes in public-sector organisations?

[1026] Pollit and Bouckaert (2000: 186): Public management reform.

[1027] Kickert and Toonen (2006: 984): Public Administration in the Netherlands.

[1028] Toonen (1998: 251, Networks, management and institutions) already called for an integration of institutional, managerial and network concepts in the study of public administration. However, the network and the market paradigm seem to be still attractive fields of study on their own.

Summary

1. Theoretical part

Problem setting and research question

This study investigates how public managers deal with the internal and external dynamics of public-sector organisations in contemporary (Western) societies, from a governance perspective. Characteristic of the current situation is that the roles of governmental institutions have become contested, unclear and vague. It seems that there are no longer any clear boundaries between public and private, between levels of government and between national and supranational constructs. The same applies to the internal organisation of public-sector institutions. Since the 1980s, market and network thinking have affected the alleged robustness of the classical hierarchical bureaucracies. The result is that public managers have to cope with a permanent clash of paradigms. They work with, and amidst, three competing ideas about steering and organising that to an extent undermine each other: hierarchical governance, network governance and market governance. This does not only apply to complex and unstructured problems, but to the entire range of problems they have to deal with, including routine issues and matters of emergency.

This development has brought about two problems. Firstly, each of the three styles has an internal logic that is to a substantial extent *incompatible* with the logic of the other styles. Authority (hierarchy), trust (network) and price (market) are contrasting and partly undermining principles. The same applies to other sets of characteristics, for example how actors are considered (as subjects, partners or customers), or regarding the type of relations (dependent, interdependent or independent).

The second problem, which aggravates the first, is that each of the three governance styles is and has been considered to be a *panacea*: the political and/or societal fashion determines how the public sector deals with issues, rather than what works best in a given situation.

It is no wonder that the performance of public-sector organisations has been heavily criticised. It is more surprising that there are still successful public-sector activities, in which the inherent style incompatibilities and

the forces of fashion do not seem to play a central role. The question emerges if public managers, who are responsible for successfully dealing with policy issues or organisational problems, are merely lucky. Alternatively, could it be that they have found ways to prevent or mitigate these problems? Or is it a contingent combination of both?

I have taken a meta-paradigmatic view of governance: what if none of these three approaches are a *panacea*? Is it plausible that each of them contributes to the management of certain types of coordination and steering problems, and that the total is more than the sum of the parts? This brings forth the central question of this research: *What is the rationale of public managers when dealing with internal conflicts and synergies within governance style mixtures?* More specifically: to which extent and under which conditions are public managers able to apply *metagovernance*: to design and manage situational mixtures of the three ideal-typical governance styles? Do they have a characteristic logic of action - a *rationale* - for metagovernance and if so, what is this rationale? How, when and why do metagovernors choose a specific governance style combination? How, when and why do they switch from one style to another? What are their limitations in applying metagovernance? What are the conditions that enable them to be a metagovernor? From a comparative perspective: Have there been different governance style interactions and metagovernance attempts in different administrative cultures? If so: in which ways? What are the institutional conditions and other drivers for applying different governance styles by and inside a public-sector organisation?

Governance styles

The scope and analytical approach of this study require that I develop a broad definition of the term governance: *Governance is the totality of interactions in which governments, other public bodies, private sector and civil society participate, aiming to solve societal problems or create societal opportunities.*

Until the mid-1980s, two ideal types of governing were distinguished: hierarchies and markets. They formed a dichotomy and networks have, for a long time, been considered a hybrid form of these ideal types. Meanwhile, there is a huge public administration literature based on the idea that network governance should be distinguished as a third style: the dichotomy has become a trichotomy. There are also hybrid forms, like public private partnerships, chain management, the EU Open Method of Coordination and a recently emerged form, called bazaar governance. The latter was first recognised in the 'market' of open source software and is also observed in the way the internet encyclopaedia Wikipedia is governed. How-

ever, analytically, all these hybrid forms can be considered to be specific mixtures of the three ideal types. The concepts of hierarchical, network and market governance together seem to offer a complete analytical framework for explaining the conflicts and synergies within and between governance approaches.

Hierarchical governance is the style of governance based on the ideal type of bureaucracy developed by the German sociologist Max Weber. It is based on authority, clear division of tasks, rules, rationality and objectivity. This was the main approach that public sector organisations applied until it became contested in the 1970s. Hierarchies depend on clear boundaries, uniformity and an inflexible structure, which restricted the options of public managers when dealing with complex societal problems.

During the 1980s in many Western countries, New Public Management (NPM) became the focus of scholars and practitioners. Driven by economic recession and financial scandals, this Anglo-Saxon movement introduced techniques and organisational principles of the business sector into the public sector. For the first time the second governance style, *market* governance, became part of the governance of the public sector. However, NPM at the same time reinforced certain hierarchical characteristics, such as accountability and control mechanisms. The core belief of market governance is that efficiency principles and market mechanisms like competition and customer orientation lead to better performance of public sector organisations. Some European countries, like the Netherlands and Denmark, were keener to embrace market thinking than others, such as Germany.

Both market governance and hierarchical governance build on a rational perspective of people and societies. During the 1980s and 1990s *network* governance became popular as a means to deal with complexity and dynamics. The IT revolution, better education and individualisation had begun to make boundaries between government and society and inside public sector organisations fuzzy. The conviction developed that a rational perspective (alone) would be unsatisfactory. Networks became an important factor in policy making and implementation processes. Network governance considers the relations between actors in a policy 'game' as mutually dependent. It builds on the idea that features like trust and empathy are more effective than authority (hierarchy) and price (market) when dealing with complex, unstructured and ambiguous problems. Network governance has also been criticised: networks are said to be instable constructions that tend to disintegrate, and are not very efficient. In addition, making networks central would threaten to undermine the democratic institutions; questions of that kind are however not addressed in this study.

Governance style mixtures

The evolution of styles of governing since the 1950s has led to complex and dynamic mixtures of governance styles in the relations between public-sector organisations and society, as well as inside these organisations. Some claim that the 'old' bureaucracies have been transformed into 'post-bureaucratic administrations'. However, this has not yet been shown to be a valid proposition. There is empirical evidence that hierarchy is still the main governance style of Western governmental institutions and likewise of their public managers; however, they apply network and market mechanisms too. Therefore, taking one of the three styles as a central concept leads to overlooking important characteristics and mechanisms of the functioning of contemporary public sector organisations. For an analytical purpose, a multiperspective approach is more appropriate.

The three ideal types are internally consistent: each of them has a clear and distinct internal logic. Scholarly literature of the last three decades has produced insight in their differences regarding 36 dimensions of governance. These dimensions are grouped in five themes: vision and strategy (for example theoretical background, common motive, virtues, strategy style), orientation (how are other actors seen, how are they selected), structure (organisational structure, control and coordination mechanisms, type of transactions, roles of communication, roles of knowledge), people (styles of leadership, relations, competences and values of civil servants) and results (affinity with problem types, typical governance failures, typical types of output and outcome). The existence of three different logics accounts for the observation that certain mixtures of governance style elements are unproductive and inherently undermining each other. For example, trust (network) and price (market) are undermining mechanisms, and combining a command and control style of leadership (hierarchy) with self-determination and autonomy (market) also accounts for trouble. However, well-picked combinations of elements of different governance styles can be successful. Network governance often profits from a top down decision to start a policy process (hierarchy) and financial incentives (market) can be used to prepare the ground for legal standards (hierarchy).

The cultural dimension of governance styles

Governance styles reflect specific sets of shared values and beliefs, and certain patterns of interpersonal relations. This makes them cultures, or at least images of cultures. Hierarchical, network and market governance align with the three main 'ways of life' of cultural theory: hierarchism, egalitarism and individualism, respectively. This might be the reason why

each of the three ideal types has its 'believers' who fiercely defend their paradigm. Cultures can be distinguished on national, organisational and individual levels. If governance styles are also cultures, it is plausible that the underlying national cultures and traditions influence the applicability of specific governance style mixtures. This explains scholarly claims that specific governance approaches cannot simply be copied from one nation (or organisation) to another.

Metagovernance of hierarchies, networks and markets

In order to design and manage productive governance style mixtures – to the extent that this is possible – we need a concept 'above' the three paradigms: the concept of metagovernance. What metagovernance means depends on how the term governance is defined. Some consider metagovernance as the governance of networks; others define metagovernance as supervising networks and markets. The broad perspective on governance I use here, which includes hierarchies, networks and markets, leads to the following definition: *Metagovernance is a means by which to produce some degree of coordinated governance, by designing and managing sound combinations of hierarchical, market and network governance, to achieve the best possible outcomes from the viewpoint of those responsible for the performance of public-sector organisations: public managers as 'metagovernors'.*

This is not a mainstream view in public administration science: the overview of governance and metagovernance approaches (Figure 5 in Chapter 2) shows that there is a 'conceptual crowd' embracing the 'new modes of governance', leaving the study of hierarchies somewhat in the dark. The question whether metagovernance, as I have framed it, is a feasible concept for public managers, is a subject of scientific dispute. To which extent and under which conditions is their role as *metagovernor* feasible? Some argue that it is impossible to 'manage' governance style mixtures because of the complexity and contingency of the public-sector environment. Others claim that it is possible and merely a matter of practicality.

