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Outsourcing planning

What do consultants do in regional spatial planning in the Netherlands

Jantine Grijzen

UNIVERSITY OF AMSTERDAM

Outsourcing Planning

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Outsourcing Planning

What do consultants do in regional spatial planning in the Netherlands

ACADEMISCH PROEFSCHRIFT

ter verkrijging van de graad van doctor
aan de Universiteit van Amsterdam,
op gezag van Rector Magnificus,
prof. dr. D.C. van den Boom
ten overstaan van een door het College voor Promoties ingestelde
commissie, in het openbaar te verdedigen in de Aula der Universiteit
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Jantine Grijzen

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Faculteit der Maatschappij en Gedragwetenschappen

List of Translations

Dutch terminology and organizational names are translated into English. To increase the readability of the thesis a short and simple translation is chosen. Below the translations used frequently throughout the thesis are listed. The translations of the Dutch terms not frequently used are given in the text in between squared brackets, i.e. area-plan [streekplan].

Translation	Dutch
City Region Arnhem Nijmegen	Stadsregio Arnhem Nijmegen (after January 1 st , 2006)
	Knooppunt Arnhem Nijmegen (before January 1 st , 2006)
Developmental planning	Gebiedsontwikkeling/ Ontwikkelingsplanologie
Ministry of Agriculture and Nature*	Ministerie van LNV
Ministry of Spatial Planning**	Ministerie van VROM
Ministry of Transport and Water***	Ministerie van VenW
National Plan Spatial Planning (First ~, Second ~, Third ~, Fourth ~, Fifth ~)	Nota Ruimtelijke Planning. (Eerste ~, Tweede ~, Derde ~, Vierde ~, Vijfde ~)
National Plan Space	Nota Ruimte
National Planning Service	Rijksplanologische dienst
Rijkswaterstaat****	Rijkswaterstaat
Scientific Council for Government Policy	Wetenschappelijke Raad voor Regeringsbeleid (WRR)
Spatial Planning Law	Wet Ruimtelijke Ordening (WRO)

* Official translation: Ministry of Agriculture, Nature and Food Quality

** Official translation: Ministry of Housing, Land-use planning and Environmental Management

*** Official translation: Ministry of Transport, Public Works and Water Management

**** Official translation: Directorate- General of Ministry of Transport and Water

Preface

This thesis started as a search into what contemporary planners actually do in practice and trying to place them in the perspective of their famous ancestors who thrived on big schemes and optimism about changing our future environment. As the age of over optimistic planning is now definitely over, contemporary planners have to work in a world filled with uncertainty, voices, citizen participation and awareness of the limits of state action. The starting assumption was that this urged planners to deal differently with knowledge, the way they derive at plans and how they aim to implement them. The idea was to learn from planners how they in their daily work dealt with these uncertainties and find practical solutions or stumble upon impossibilities.

Obviously this was a too ambitious goal for one thesis. Since, I hadn't left the school banks since I started Kindergarten, I decided to first look in practice what contemporary planning looked like and than focus my study based on these practical experiences. To my surprise "planners" were much harder to find than I had expected. At least the traditional ones: public officials employed by governments and graduated from one sort of planning school. Instead I encountered many "consultants" from various backgrounds being hired by governments for a short time and doing the actual planning work. Public officials seemed to have become to stand in the shadow of these hired guns. Did these mean the profession of planning was losing its demarcated boundaries? Were consultants the "new planners"? What were the mechanisms explaining the frequent hiring of consultants?

I found my focus for the thesis and the next four years I used to answer above questions: to grasp the meaning of the frequent hiring of consultants and it's consequence for the democratic legitimacy of planning and the way we organize government action. The result, you can read, in this book.