2. Empirical part

Methodology and case selection

In social sciences it has become good practice to combine different methods into a 'methodological mix' designed for the specific characteristics of

the research, as there is not one 'ideal way' for approaching every topic. A qualitative approach is taken for the empirical part of this study, and elements of three complementary research strategies are used: ideal types, case study research and grounded theory. Ideal types because they are practical 'measuring rods'. Case study research because it enables us to investigate and compare real-life situations in a structured way. Grounded theory because the existing literature on metagovernance as a public management task does not contain empirically grounded theories, and it seemed important to contribute to the further development of such a theory.

Three independent variables are distinguished which are similar in different Western European administrative systems: The occurrence of the three ideal-typical governance styles, the societal influences on the public sector in the same policy fields, and the framing of the policy problem. The politico-institutional context is considered as the *dependent* variable.

Five cases were selected on the basis of the following criteria: good comparability of the independent variables, variation in the dependent variable, conceptual equivalence, accessibility of data, and the scientific and societal topicality of the issue. I decided to select cases in two policy fields: strategic (national and supranational) environmental policy and operational (local) inner security policy.

Environmental policy is considered to be a 'laboratory' for policy innovation. This accounts for a high conflict potential between 'old' and 'new' styles of governance. Within the field of strategic environmental policy, soil protection was chosen, because it is a relative latecomer which developed during the late 1990s and early 2000s, a period in which governance style conflict potential had reached a high level. Four cases of soil protection policy making were selected in different politico-administrative systems (the UK, the Netherlands, Germany and the European Commission), in order to investigate the influence of the traditions and cultures of these systems on the feasibility of metagovernance. Together Germany, the Netherlands and the UK form an interesting gradient from East to West, showing underlying national preferences of hierarchical, network and market governance respectively, though always in the shadow of hierarchy as the main background style. The Netherlands, in some respects, lie in between and form a combination of the 'supermarket state' of the UK and the 'sovereign state' of Germany. The European Commission as a supranational administration is an interesting outsider, with a strong affinity for hierarchical governance. The Commission faces similar challenges and internal ambiguity as national public-sector organisations, and has a multi-level policy environment that partly overlaps with the (also multi-level) policy environment of national administrations in the European Union, as

in the field of soil protection. Its tasks, working methods and bureaucratic organisation make it better comparable with national ministries than with other supranational bodies.

Inner security is a traditionally hierarchical policy field. Within this field, local community policing is a special case, because it is primarily based on network governance. A case of local community policing in the Netherlands was selected, in order to be able to compare the occurrence of metagovernance in (national) strategic policy making with (local) operational policymaking, in different policy fields but in the same national politico-administrative context. In contrast to national policymakers, local police officers are 'street-level bureaucrats': they are in direct contact with citizens and usually have more discretion than national policymakers. However, these 'street level bureaucrats' have less discretion nowadays than during Lipsky's investigation in 1980, due to New Public Management induced systems of accountability and scrutiny.

The (meta)governance of strategic soil protection policy-making in four administrative systems

Four cases of soil protection policies are analysed. The first covers a crucial phase of policy-making at national level in the Netherlands, the second explores a similar case at the federal level in Germany, the third deals with the preparation of the Soil Action Plan for England in the UK, and the fourth finally examines the preparation of the Thematic Soil Strategy of the European Commission.

In comparison (*theoretical replication*) the four cases have in common that the three ideal types occurred simultaneously and in dynamic mixtures. Moreover, attempts to design and manage specific governance style mixtures could be observed. However, the actual 'governance footprint' of the policy process and of the policy results (instruments, measures, and impact) was apparently determined largely by environmental factors and particularly the specific socio-political context of a case.

In the *Dutch* case the underlying *network* culture led to a standard network-type of a pre-project that ended in conflicts. This enabled the environmental department with its relatively *hierarchical* command style (although flanked by a professional *networking* culture) to design a policy process that was *hierarchical*, and produced mainly *market*-type measures (in line with the market-liberal political mood of these years) in the Soil Policy Letter. Metagovernance occurred when a switch was decided from a network to a hierarchical approach, and, internally, when related units in the Ministry were physically placed together in order to help overcoming their cultural differences.

With the *German* underlying *hierarchical* national and institutional culture, one would have expected a hierarchical policy process. However, external and internal (political) opposition to strong legislation led to also using *network* style measures in order to create broader support. The resulting measures were, as expected, mainly hierarchical, but also contained elements of self-regulation (market-style), like the 'guidelines for good agricultural practice'. Metagovernance occurred in the form of a flexible, permanent agenda setting exercise that used all practicable governance elements.

The Soil Action Plan for *England* was produced against the background of a *market*-liberal national culture with an anti-legislation attitude, by an environmental department with a relatively *hierarchical* style. The policy process was internally *hierarchical* and externally *network*-style, with resulting measures that can be characterised as mainly *network*-type action points (because neither market instruments such as taxes nor a legal framework were politically feasible). Metagovernance occurred in the design of the process (choice for a primarily network governance), and by reframing the project objectives in ways that made them interesting for other departments and societal actors like farmers, with the aim to jump on the bandwagon of the autonomy and self-interest of these actors (market governance).

In the case of the Thematic Soil Strategy (and Directive) of the *European Commission*, a *hierarchical* culture in a *hierarchical* administration led to a policy process that can be characterised internally as *hierarchical* and externally as *networking*. In fact, this was the case with by far the most extensive stakeholder participation. The results were a Strategy with primarily guidelines for national self-regulation (*market* governance) and a Directive with legal requirements (*hierarchy*). Metagovernance occurred for example by deciding that different process phases would have a different governance approach.

The (meta)governance of community policing in the Netherlands

Also in the case of *community policing* in the Netherlands, elements of all three ideal-typical governance styles were used in a dynamical and situational mixture. The key managers in the police and in the municipality had a broad discretion and used this up to its limits in order to make unorthodox measures possible, which they found appropriate. They applied a reflexive learning strategy, and were, as individuals, capable of managing the process situationally. This case showed a combination of community based policing *pur sang,* and a related, more hierarchical form, namely problem-based policing: the police and the City were in the 'driving seat'.

The network governance style resulted in a situation in which the use of hierarchy and market approaches by the involved parties was accepted.

This mechanism can also be observed in another field of Dutch policing: the cooperation of the police, fire brigades, health organisations and local authorities in so-called safety regions. This form of cooperation is designed to tackle large incidents and disasters. Participants meet on a regular basis and work on their mutual understanding and trust (networking). *During* an incident the governance style is hierarchy: command and control, and clear lines of authority. *After* the incident, the main style is market governance: 'cleaning up' the area in an efficient way, while all parties do their own part relatively autonomously. Thereafter, a phase of non-incident recurs, which includes the evaluation of former phases.

Comparison of strategic and operational policy processes

The findings of the case of policy implementation (and herewith 'operational policy making' on a more specific level) in the field of policing are compared with a case of strategic policy making in another field, namely soil protection (*literal replication*). The question is: Are governance style challenges on strategic and operational level similar in the same socio-politico national context? Two differences apply: The institutional context is different (local police is, compared to a national ministry, much less influenced by political choices), and the actors in the game are different (local organisations and businesses, compared to classical associations that represent their members at the national level). However, the importance of creating the situationally best mixtures from elements of hierarchical, network and market governance, turned out to be the same. Successful police officers working on 'wicked' problems they cannot solve on their own, require enough discretion and flexibility, and need to be active problem-solving participants in a variety of types of cooperation. At the same time, they need to work efficiently and exercise hierarchy (maintaining law and order). Their organisations form an interesting mixture of military hierarchy, market-based performance contracts and a network attitude when working with local partners.

Possibilities and limitations of metagovernance as public management: Three metagovernance strategies

In all investigated cases elements of all three ideal types of governance were applied. Even in a situation in which one style dominated, the other styles were still 'running in the background'. The cases form a strong argument against the idea that "everything is network governance": not only

market governance, but especially hierarchical governance played a prominent role.

In all cases, leading managers acted as metagovernors: They managed style-incompatibilities and strived for synergies when combinations of governance styles occurred. They situationally applied three metagovernance strategies:

1. *Combining styles and managing linkages* between different governance styles: One style (hierarchy) was sometimes used to solve conflicts and another to develop more solutions (network). Hierarchy was used to stimulate the start and to mark the end of a network process. Market techniques like public-relations campaigns were used to stimulate civil society involvement (network governance). Although in a hierarchical approach cost-effectiveness of actions tends to be neglected, sometimes other elements of market governance such as efficient management of routine issues could be observed in a primarily hierarchical setting. A specific challenge of combining governance styles is creating style synergy, for example by investing in trust in order to increase the acceptability of hierarchical interventions when crises occurred. In the policing case, a hierarchical phase was accompanied by attempts to maintain the trust of other partners (network governance).
2. *Switching to another style*, for example from hierarchy to network, or the other way around; such switches were executed within and between process phases or rounds. In the community policing case, key managers considered it 'natural' to switch between styles when they deemed this necessary, and found that this was accepted by those who were involved in the project because there was a clear common goal. Deliberate style switches were also reported in the other cases. A hierarchical intervention was observed when a network process resulted in 'never-ending talks' and a network intervention like a stakeholder dialogue was decided when a hierarchical process did not lead to a broadly accepted problem definition.
3. *Maintenance of governance style mixtures,* a second order strategy that complements the combining and the switching of strategies. One example is style conflict mitigation by temporarily 'closing the doors'. A switch from a network to a hierarchical style was made acceptable by the announcement that this period would only last six months. Also managing dilemmas and paradoxes was part of the 'maintenance' strategy, for example the dilemma of creating strong or weak network ties. A phase of hierarchical governance, for example after a (large) incident has occurred, may possibly lead to 'abuse':

Some of the market governance mechanisms, like cost-benefit analysis and other public procurement requirements, are then temporarily 'shut off'. Several examples were reported in which the high measure of discretion of people leading a crisis team was 'abused': A temporary switch from a complex governance mixture towards a simple 'one style' approach creates an attractive environment in which much is possible.

The metagovernor's framework conditions

The public managers in the five cases analysed which governance style mixtures would work most effectively given the possibilities and limitations of the policy issue, whilst also considering the internal and external context. They knew intuitively which conditions would enhance the feasibility of metagovernance, and understood that sometimes a desired style was not feasible for several reasons:

1. The politico-administrative culture, traditions and history of the administrative and societal system: National cultures and related underlying governance styles influence the composition of governance style mixtures to a certain extent, although they do not predict a specific style (mixture): they predict to a certain extent what is the first style to be considered. In all investigated administrative systems, the first reflex is to try the underlying style, which is market governance in the UK, network governance in the Netherlands, and hierarchical governance in Germany. The other styles are only applied when the underlying style turns out to be not appropriate.
2. The personal conviction of the responsible politician: In all investigated cases the personal conviction of a minister (in the soil protection cases) or a city alderman (in the policing case) accounted for interventions matching with their ideas about how to solve the problems at hand.
3. Societal expectations of the role(s) of governmental organisations: Civil society might lobby for network arrangements, whereas enterprises may strive for either market governance or hierarchical governance (for example legal measures to guarantee a 'level playing field').
4. Organisational characteristics, for example, what is the organisational culture (open or closed, professional or task-oriented), what is the dominant style of leadership (command and control, coaching or enabling), and what is the educational background of policy officers (legal, technical, social sciences)?

5. The type of problem determines which style should ideally be dominant, however, if this is not feasible, the problem may be reframed to one for which the 'preferred' governance style is possible. If the policy problem is defined as an urgent matter, the rationale is to choose a hierarchical approach. However, such a frame can be 'developed': urgency can sometimes be organised. In the Dutch soil case some informants suspected that the Ministry had purposely caused the consensus approach to fail, because this would increase the call for a top down approach. The UK soil protection managers reframed the problem from 'protecting the soils of England against polluters' into 'helping soil users to protect their own interests in clean soils'. This new frame fitted better into the network style they had chosen as their main approach, and at the same time appealed to the autonomy (market thinking) of the polluters.

The metagovernor's rationale

The managers in charge of the five cases, although not aware, applied Davis and Rhodes' recommendation that "the trick will be to mix the three systems effectively when they conflict with and undermine one another"[1029]. They had a characteristic logic of action or rationale, which consisted of (a) understanding the constraints and opportunities offered by the governance environment (the framework conditions) and (b) situationally applying specific intervention strategies, based on combining, switching and maintenance.

This specific rationale is probably different from the logic of action of a politician who acts as a metagovernor: In the first place, concerning the type of framework conditions (the political metagovernor may be less dependent on organisational characteristics). Secondly, with regard to the relative feasibility of the different strategies: style conflict mitigation inside a ministry would be primarily a task for a public manager, for example.

The metagovernor's qualifications: Willingness, discretion and capability

From the analysis of the five case studies, three key qualifications which metagovernors require have emerged. They can be considered as variations

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[1029] Davis and Rhodes (2000: 25): From hierarchy to contracts and back again: Reforming the Australian public service.

of three general conditions qualifying for innovative action in social life:

1. One has to *want* to do something and understand the reasons *(willingness).* The public managers in the investigated cases were willing to reflect on what is the best governance mix according to the situation. They had a learning attitude, tenacity and the courage to make mistakes.
2. One has to be *allowed* to do something *(discretion).* Discretion is a condition that Lipsky reported as essential for 'street-level bureaucrats'. It seems to be equally important for strategic policymakers. Public managers find that the complexity of their environment makes it impossible to ask permission for every action that they deem necessary. In all five cases, they used their discretion up to its limits. With enough discretion it is possible to handle governance style mixtures "willingly and knowingly".
3. One has to *be capable* of doing it *(capability).* The involved public managers were capable of taking *multiple perspectives*, of standing 'above' the three governance styles and combining them in a way that does not conflict with their own values. The term capability as I use it here is linked to personal development stages, and is an enabler of competences. Four dimensions of metagovernance-capability that were observed in the case studies had also been formulated earlier by Jessop.[1030] He distinguished a reflexive orientation, the recognition of complexity and variation, self-referentiality, and 'requisite irony'. Another dimension that seems to be important is casting capability: how to select the actors for different roles in policy processes.

Willingness is linked in two ways to the concept of discretion. A US study on how public managers use the organisational 'grey zone' (areas where the law is ambiguous or silent on the actions they can take), showed that those who increased their discretion in this way, were willing to push the boundaries of the law to achieve their purposes, or tried to change the rules that restricted their discretionary power. The other way around, discretion creates the freedom to act according to ones beliefs: to do what is important, what is of value.

Willingness and capability are also linked. A willingness to invest in reflexive learning and in other competences that enhance the metagovernance capacity is required. In the UK soil protection case, the fact that UK public managers and policy officers are used to being seconded to other

[1030] Jessop (2003): Governance and metagovernance: On reflexivity, requisite variety, and requisite irony.

ministries increased their capability to act with an open mind regarding other perspectives. The capability to use multiple perspectives is important for directing one's 'drive' to reaching results that are based on a multiple governance (metagovernance) approach. Many of the interviewees in the five investigated cases seemed to have such a capability that complemented their strong willingness.

Finally, capability is linked with discretion. Public managers should be able to understand that the ambiguity of many rules and regulations is an opportunity rather than a constraint in creating strategic action. A background in law may be an advantage, because people with a legal background are taught that (most) law is ambiguous. An adequate level of discretion is required to decide whether to use innovative or unusual training methods and objectives. An example is the training that police officers in the policing case received, which helped them to change their perception of the target group: Instead of labelling them as 'useless drug abusers', they came to see them as 'drug using citizens' who are entitled to basic respect.

Increasing the metagovernance capacity

It is desirable to improve the *qualifications* of metagovernors, by increasing the willingness to take multiple perspectives, by optimising the level of discretion, and by selecting and training managers with metagovernance capabilities.

Willingness and discretion are both linked to the culture and traditions of the organisation for which the metagovernor works; increasing these conditions seems a matter of organisational change. This should also be addressed in public sector *reform programmes*. Measures announced in Western European public sector reform programmes since 2000 can be grouped into three types, each of which is related to one of the three governance styles. Interestingly, the programmes do not address conflicts or synergies between hierarchical, network and market types of measures. Given the results of this study, it seems that this is a structural point missing in current reform programmes.

Increasing the metagovernability is a challenge for *management development.* Public managers should learn to manage all three styles. Personal development models may help to reach a level in which managers are able to take multiple perspectives.

3. Conclusions and further research questions

Conclusions

From the concepts emerging from the empirical results of this research, and with the support of the reviewed literature, the following conclusions can be drawn, which are meant to contribute to the emerging theory of metagovernance as public management:

1. In the investigated cases, all three governance styles were used in situationally determined combinations. As this confirms what most governance literature leads to expect, the generalised proposition would be that in all socio-politico-administrative systems, complex and dynamic policy processes (on strategic, tactical and operational levels) are influenced by three competing governance styles (hierarchical, network and market governance).
2. Therefore, focussing public management (reform) solely on hierarchical, network, or market management, risks achieving suboptimal results: Metagovernance, defined as consciously designing and managing situationally optimal mixtures of governance styles, should become an essential part of public management (reform).
3. In practice, public managers act as metagovernors: to a certain extent they consciously design and manage situationally optimal mixtures of governance styles.
4. Public managers acting as metagovernors dispose of a characteristic rationale that consists of (a) understanding their specific internal and external governance environment, and (b) situational application of three strategies: (1) combining governance style elements, (2) switching between governance styles, and (3) maintenance of the governance mixture.
5. The metagovernance-capacity of public managers in a specific case (M_S) is a function of the situational optimum of three qualifications: willingness (W_S), discretion (D_S), and capability (C_S). In a formula: $M_S = W_S * D_S * C_S$.