During my journey to find these answers I found that doing a PhD is not only about finding the right answers, but also about personal struggle, feeling lost and persisting. If someone would ask what is harder, giving birth, competing at an international level with rowing or writing a thesis, I would definitely say that doing a PhD is the hardest one. The people in my environment didn't always lighten my journey, but they definitely helped me to make it a much better one. Maarten you always encouraged me to go a level higher in thinking about my findings. Usually

with a few well pointed sentences you helped me gain perspective. Besides, you were always available when I needed you, whether you were in New York, Amsterdam, Helsinki, Den Haag or some place else. David, I cherish our hour's long discussions that afterwards took me at least two weeks to think about and to find out that you had raised very good and helpful points. You are one of those valuable academics who always try to get the best out of people, bring them together and open your house for them. Dirk-Jan without you this thesis would probably never had come to its completion. You are the best partner I could ever wish for, and although I might not show it as often as I should, I am truly thankful for that. Betsie and Edgar, as with every challenge I took on, you were always there to help me out. You never hold me done, but just simply offered me a place to rest when I needed it. Martin en Marijke, thank you for being such a good support for me and my family.

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1. Introduction: Outsourcing planning

1.1 Research puzzle

This thesis starts with two observations. The first took place on a Tuesday morning in February 2005 in the offices of the Province of Overijssel, the Netherlands. I had accompanied a group of planners for a bi-weekly lunch meeting. The agenda for the day was a discussion of a flood prevention project called IJsseldelta South. The construction of a new arm for the river IJssel that was proposed to prevent flooding would have to be integrated with other development projects that were underway in the area. These included the construction of a railway line, housing and the development of new nature areas. During lunch, the planners discussed strategic issues that shaped the development of the project: What research still needed to be done? Where were disputes likely to arise and how could they be resolved.

Apart from my own presence as a researcher, there was nothing that would have suggested anything beyond standard practice in spatial planning to an observer. A group of technically-informed professionals were reviewing governmental action designed to address clear public interests (protection against flooding; preservation of the natural environment). This group of professionals, acting on behalf of the government, conducted a careful review of how public goals could best be accomplished given local conditions, what they knew about interests involved, and likely responses of citizens living in the area. This pervasive sense of the “conventional” at work changes, however, as details emerge about who the participants in the lunch meeting are. Only two of the nine people present are employed by the Province Overijssel. The other seven, including the project leader, are consultants working under contract with the province. There are no clear boundaries in the discussion that distinguish these two groups: no differentiation into responsible officials who ask questions and knowledgeable consultants who answer them, the project leader itself is a consultant, and both consultants and public officials engaged in discussions about what the province should do. The question that struck me as I sat in the meeting was, what does it mean for government when consultants become the majority in such a

conversation? Does this signal spending cuts on the part of the province? Does it suggest a loss of capacity among public officials? What does it say about how the democratic legitimacy of a large governmental project is secured when there is such a small involvement of public officials with direct accountability for the process and its outcome?

The second observation was of a “learning group” for regional spatial planners.. The groups were designed to help the planners learn from each other by discussing dilemmas they engaged in their daily work. Over the course of fourteen meetings in two different groups, I counted 198 dilemmas, 77% of which centered on problems about how to get governments and other actors in regional planning projects to cooperate and to make decisions. Only 15% concerned issues about knowledge: what knowledge was needed to do good spatial planning and how that knowledge could be mobilized in the planning process. Only 8% dealt with issues of participation in planning. Problems of coordination were the most urgent in their daily work. They pushed substantive concerns, like the connection between urban and rural areas and the accommodation of population growth and ambitions to empower citizens and provide opportunities to participate in the development of plans to the margins of the planners’ attention.

Observations like these help us see how regional spatial planning¹ is changing in the Netherlands. Spatial planning used to revolve around strong substantive knowledge. Comprehensive scientific data would drive the design of the optimal organization of the landscape for the common good (Dryzek 1989). During the middle of the twentieth century this technocratic practice of spatial planning became anchored organizationally in bureaucracy by planners working inside government organizations (Reade 1987, Goodchild 1990, Hoch 1994). Since the 1980’s this system has been under pressure to open up to other voices in

¹ Spatial planning will be used to refer to the group of urban, land use, environmental and regional planning. It is a translation of the continental European tradition to refer to this group of planning as “the ordering of space” (Ruimtelijke Ordening in Dutch and Raumordnung in German). Despite the fact that the term isn’t official English it has become commonly used in “Euro-English.” See for example the definition provided by the European Conference of Ministers responsible for Regional Planning in 1983: “Regional spatial planning gives geographical expression to the economic, social, cultural and ecological policies of society. It is at the same time a scientific discipline, an administrative technique and a policy developed as an interdisciplinary and comprehensive approach directed towards a balanced regional development and the physical organisation of space according to an overall strategy.” see http://www.coe.int/t/dg4/cultureheritage/Source/Policies/CEMAT/CEMAT_leaflet_EN.pdf, last visited August 13, 2009.