Further research questions

This research confirmed the claims of existing governance literature that hierarchical, network and market governance are interlinked, and in practice do undermine each other but also can be applied in a synergetic way. The five cases investigated were all successful examples of policy-making and implementation, all having taken place in a complex policy field and environment, where tensions between different governance styles were

likely to occur. The conclusion that metagovernance was applied, and that the public managers who acted as metagovernors, used a characteristic metagovernance rationale, should be further investigated in other cases. This leads to proposing further research in five areas (with exemplary questions):

1. The occurrence of metagovernance: Would metagovernance also happen in policy fields that are less directly societally-oriented, and would this imply a different rationale for metagovernors?
2. The logic of action of metagovernors: Might instruments like scenarios and the governance trilemma model contribute to the metagovernor's 'toolbox'?
3. The qualifications of metagovernors: How to increase the degree of willingness, discretion and capability?
4. The intercultural perspective: What are the strengths and weaknesses of a cultural perspective on (meta)governance?
5. Public administration research: To which extent does the 'conceptual crowd' regarding new modes of governance hinder the further development of metagovernance theory?

Epilogue

An epilogue implies stepping out of the book, looking back a bit and trying to look ahead. In retro perspective, the question of what is a successful project should be readdressed. It was my aim to investigate the rationale of public managers who seem to successfully overcome the inherent tensions between hierarchical, network and market governance, both inside their organisations and in relation to other societal actors. I found that in the five cases, they understood their policy environment (framework conditions), they used three strategies (combining, switching and maintenance), and possessed three key qualifications (willingness, discretion and capability) for metagovernance. The investigated cases were considered to be successful. However, looking back now, such a qualification is time-specific. It depends on the part of the policy process one looks at. New phases or rounds may start at any moment, and what was at first a success, may turn into a failure. The EU's Soil Strategy, issued in 2006, contained a Soil Directive. However, in December 2007, the European Parliament voted against having such a directive.

When looking ahead, I would like to address the issue of situationality again. I formulated research questions: replication of this research in other countries (the cultural aspect), in other policy sectors, in both 'successful' and 'failed' cases, seems to be required in order to further the theory of metagovernance as public management. I have argued that 'sound' metagovernance is by definition situational: it is about designing and managing governance style mixtures in dynamic environments which are influenced by many contingent factors. Although tempting, it is therefore impossible to prescribe a 'best governance style mixture' for specific types of societal problems. However, some mechanisms may be useful:

- We have concluded that each ideal-typical governance style has its typical failures. When one style dominates a specific policy or change process, improvements may occur when elements of the other styles are introduced. Take the example of the dominance of market governance that developed in Western European countries in the health sector: efficiency is the key word. Here a correction might be to introduce more empathy and trust (network governance), and quality

guarantees (hierarchical). In that case the situation described in the BBC series 'Yes, Minister might be prevented, in which a new hospital was awarded the prize for the most efficient health organisation, after they had decided that the 500 staff would not allow patients to enter the hospital.

- The structure and framing of a problem should lead to investigate first the feasibility of the congruent governance style. If the problem is complex, unstructured and value-laden, like the development of sustainable development strategies, network governance will be an important part of the mixture. When a complex problem becomes more urgent, like climate change, and in the Netherlands the protection against rising water levels, then it should be considered to increase the amount of hierarchy in the governance mixture.
- In multi-level processes, it is worth considering differentiating the governance mixture level by level. To take the example of the Dutch Randstad 2040 programme of the current government, it might be wise to develop a hierarchical framework on the national level, to assign the provinces as intermediate level with primarily network governance, and to challenge the local authorities to be as entrepreneurial (market governance) as possible.

In Chapter 1.1 an example was given of a widely disputed development in the governance footprint of Dutch social policy: The introduction of market-style competition combined with new hierarchical control mechanisms in a policy area where, in the Netherlands, traditionally consent (network governance) has been successful.[1031] Although we have seen that politicians in general do not have the power anymore to force a specific governance style mixture upon a society that opposes such, there are many exceptions. The market-liberal political mood of the early 2000s in Western European countries has enormously influenced the content of new policies. Even traditionally regulation-oriented social-democratic parties in Germany, the Netherlands and the UK, have embarked on the anti-regulation 'train'. The risk, of course, is that problems that would be much better (and more efficiently) solved with a hierarchical or a network approach than with a market approach are burdened with suboptimal to very unsatisfactory solutions. The privatisation of energy infrastructure has caused sky-rocketing prices of natural gas and electricity, for example in Germany. A societal reaction is, apart from protest, to start bottom-up energy subsistence initiatives, which is happening for example in Germany.

[1031] Schoo (2005): De ordeningschaos (De Volkskrant, 3 September 2005).

In the Netherlands, there is a broadly supported public opinion that the privatisation of health care insurances has brought higher prices instead of better services, such as shorter waiting lists.

I have argued that market governance is a fine approach for routine issues and for improving efficiency in organisations. However, in many complex societal issues there are so many interests at stake, that elements of network governance would be required. The question of integration of immigrants is such an issue: In the Netherlands, the responsible ministerial unit was moved from the Interior to the Ministry of Justice in 2002, as the result of a political reframing of immigration policy from a complex, unstrucured (network governance) into a security issue (hierarchical governancen). In 2007, when a new government entered office, the unit was moved again, this time to the Housing Department, as a result of a new political framing process: network governance became the imperative again. Furthermore, urban renewal projects and the development of rural areas profit from a network approach. Hierarchy stays the best way to deal with calamities, air traffic control, other high risk activities, and basic environmental regulation.

Annexes

36 Differences: Hierarchical, network and market governance

Table 1 in Section 2.3.1 of this book presented 36 differences between the three ideal types of governance. This Annex clarifies the differences. They are clustered in five groups: vision and strategy, orientation, structure, people and results.

Dimensions of vision and strategy

1. Culture/'Way of life' [1032]	Hierarchism	Egalitarism	Individualism

One of the main reasons why hierarchical, network and market governance are such persistent styles is that they are (rooted in) human cultures. The three relationally active 'ways of life' of Thomson et. al.'s *Cultural Theory* are surprisingly congruent with the three governance styles. In Section 2.4 and 6.4 this cultural perspective is analysed for national and organisational cultures, whereas the relation with individual cultures is addressed in Sections 2.5.7 and 7.2.6. One of the most important conclusions of considering governance styles as cultures is that transferring governance approaches from one country to another is very difficult, if not impossible (see Section 6.4.2). National cultures[1033], history, and tradition[1034] influence the context in which certain governance mixtures will work.

[1032] Thompson et al. (1990: xiii): Cultural Theory.

[1033] Hofstede (2001): Culture's consequences: Comparing values, Behaviours, Institutions and Organisations across Nations.

[1034] E.g. Kickert (2002): Public governance in small continental European states.

2. Theoretical background [1035]	Rational, positivist	Socio-constructivist, social configuration theory	Rational choice, public choice, principal-agent theory

The three governance styles have "incompatible contentions about what is knowable in the social world and what does or can exist – the nature off being – in the social world". Moreover, they "derive their governance "certainties" from propositions drawn form specific methodological families, which reflect particular configurations of epistemological and ontological perspectives".[1036] Politicians and public managers who are committed to hierarchical governance see the social world though a naturalist-structuralist lens, those committed to network governance see the world through a hermeneutic-structuralist lens, and those committed to market governance through a naturalist-agency lens.[1037]

Governance styles have been described as being constructed from within very different narratives.[1038] Bevir and Rhodes define narratives as forms of explanations of human actions in terms of the belief and desires of the actors. They argue that network governance often has a "symbiotic relationship" with institutionalism, and market governance with rational choice theory.[1039] Rational choice theory views actions of citizens, politicians, and public servants as analogous to the actions of self-interested producers and consumers.[1040] Also hierarchical governance is related to a rational, positivist attitude. The rational public administrator uses a means-end logic: he focuses on selecting the (objectively) best means to achieve agreed-upon ends.[1041]

Central in Simon's classic *Administrative Behaviour* is the concept of purposiveness. This "involves a notion of a *hierarchy of decisions* – each step downward in the hierarchy consisting in an implementation of the

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[1035] Dixon and Dogan (2002: 184-185): Hierarchies, networks and markets: responses to societal governance failure. Bevir and Rhodes (2001: 1): A decentred theory of governance: Rational choice, institutionalism, and interpretation.

[1036] Dixon and Dogan (2002: 191).

[1037] Dixon and Dogan (2002: 184-185).