society and provide opportunities for direct participation by citizens and stakeholders. The time of modernist, centralized planning was declared to be over and planners were urged to focus on strategic questions at the regional level in interaction with stakeholders (Healey 2007). In the Netherlands, this has triggered a search for an approach to spatial planning that is at once more democratic and more effective. Over the last ten years this search has taken shape in a variety of forms of “developmental planning.” The observations above suggest, however, that the democratic and substantive character of this search is also being affected by changes in who actually guides spatial planning and how it is shaped in practice. The wide involvement of consultants in regional planning suggest a pattern of “*outsourcing planning*” that puts the substantive articulation of policies and the involvement of citizens and stakeholders in the hands of private actors. This raises the prospect of an “emptying” out of government in which spatial planning is organized and performed outside of government auspices with sobering side effects as public officials losing their capacity to plan. Deepening the emphasis on problems like coordination might “empty out” planning in another way: pushing substantive issues to the margins of attention and action. Both developments carry the risk of eroding the legitimacy of spatial plans and planning. Outsourcing the construction of houses is one thing, but when government outsources the very process making choices about whether and where to build those houses, core public interests are jeopardized. The system of democratic checks and balances that anchors legitimacy might itself be at risk when it is circumvented through the broad reliance on consultants and the correlative loss of transparency in the balancing of public and private interests. The emphasis on coordination puts at risk the substantive qualities that ground and legitimize spatial planning’s dominant role in shaping the future of our lived environment.

This thesis will explore how these two, seemingly disconnected, observations are related to each other. It takes the involvement of consultants in Dutch regional spatial planning as its starting point, and examines a series of questions about their involvement. What do consultants do in the practices that constitute spatial planning? Why are they hired on such a large scale? How do they relate to problems of coordination? What does their practice reveal about the changing character of political institutions and the place of expertise and what does it suggest about how core concerns for the quality and legitimacy of planning as a public concern will be sustained?

The reliance on consultants that can be observed in Dutch regional spatial planning is part of a broader pattern. In the UK, the use of consultants in the public sector increased by 33% between 2003 and 2006;

spending on these services totaled 2.8 billion pounds (~ 3.5 billion euro).² In the USA, the federal government spending on service contracts increased from 23 billion dollars in 1979 to 419.9 billion dollars in 2007.³ Some municipalities in the USA have become “contract cities,” in which hardly anyone is employed by the government anymore. Sandy Springs (Georgia), a city of almost 100,000 inhabitants has only four employees other than police officers and firefighters.⁴ In the Netherlands, the national ministries collectively spent 1 billion euro on consultants in 2007. 251 million euro went to hire consultants for “policy and advice.”⁵⁶ These outlays for consultants have been among the three topics most investigated by the Dutch local courts of audits – watchdog organizations that oversee the effectiveness of local government spending (Lokale Rekenkamers).⁷ At the same time, the courts of audits spent 42% of their own budgets on hiring consultants and advisory-companies.⁸ The municipality Goes even hired a consultant to examine how its dependency on consultants could be reduced.⁹

Journalists, politicians, and policy analysts have consistently emphasized the drawbacks of relying on consultants: high costs, a drain on knowledge and experience,¹⁰ hollowing out of the state,¹¹ privatization

² “Central Government’s use of consultants,” report by the comptroller and auditor general, HC 128 Session 2006-2007, 15 December 2006, National Audit Office.

³ www.fedspending.org, last visited October 29, 2008. This website is hosted by OMB Watch, an organization that makes figures of the Federal Office of Management and Budget publicly available. A service contract is a contract for professional and administrative services. Since 2001 the Federal Office of Management and Budget has published overviews of contracts for public services. The numbers from before 2001 are derived from a study of the U.S. General Accounting Office in 1991 and can’t be compared directly (U.S. General Accounting Office, “Government Contractors, are service contractors performing inherently governmental functions?” Washington DC GAO-GGO92-11, as cited in Henry 2001).