[1038] Bevir and Rhodes (2001: 1): A decentred theory of governance: Rational choice, institutionalism, and interpretation.

[1039] Bevir and Rhodes (2001: 7).

[1040] Frederickson & Smith (2003: 185): The administration theory primer.

[1041] Frederickson & Smith (2003: 162).

goals set forth in the step immediately above".[1042] Network governance emphasises the boundedness of rationality in public administration, highlights ambiguity rather than rationality, and is related to a more socio-constructivist approach and social configuration theory.

It could be argued that the positivist background of both hierarchical and market governance has made the introduction of New Public Management ideas (market governance) in public administration from the 1980s relatively easy, but the introduction of network governance in the 1990s a difficult task. The often-used dichotomy between rational logic and social construction or the interpretation of meaning does play a role, but should also be relativated. "Subjectivity need not rule out regularity as long as different sorts of people feel subjective in similar ways with regard to similar objects".[1043]

Two different forms of neo institutionalism emerged in the 1980s, with different influences on governance styles.[1044] The first is rational choice institutionalism, an important source of New Public Management (a combination of market governance and hierarchical accountability and control mechanisms). The second is sociological institutionalism, which was a source for actor-oriented institutional approaches (network governance).

3. Mode of calculation[1045]	Homo hierarchicus	Homo politicus	Homo economicus

Jessop distinguishes three stylized 'modes of calculation'. The homo hierarchicus judges on the basis of effective goal-attainment and legitimacy. The homo politicus, who has a network orientation, uses reflexivity and dialogue in order to achieve an estimation of what would be a wise decision or action. The homo economicus calculates primarily with criteria such as efficiency of resource allocation.

[1042] Simon (1997: 4): Administrative Behaviour (Fourth Edition).

[1043] Thompson et al. (1990: xiii): Cultural Theory.

[1044] Schedler (2006: 114): Networked policing: Towards a public marketing approach to urban safety.

[1045] Jessop (2003: 3): Governance and metagovernance: On reflexivity, requisite variety, and requisite irony.

4. Key concept[1046]	Public goods	Public value	Public choice

Hierarchy is often legitimised with the argument that it is a necessary approach for the protection and delivery of public goods. Network governance is more value-driven: the outcome of a networking process should reflect the shared values of the community that forms a network. Market thinking bases relations on individualism and autonomy, and therefore has public choice as a key concept.

5. Primary virtues[1047]	Reliable	Great discretion, flexible	Cost-driven

According to Considine and Lewis, all three styles have their 'virtues'. Hierarchies are reliable, and markets are cost-driven. Networks have the benefits of greater discretion and flexibility than hierarchies, combined with clearer forms of accountability than markets. Markets are more flexible than hierarchies, but their focus on price makes them the most cost-driven of the three.

6. Common motive [1048]	Minimising risk	Satisfying identity	Maximising advantage

Which motives hold people together? In a hierarchical approach this might be minimising risk. A network, based on empathy and trust, is motivated by the achievement of a satisfying identity of the group/community. Market players have in common that they are motivated by maximising (competitive) advantage.

[1046] Heartly (2004): Paradigms, prizes and paradoxes in governance and public management.

[1047] Considine and Lewis (1999: 468): Governance at ground level: the frontline bureaucrat in the age of markets and networks.

[1048] Streeck and Schmitter (1985: 122): Community, market, state – and associations?

7. Motive of subordinate actors[1049]	Fear of punishment	Belonging to group	Material benefit

In every governance setting there are leaders and followers, although the difference between them is much clearer in a hierarchical than in a network context. Hierarchy motivates subordinates through fear of punishment. Stepping out of the lines is risky. Participants in network governance are motivated by the reward of belonging to a specific group (social inclusion[1050]). Customers of market governance select their providers on the basis of material/financial benefits.

8. Roles of government	Government rules society	Government is partner in a network society	Government delivers societal services

The typical hierarchical vision of the relations between government and society is that government 'rules' society. A network governance vision formulates the central role of governments as that of a partner in a network society. A market approach has a basic vision that government delivers services and products to society. This vision is mirrored inside administrations: hierarchically lower placed units have per definition less influence in a hierarchical setting. Network governance takes the position that all internal parties are, in principle, equal. A market approach creates competition between administrative units, uses financial and other incentives and disincentives, and defines relations in terms of producers and buyers of internal products and services.

9. Metaphors[1051]	Machine, stick, iron fist	Brain, sermon, word	Flux, carrot, invisible hand

Gareth Morgan's presentation of different views on organisations by use of metaphors has contributed highly to the understanding of complex organisations.

He compares a hierarchical organisation with a machine: a well oiled structure that requires central control, but on the other hand, "Much of the

[1049] Streeck and Schmitter (1985: 122).

[1050] Termeer (1999): Van sturing naar configuratiemanagement.

[1051] Morgan (1986/1997): Images of organisation. Jessop (2003): Governance and metagovernance: On reflexivity, requisite variety, and requisite irony.

apathy, carelessness, and lack of pride so often encountered in the modern workplace is thus not coincidental: it is fostered by the mechanistic approach."

He compares network organisations with brains, because of the reflexive variety, learning and feedback mechanisms. Market governance relates more or less to Morgan's metaphor of organisations as flux and transformation: constant change and self-organisation are key characteristics. Others, like Jessop, compare the ways hierarchy, networks and markets exercise influence with respectively a stick, a sermon and a carrot. The 'invisible hand' of the market can be compared with the 'iron fist' of hierarchy.

10.	Strategy styles[1052]	Planning and design style; compliance to rules and control procedures	Learning style; Chaos style: coping with unpredictability; deliberation	Power style; getting competitive advantage

Strategy can be defined as a course of action leading to the allocation of an organisation's finite resources to reach identified goals. Mintzberg et al. (1998) differentiated 10 strategy 'schools'.[1053] In addition, an 11th relevant approach has to be mentioned, the 'chaos school', which considers that management has to address complexity and unpredictability.[1054] Eight of these 11 schools have specific assumptions on both the internal (organisational) and external (environment) situation.

Hierarchical governance is related to the design school, the planning school and the positioning school. These strategy types are designed for structured, manageable, clear problems with a low external impact. It is believed that targets can be reached by planning and design, and by focussing on how to develop an optimal (hierarchical) position. These types of strategy are often found with line- and project managers who consider the environment as not very complex. Financial and legal experts typically

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1052 Mintzberg et al. (1998): Strategy safari. A guided tour through the wilderness of strategic management. Knill and Lenschow (2005: 583): Compliance, competition and communication: Different approaches of European governance and their impact on national institutions. Stacey (1991): Managing Chaos: Dynamic Business Strategies in an Unpredictable World.

1053 Mintzberg et al. (1998): Strategy safari. A guided tour through the wilderness of strategic management.

1054 Stacey (1991): Managing Chaos: Dynamic Business Strategies in an Unpredictable World.

have a preference for this approach. Their internal and external organisational environment is relatively simple, rational and stable.

The chaos school of strategy sometimes provides useful insights on how to cope with the unpredictability of complex, target-led, policy processes. This approach deals with situations in which the internal and external problem environment is so complex, that the system cannot be 'steered'. This can lead to a strategy that aims at determining (or better: discovering) the rules under which the system can operate successfully. In many complex policy issues the problem environment is not so 'chaotic' that it is impossible to exercise influence. Besides the chaos school of strategy, the learning school is also useful for network governance: the idea that actors are mutually dependent makes them open to collective learning.

From a market governance perspective, the best school of strategy is the power school: creating competitive advantage. The chaos school may also provide useful strategic insight in self-regulation processes. Furthermore, the learning school is important: the main aim of public market governance is not to influence but to stimulate and enable societal actors to collectively learn from experiences and apply these experiences autonomously.

A questionnaire about preferred strategy styles among Dutch top civil servants showed an interesting paradox: most of them considered the policy environment of their ministries as complex and multi-actor, and at the same time stated that they believed in hierarchical (planning and design) styles of strategy.[1055] Koffijberg concluded that the Dutch Ministry of Housing used three ways or patterns in which hierarchical and network strategic actions can effectively be combined: (1) Combine elements of hierarchy and network, (2) alternate the two styles and (3) apply a dual strategy: hierarchy front-stage and network back-stage.[1056]

To conclude: awareness of the idea that there are different strategy approaches may improve public sector performance because it creates a basis for mutual understanding of actors within the public-sector organisation, who may not be fully aware of the strategy belief systems different colleagues have. In addition, it may increase effectiveness when applied situa-

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[1055] Meuleman and Steilberg (2004: 15): Strategiedenken bij de rijksdienst. Peiling onder hoger management rijksoverheid.