⁴ Dorrel, Oren, “Some new cities outsource city hall,” USA Today, September 14, 2006.

⁵ “Sociaal Jaarverslag Rijk 2007.”

⁶ In 2007 a new calculation method was used to determine the expenditure on consultants. Hence, comparison with previous years is not possible. However, a comparison of the years 1998-2006 shows the expenditure on consultants neither increased nor decreased, but rather went back and forth between 54 and 90 million (“Sociaal Jaarverslag Rijk 1998-2006”).

⁷ Lokale rekenkamerkrant, (1) 2004, p.2; Toets journaal van de lokale rekenkamer, 1 (3) November 2005.

⁸ Geeske Wildeman en Maarten Hoogstad: “Rekenkamers: professioneel genoeg om serieus rekening mee te houden,” Rekenkamermonitor 2006.

⁹ “Conflict in Haarlem over ‘te dure interim-manager,” NRC Handelsblad, Juli 7 2003.

¹⁰ Thom de Graaf, in: Rob de Lange en Fred van Wijnen, “Het geheime wapen van Job Cohen,” Vrij Nederland, June 17, 2000.

of policy articulation,¹² and limited (democratic) accountability. The leftist Green political party (GroenLinks) published a paper, “the coup of the sixth power,”¹³ which argues that consultants have become a sixth power in public planning, next to public officials (the fourth power) and the media (the fifth). In the US, the seemingly uncontrollable involvement of consultants in projects like the Big Dig in Boston has drawn scrutiny and criticism (see Textbox 1.1).

Textbox 1.1 The involvement of consultants in the Big Dig project in Boston

The Big Dig project is the most expensive highway project in the history of the U.S. It rerouted the interstate highway through the heart of Boston, placing a large part of it underground in a series of tunnels. In the twenty years of its construction, the Big Dig’s budget went from \$2.8 billion to \$14.6 billion. Events like the death of a motorist in 2006 when a ceiling tile fell, have raised lasting concerns about the quality of the project. The media criticized the close relationship between the government agency responsible, the Massachusetts Turnpike Authority (MTA), and the consultant agency, Bechtel/Parsons Brinkerhoff, that was hired to lead the project and oversee subcontractors. Over the twenty year life of the project, Bechtel/Parsons Brinkerhoff received \$2 billion for its services. According to the newspapers, the MTA exercised only limited oversight of Bechtel/Parsons Brinkerhoff, and Bechtel/Parsons Brinkerhoff itself failed to oversee subcontractors and sub-consultants.¹⁴ In 2008, Bechtel/ Parsons Brinckerhoff announced that it would pay \$407 million dollars in restitution for its poor oversight of the project.¹⁵

¹¹ U.Rosenthal en J.De Vries, “Ook topambtenaar trekt naar het veilige midden,” NRC Handelsblad, November 4, 1995.

¹² Paul Rosenmöller, in: ‘GroenLinks:ministeries steeds meer lege beleidsmachinerie’, Staatscourant, nr. 28, Februari 9, 2000.

¹³ “De staatsgreep van de zesde macht?,” Wetenschappelijk Bureau van GroenLinks, October 2001.

¹⁴ Murphy, Sean P., “The whistle-blower,” The Boston Globe, December 18, 2005; Beeman, Greg, “Editorial Opinion,” The Boston Globe, March 22, 2009; Bierman, Noah, “Years later, billions spent, Big Dig finally winds down,” The Boston Globe, November 20, 2007.

¹⁵ Lavoie, Denise, “Contractors to settle Boston Big Dig suit for \$450M,” Toronto Star, January 23, 2008.

In response to these concerns, many Western governments have sought to use formal policies to limit the use of consultants. One such policy states that governments in the US, should officially refrain from hiring consultants on “inherently governmental functions.” In the Netherlands, the official policy is the “only-if” principle: only if internal capacity is lacking are consultants to be hired.¹⁶ The figures above demonstrate that, even despite formal efforts, western governments have not found a way to decrease or even stop increasing consultant involvement in planning and other efforts to govern. How can we account for the disparity between the common sense that the hiring of consultants should be limited and the ongoing practice of hiring them on such a large scale? Can the level at which consultants are solicited, despite their negative image, be interpreted as a sign that they do add value for governments?