[1056] Koffijberg (2005: 363): Getijden van beleid: omslagpunten in de volkshuisvesting.

tionally and in combination. Different views on strategy do not exclude each other: a balanced synthesis may create the best results.[1057]

11. Governors' responses to resistance[1058]	Use of legitimate power to coerce rebels to behavioural conformity	Persuasion of rebels to engage, or expel them	Negotiate deals with rebels, using incentives and inducements

Dixon and Logan investigated the philosophical assumptions of the three governance styles. They show that the commitment of 'governors' (those who are responsible for governing) to one of these styles leads to very different strategies to deal with 'rebels'. A hierarchical governor will first try to use legitimate power to force rebels to compliance. If that does not work, their fall back strategy is to threat with sanctions or try other ways to make non-compliance impossible.

When a network governor cannot persuade rebels to engage in a network, their last resort is to expel them from the network. A market governor would, of course, first try to bargain an agreement with rebels, using rewards and other incentives. If that does not succeed, the hard-liner counter response he may try is to use economic power to make it difficult for rebels to not comply.

Dimensions of orientation

12. Orientation of organisations[1059]	Top-down, formal, internal	Reciproque, informal, open-minded, empathy, external	Bottom-up, suspicious, external

Public-sector organisations with dominance of hierarchical governance, have a top-down, formal and internally oriented orientation. Network governance is informal, empathic, open-minded and reciproque. Because formal boundaries are not that important, a network organisation is both externally and internally oriented.

[1057] De Wit and Meyer (1999): Strategy synthesis.

[1058] Dixon and Dogan (2002: 184-186): Hierarchies, networks and markets: responses to societal governance failure.

[1059] E.g. Jessop (2003): Governance and metagovernance: On reflexivity, requisite variety, and requisite irony. Streeck and Schmitter (1985: 122): Community, market, state – and associations?

The latter also applies to a market governance style. In addition, the market orientation of autonomy brings about a bottom-up orientation, self-interest as a main value, and the predominance of competition makes the organisation to a certain extent suspicious.

13. Actors are seen as	Subjects	Partners	Customers, clients

The difference in terms of the dependency of actors leads to different 'labels': hierarchy requires rulers and *subjects*, networks build on *partners* and market governance frames actors as producers and consumers. The correct use of such terms is important regarding the management of expectations. A 'partner' expects a rather equal position, whereas a 'customer' expects a product or service with a good price.

14. Choice of actors[1060]	Controlled by written rules	Free, ruled by trust and reciprocity	Free, ruled by price and negotiation

The logic of hierarchy leads to choose actors according to written rules. If there is a law that prescribes that certain NGOs or businesses, or governmental levels shall be involved, than that happens.

In a network logic, the rules for choosing partners are looser. However, there are quite strict criteria: trustworthiness and reciprocity, the latter meaning that partners must be willing to share ideas, knowledge and information. A market logic is different. Partners are chosen which can – in the end – contribute to one's competitive advantage. Price is an important variable.

15. Aim of stock-taking of actors	Anticipating protest/obstruction	Involving of stakeholders to get better results and acceptance	Finding reliable contract partners

A hierarchical administration needs to be informed about possible protest and obstruction by societal actors – and internal agents inside administration. Finding out who are the main stakeholders is, from a network perspective, important because of the practical knowledge they have and because involvement is a good means to enhance the acceptance of the

[1060] Assens and Baroncelly (2004: 7): Marché, Réseau, Hiérarchie : à la recherche de l'organisation idéale.

solution. Market governance investigates who will be good contract partners: who is reliable, professional and not expensive?

Dimensions of structure

16. Structure of organisations	Line organisation, centralised control systems, project teams, stable/fixed	Soft structure, with a minimum level of rules and regulations	Decentralised, semi-autonomous units/ agencies/teams; contracts

Most public administration organisations have a hierarchical, 'pyramidal' structure. In a hierarchical organisational structure power is centralised and project teams may be established for issues that are cross-cutting. When a network approach is chosen inside such an organisation, typically a process team (with a horizontal orientation) is installed, that profits from and is supported by a (vertically oriented) hierarchical structure. A typical market style organisation has business or profit units that compete with each other to get hold of the available resources. In several Dutch ministries nowadays, internal services have to be paid for by policy units. This market concept is an attempt to lower the total costs.

17. Unit of decision making[1061]	Public authority	Group	Individual

The main coordinating unit according to market governance is the individual: individual players compete against each other. Network governance presumes collective decision making among a group of actors. Hierarchical governance requires a (public, if the issue is a public issue) authority to take decisions.

18. Control[1062]	Authority	Trust	Price

Hierarchies are controlled through authority, networks through trust and markets through prices.[1063] Jessop characterises these governance styles as, respectively, the 'iron fist (perhaps in a 'velvet glove')', 'dialogue' and 'anarchy', showing the normative significance of this trichotomy.[1064]

[1061] Arentsen, (2001: 501): Negotiated environmental governance in the Netherlands: Logic and illustration.

[1062] Davis and Rhodes (2000:18): From hierarchy to contracts and back again: Re-

Hierarchy controls through oversight (inspections, directives, legal powers of intervention), network governance controls through mutuality (cooperative interaction, informal consultations, negotiating) and market governance relies on control through rivalry (competition, benchmarking).[1065]

19. Coordination[1066]	Imperatives; ex ante coordination	Diplomacy; self-organised coordination	Competition; ex post coordination

Public administration literature describes different *co-ordinating mechanisms* for each of the three modes:[1067] Hierarchies coordinate activities via rules, networks via diplomacy, and market governance uses competition. The typical conceptualization of co-ordination in government is top-down steering. This can work well in successfully integrated organisations but is ineffective when the organisation deals with complex, multi-stakeholder policy issues. Hierarchical coordination is ex-ante coordination through imperatives, using rules and regulations.

In market governance, co-ordination can be achieved 'by the invisible hand of the self-interest of participants'; this works well when 'buyers' and 'sellers' can be differentiated. In general, according to Peters, market co-ordination is not accepted in countries with strongly legalistic administrative cultures.[1068] Market coordination is ex post coordination through exchange. Competition plays an important role.

Network coordination is coordination through reflexive self-organisation. Less pluriform networks are less likely to co-ordinate effec-

forming the Australian public service.

1063 Davis and Rhodes (2000:18): From hierarchy to contracts and back again: Reforming the Australian public service.

1064 Jessop (2002): Governance, governance failure and metagovernance.

1065 Lodge and Wegrich (2005: 222): Control over government: Institutional isomorphism and governance dynamics in German public administration.

1066 Thompson (2003: 48): Between hierarchies and markets.

1067 Davis and Rhodes (2000:18): From hierarchy to contracts and back again: Reforming the Australian public service. Jessop (2002: 5): Governance, governance failure and metagovernance. Kaufman et al. (1985): Guidance, control and evaluation in the public sector. Thompson et al. (1991): Markets, hierarchies and networks.

1068 Peters (1998: 298-299): Managing horizontal government: The politics of co-ordination.

tively than others. Diplomacy is an important prerequisite of network coordination.

20. Transactions[1069]	Unilateral	Multilateral	Bi- and multilateral

Hierarchy is characterised by unilateral transactions. In a network approach transactions are multilateral. The logical type of negotiations is a mutual gains approach (MGA) to reach consensus. Essential is the differentiation between interests (what each participant in a group process seeks to achieve) and positions or demands (what people say they must have). A method like the mutual gains approach (MGA) aims at building a consensus (a unanimous agreement) on the basis of creating value according to the interests of the participants.[1070] Market governance logic leads to both bilateral and multilateral transactions.

21. Degree of flexibility[1071]	Low	Medium	High

The discipline and stability of a hierarchical organisation has the downside of a low level of flexibility. In a network context, flexibility may be medium to high, depending on the strictness of the agreed network rules. Loose ties in networks are more flexible, but the mutual commitment is lower. Market thinking also can be associated with medium to high levels of flexibility. Entrepreneurship implies that one is constantly looking for new opportunities. However, contracts may lessen this flexibility.

22. Commitment among parties [1072]	Medium to high	Medium to high	Low

Actors involved in hierarchical governance may have a medium to high commitment. Medium, because their creativity and knowledge may not be used. High, when they (have no choice than to) accept the rigid authority of superiors.

[1069] E.g. Susskind (1999: 6-18): An alternative to Robert's Rules of order for groups, organisations and ad hoc assemblies that want to operate by consensus.

[1070] Susskind (1999: 6-18): An alternative to Robert's Rules of order for groups, organisations and ad hoc assemblies that want to operate by consensus.

[1071] Powell (1991: 269): Neither market nor hierarchy: network forms of organisation.

[1072] Powell (1991: 269): Neither market nor hierarchy: network forms of organisation.

Network partners may also have a medium to high level of mutual commitment: the level of commitment depends on the interests at stake, their 'BATNA'[1073], and the level of trust in the network. Market governance actors may have a low level of commitment. Their commitment depends on the competitive advantage that the cooperation with (contract) partners produces.

23. Roles of communication[1074]	Communication about policy: giving information	Communication for policy: organising effective dialogue	Communication as policy: incentives, PR campaigns

Stakeholders are organisations (private-sector or non-governmental) that have 'something at stake' in a given policy case. Their interests are involved, and therefore they try to influence government decisions. Also inside administration, actors try influencing each other. Three approaches for communication with involved actors are distinguished, each with an affinity to one of the governance styles.[1075] In a hierarchical governance approach stakeholders are kept outside the decision-making process. Communication is confined to giving information *about policy*. In a market approach, governments may be looking for societal parties that can take over a specific public task. Communication may be used *as a policy instrument*: communication as policy**,** such as a PR campaign in order to stimulate self-organisation of society. In a network approach (also called participatory governance, which includes interactive policymaking), governments try to involve societal stakeholders in the making and execution of policies. This involvement can range from influencing the decision to real co-decision. In this case, communication is a means to improve the quality of the participation process: communication *for policy.* Communicating with(in) networks, is influenced by the fact that groups of people who share a large part of their definitions of reality, together, form a 'family'. They show what Termeer calls social or cognitive fixation. [1076] People

[1073] BATNA: Best Alternative to a Negotiated Agreement. The term was coined by Fisher and Ury (1981: 104): Getting to Yes: Negotiating Agreement Without Giving In.

[1074] Rijnja and Meuleman (2004: 35): Maken we beleid begrijpelijk of maken we begrijpelijk beleid?

[1075] Rijnja and Meuleman (2004: 35): Maken we beleid begrijpelijk of maken we begrijpelijk beleid?

[1076] Termeer (1999): Van sturing naar configuratiemanagement.

in one 'configuration' primarily talk with people from their own group and the group as a whole stops developing and acts defensively to outsiders.

Most communication officers have been trained in the first two types: giving information, and designing public relations campaigns. But the third type is relatively new and asks for new skills and training.

24. Roles of knowledge[1077]	Expertise for effectiveness of ruling	Knowledge as a shared good	Knowledge for competitive advantage

A hierarchical governance style usually builds upon accepted clear facts and expertise. There is no time (during calamities) or no need (with well-defined, structured problems, consensus about values and knowledge) to involve many parties in the knowledge basis for decision-making. Knowledge is an expert issue, and is used to enhance the effectiveness of top-down steering. Hierarchical governance to a large extent builds on a positivistic approach of knowledge.

If one is convinced that scientific and other knowledge for complex policy and decision-making processes should be organised together with relevant participants[1078], then in a network governance style joint fact finding and transdisciplinary knowledge development are useful approaches. Knowledge is a shared, common good. An illustration: The Dutch province of North-Brabant in the early 1990's concluded that a directive approach was not successful in convincing the local authorities that they had to modernise their land use plans. The province established a team of specialists which acted as a flying brigade that helped local authorities on the spot with their land use plans. The specialists did not just bring standard methods and knowledge but took part in a joint process.[1079]

According to Adler, it has been shown that compared to trust (network governance), price (market governance) and authority (hierarchical governance) are relatively ineffective means of dealing with knowledge-based

[1077] In 't Veld (2000): Willingly and knowingly. The roles of knowledge about nature and the environment in policy processes. Adler (2001: 215): Market, hierarchy, and trust: the knowledge economy and the future of capitalism.

[1078] In 't Veld (2000): Willingly and knowingly. The roles of knowledge about nature and the environment in policy processes. Bert de Wit (2003): New governance ideas and their consequences for knowledge management, research and innovation in the European Union.

[1079] Meuleman (2003: 235): Flexibly organising governance styles.

assets.[1080] This is an argument for developing a high network governance profile in governance mixtures in knowledge based organisations and in knowledge-intensive policy issues.

Market governance considers knowledge as a good that has a price. It is not a common good, but is owned and is used to enhance competitive advantage, for example by product innovation. As market governance, like hierarchical governance, builds on a rational vision on human actions, a positivist approach of knowledge is predominant.

25. Access to information[1081]	Partial: Segregated information	Partial: Fragmented inform.	Total, determined by price

The 'subjects' of a hierarchical approach have limited access to information. The power of the hierarchical governor is partly based on an exclusive access to certain information. In a network governance setting, information is in principle shared among the partners, however, it is fragmented: there is no procedure or mechanism that guarantees that *all* relevant information is shared. Market thinking does not exclude power games with information, but the main difference with the two other styles is that information has a price, and if one is prepared to pay that price, the 'buyer' may have a total access to information.

26. Context[1082]	Stable	Continuously changing	Competitive

A hierarchical governance approach requires a stable environment. Such a stable context (or rigid, depending how one values this) is strived for using clear and detailed instructions, rules and procedures. In a network governance approach it is not accepted that the context continuously changes, but this is considered an advantage compared to rigidity: it offers more new and unexpected opportunities. The context of a market governor is flexible and dynamic; however, it is 'ruled' by the mechanism of competition. A market approach would typically decline the option to invest time and resources in consensus building.

1080 Adler (2001: 215): Market, hierarchy, and trust: the knowledge economy and the future of capitalism.

1081 Assens and Baroncelly (2004 : 7): Marché, Réseau, Hiérarchie : à la recherche de l'organisation idéale.

1082 Hartley (2004): Paradigms, prizes and paradoxes in governance and public management.

Dimensions of people

27. Leadership[1083]	Command and control	Coaching and supporting	Delegating, enabling

Most public sector managers and politicians have a preferred style of leadership. Hersey and Blanchard[1084] differentiated four styles of leadership for different situations: directing (s1 type), coaching (s2), supporting (s3) and delegating (or enabling; s4), that should be applied situationally.

These styles can be related to the three governance styles. A command and control leadership style relates well to a *hierarchical* governance style. A *network* style of governance relates to coaching and supporting styles of leadership. A *market* governance style typically relates to an empowering and delegating leadership style.

28. Degree of empowerment inside organisation[1085]	Low	Empowered lower officials	Empowered senior managers

One of the results of a leadership style (see above) is a certain degree of empowerment. A hierarchical organisation can delegate tasks, but only to a certain degree and with sufficient control. An organisation which uses network governance requires that officers involved in network processes are empowered to take decisions within a relatively broad range: they must possess a high level of discretion. In an organisation with primarily market governance, also the senior managers must have the freedom to take far-reaching decisions that make the organisation more efficient.

29. Relations[1086]	Dependent	Interdependent	Independent

The three ideal-typical modes differ in several relational aspects, like the dependency of actors, the type of societal interactions and the type of coordination mechanism.

1083 Hersey and Blanchard (1982): Management of organizational behaviors: Utilizing human resources.

1084 Hersey and Blanchard (1982): Management of organizational behaviors: Utilizing human resources (4th ed.).

1085 Peters (2004: 2): The search for coordination and coherence in public policy.

1086 Kickert (2003: 127): Beneath consensual corporatism: Traditions of governance in the Netherlands.

In terms of the relative *dependency of actors,* Kickert observes the following differences.[1087] Hierarchical governance puts public administration in a central role: other actors are *dependent.* Market governance is the opposite: societal actors are in principle *independent*, autonomous. In network governance, actors are *interdependent*. This leads to a projection of hierarchy and market as two extremes, with the network mode more or less in between. Mayntz[1088] already considered networks as a synthesis of hierarchies and markets, and also in economic transaction cost theory networks are considered a hybrid coordination form between market and hierarchy.[1089]

Kooiman distinguishes three different types of societal interactions, related to the three governance styles: interventions (hierarchy), interferences (self-governance, closely related to market governance) and interplays (co-governance, closely related to network governance).[1090]

30. Roles of public managers[1091]	'Clerks and martyrs'	'Explorers' producing public value	Efficiency and market maximizers

Hierarchical public managers are classical bureaucrats: they are servants, they are responsible for legitimacy and for administrating ('clerks'), and are 'martyrs' because, for the 'public cause', they have to fulfil their job in a command and control culture which may only to a certain extent require their creativity and entrepreneurship. Network managers are required to be explorative, always looking for added value through processes of dialogue and consensus building. Market managers must focus on efficiency and maximisation of their organisation's 'market'.

[1087] Kickert (2003: 127): Beneath consensual corporatism: Traditions of governance in the Netherlands.

[1088] Mayntz (1993: 44): Policy-Netzwerke und die Logik von Verhandlungssystemen.

[1089] Meyer and Baltes (2004: 36): Network failures – How realistic is durable cooperation in global governance?

[1090] Kooiman (2003: 23): Governing as governance.

[1091] Hartley (2004): Paradigms, prizes and paradoxes in governance and public management.

31. Competences of civil servants	Legal, financial, project management, information management	Network moderation, process management, communication	Economy, marketing, PR

Hierarchical governors tend to prefer staff with a legal or financial background, and line managers or project managers who focus on risk management and clear lines of command and control. Network abilities have meanwhile been added to the list of competencies public managers have to master (for example in the Dutch civil service[1092]). This includes not only being informed about the findings on the functioning of policy networks in public administration literature, but also about general characteristics of complex networks, such as the meaning of 'strong' and 'weak' ties in networks[1093] and the function of 'hubs' as hierarchical elements in networks and other recently discovered aspects of networks.[1094] Market governance requires that people focus on efficiency. A business administration or marketing background is useful.

32. Values of civil servants[1095]	Law of jungle	Community	Self-determination

Laske's individual development stages S2, S3 and S4, which were related to hierarchical, network and market thinking respectively (Section 7.2.6), are characterised by the law of the jungle, community and self-determination. According to Graves' system of values, hierarchical people are authoritarian, loyal to truth, obedient, disciplined, and use a pyramidal organisation structure ('blue' level).

[1092] ABD (Netherlands General Administration Service) -list of competencies.

[1093] Granovetter (1973, The strength of weak ties) argues that it is important to have 'weak ties' (acquaintances) besides 'strong ties' (friends) because the former are able to provide information from distant parts of the social systems. See also: Granovetter (1983): The strengths of weak ties: A network theory revisited.

[1094] Barabási (2003): Linked. How everything is connected to everything else and what it means for business, science and everyday life. Watts (2003): Six Degrees: The Science of a Connected Age.

[1095] Laske (2006: 32): Measuring hidden dimensions. The art and science of fully engaging adults.

People with a network attitude are communitarian, and highly value equality, learning from others, openness and trust; leaders are facilitators ('green' level). People with a predominant belief in market governance are driven by other values: being entrepreneurial and rational, striving for personal success, emphasising money rather than loyalty, valuing competition and autonomy ('orange' level).

33. Objectives of management development[1096]	Training is an alternative form of control over subordinates	Training helps 'muddling through'	Training helps making more efficient decisions

Individual public managers may have a strong preference for one governance style, according their type of academic background (legal, financial and natural sciences versus social sciences) and personal preference (combined with the predominant style of their organisation). They therefore may tend to prefer a training programme that matches their 'beliefs'. This leads to the expression of different training needs.

From the viewpoint of hierarchical governance, "training prepares the organisation member to reach satisfactory decisions himself, without the need for the constant exercise of authority or advice. In this sense, training procedures are alternatives to the exercise of authority or advice as means of control over the subordinate's decisions".[1097] Market governors will prefer training programmes that provide management tools that help them making more efficient decisions. For network governance, training is aimed at helping public officials to learn how to 'muddle through'[1098] in an irrational, permanently changing multi-actor organisational environment, in which solving societal problems involves managing societal learning.[1099] An example is the method of learning communities: informal alliances or networks that allow people to learn from each other's experience.[1100]

[1096] Simon (1997: 13): Administrative behaviour. Termeer (1999: 92): Van sturing naar configuratiemanagement.

[1097] Simon (1997: 13): Administrative behaviour.

[1098] Lindblom (1959): The science of muddling through.

[1099] Termeer (1999: 92): Van sturing naar configuratiemanagement.

[1100] Scott et al. (2004: 20): Deliberative governance: Renewing public service and public trust.

Dimensions of results

34. Affinity with problem types[1101]	Crises, disasters, problems that can be solved by executing force	Complex, unstructured, multi-actor issues	Routine issues, non-sensitive issues

Each of the three ideal types hierarchy, network and market is typically more usable for dealing with certain types of problems than the other types. Hierarchical governance, with its carefully defined division of tasks, is successful in dealing with problems that can also be divided into clear sub-problems. This approach is for example useful when catching criminals or tackling a disaster. Government agencies who together are responsible for safety, for instance usually work with detailed emergency plans with a clear command structure. Complex, unstructured problems are better dealt with through some form of network governance. Dealing with uncertainty requires trust, empathy and dialogue between partners. Routine issues are the best example of problems that can be tackled successfully through market governance. Efficiency is a prominent objective.

35. Typical failures [1102]	Ineffectiveness; red tape	Never-ending talks, no decision	Economic inefficiency, market failures

[1101] E.g. EEAC (2003): European governance for the environment. Van der Ent (1996: 5): De rol van de procesbegeleider in onderhandelend bestuur.

Jessop has rightly argued that all governance styles have their own characteristic failures. Much of the critique on each of the styles (see Section 2.2 and 2.3) is related to such failures. A hierarchical organisation can operate like a well-oiled machine, without producing the impact that is needed. The fascination for procedures ('red tape') may make such an organisation slow. Networks can be very slow too, as regards coming to conclusions and decisions. A typical failure is that the deliberations inside a network become 'never-ending'. Market governance relies on economic mechanisms like the 'invisible hand'. However, we know that no 'market' is perfect and the results of competition may be quite unpredictable. A typical market governance failure is that the focus on efficiency leads to insufficient attention to the expected results. For example: the introduction of market governance in the Dutch health sector has produced efficient organisations which are criticised because they do not 'produce' care anymore.

36. Typical types of output and outcome[1103]	Laws, regulations, control, procedures, accountancy reports, decisions, compliance	Consensus, agreements, covenants	Services, products, contracts, out-sourcing, voluntary agreements

What does a public-sector organisation 'make'? This depends on the applied mix of governance styles. Public policy instruments are not inert: they present a particular representation of the issue at stake, and a specific problematisation of the issue.[1104] Typical products of a hierarchy are laws, regulations, control mechanisms, procedures, accountancy reports, decisions and compliance. These products are 'output' that can be measured.

Network governance does not aim at producing 'products' but at creating change in a consensual way. Kettl describes the StarLink case – a problem with genetically modified corn in the US – in which government

[1102] Jessop (2003): Governance and metagovernance: On reflexivity, requisite variety, and requisite irony.

[1103] E.g.: Van den Berg et al. (2001: Professional judgement), De Bruijn and Ten Heuvelhof (1995: Netwerkmanagement) and Hood (2003: Exploring variations in public management reform of the 1980s).

[1104] Lascoumes and Le Gales (2007: 10): Introduction: Understanding public policy through its instruments.

agencies "could not truly solve, or even manage the problem. At best, they could collaborate in framing a response".[1105]

Market governance typically produces services like social security and products like passports. Sometimes the result of a market governance approach is the out-sourcing of some of these services and products. Voluntary agreements of governments and market parties are a typical result of market governance. The Netherlands has a long history of using voluntary agreements in environmental policy.[1106]

[1105] Kettl (2002: 5): The transformation of governance.

[1106] Hommes and Smit (1989): Milieuconvenanten en de schijn van partnership.

Interviewees

Soil policy case the Netherlands

Case interviews: *Fred Kok* (former project manager pre-project), *Gerard Lommers* (Min. Env., program manager implementation Soil Policy Letter), *Ruud Cino* (Min. Env., unit head), *Jan Roels* (former Min. Env. unit head), *Hugo von Meyenfeldt* (then Min. Env. director Soil, Water & Rural Areas), *Kees Plug* (then Min. Env., director Local Env. Quality), *Jan van Vliet*, Min. Env., unit head), *Niek de Wit* (former project manager Soil Policy Letter), *Hans van der Vlist* (then Min. Env. director-general Environment).

Soil policy case Germany

Case interviews: Dr. *Günther Bachmann* (then member of the Soil WG, representing the German Environmental Agency UBA), Prof. Dr. *Wilhelm König* (then representative of the Länder in the Soil Working Group), Dr. *Volker Franzius* (German Environment Agency UBA), Dr. *Frank Glante* (German Environment Agency UBA), Prof. Dr. *Joachim Sanden* (then working at the German Environment Agency), Dr. *Fritz Holzwarth* (Federal Ministry of the Environment).

Background interviews: Prof. em. *Helmut Wollmann* (Humboldt University), Dr. *Albert Statz* (then Federal Ministry of the Environment), Dr. *Christian Hey* (SRU) and *Helge Jörgens* (SRU).

Soil policy case UK

Case interviews: *Ian Davidson* (then head of unit and leader of the Soil Team in DEFRA), *Judith Stewart* (project manager in the Soil Team in DEFRA) (30 March 2007, London), *Sharon Ellis* (then head of unit Soil, implementation phase, DEFRA), *Alan Taylor* (then head of division Forestry, Soil and Uplands in DEFRA).

Background interview: Prof. *Susan Owens* (member of the RCEP and professor at Cambridge University.

Soil policy case EC

Case interviews: *Paul Brouwer* (advisor Legislation and other Inter-Institutional activities, office of the director-general Environment, European Commission), *Leo Majer* (head of unit Environment, GMO and ge-

netic resources, DG Agriculture and Rural Development, European Commission), *Ladislav Miko*, director Protecting the natural environment, DG Environment, European Commission), *Niek de Wit* (project manager/desk officer, Soil Unit, DG Environment, European Commission).

Background interviews: *Alexander Italianer* (deputy secretary-general, European Commission, *David Walker* (director European Administration Academy).

Community policing case the Netherlands

Ad Heil (Chief commissioner District Paardenveld, Utrecht), *Martien van Zutphen* (programme manager Police Utrecht, District Paardenveld,), *Hans Spekman* (then responsible alderman, Utrecht City Council).

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