Textbox 1.2 Example of consultants hired for the substantive articulation of policies: landscape development plan for the city Culemborg

Consultants working for the engineering company Royal Haskoning were hired to make a “landscape-development-plan” [Landschapsontwikkelplan] for the city Culemborg. The landscape development plan aimed to enhance the “quality of the landscape” and included “implementation measures” for the next ten years, such as organizing a yearly day-for-the-landscape and creating a network of walking paths. The consultants did all the actual work of making the plan: they did interviews and historical research, they organized meetings and bicycle tours, they designed maps, and they wrote the text of the final plan. Other actors just “monitored” the consultants: public officials had a seat in a “municipal project group,” interest groups participated in a “soundboard group,” and citizens were invited to an information evening.¹⁷

¹⁶ “Meer focus op externe inhuur,” Ministerie van Binnenlandse Zaken en Koninkrijksrelaties, Den Haag October 24, 2004.

¹⁷ “Landschapsontwikkelingsplan Culemborg,” Eindrapport, April 3, 2006, and www.royalhaskoning.nl

(http://www.royalhaskoning.com/Royal_Haskoning/Land_and_Water/nl-NL/Projects/LandscapeNature/LOP+Culemborg.htm?ref=1) last visited: February 6, 2007.

Textbox 1.3 Example of consultants hired for the substantive articulation of policies: urban renewal in the city Hengelo.

The Dutch city Hengelo hired three advisors from two architectural companies (De Architecten Cie and Henket & Partners) to take seats on a supervision team of a large urban renewal project. The renewal project had become stalled due to conflicts between the city and private developers. The consultants renewed the cooperation between the city and private developers: they assisted with getting a vocational training school (ROC), a movie theater, a World Trade Centre, nightclubs, and health care facilities involved in the project, and they wrote a master plan for the area.¹⁸

It isn't only the number of consultants and costs associated with their hiring that are remarkable. What consultants *do* once they are hired might even be a more interesting question. Governments hire consultants for a wide range of tasks, from juridical advice to IT-services, technical research, interim-management, and organizational advice. From a policy perspective, the consultants who are hired to take part in the *substantive articulation of policies* are the most controversial. Like the consultants in the IJsseldelta South project described above, such consultants are hired to help design policies by writing policy proposals, acting as project leaders, and facilitating the involvement of citizens. Textboxes 1.2 and 1.3 provide two further examples of this form of involvement.

Despite a record of evidence that shows how central consultants have become as *policy actors*, and regular efforts by journalists and politicians to highlight and address potential problems with this practice, hardly any scientific attention has been directed at consultants work and influence in the public sphere.¹⁹ As a result, we know little about what consultants actually do once they are hired, why they are hired, and what the consequences of their involvement are. In order to be able to answer these explorative questions we need ways to understand the phenomenon of outsourcing planning. Is the outsourcing of planning a sign of the

¹⁸ Interview Peter van Wesemael, De Architecten Cie, December 12, 2005

¹⁹ The only two scientific studies I have found are: Guttman, D. and Willner, B., *The shadow government*, Pantheon, 1976; and Marver, J.D. *Consultants Can Help: The Use of Outside Experts in the U.S. Office of Child Development*. Lexington, MA: Lexington Brooks, 1980. In the Netherlands the only publication I could find was: Van Hout, E. "Soepele spijlen, inzet van externen als flexibiliseringinstrument in het lokaal bestuur," Sdu Uitgevers, 2006. However, the latter publication only discusses consultants hired for juridical, economic, and financial advice.

erosion of the state? Can consultants be seen as a special kind of planner in comparison to public officials? If consultants do the actual planning work, what is left for public officials to do? To grasp the involvement of consultants in the substantive articulation of policies this thesis first explores what consultants actually *do* in the projects they are hired for. Second, the thesis explores questions about the *meaning* of consultants for planning. How can we understand the involvement of consultants and what might that mean for the way we think and do planning? Thirdly, this thesis will address issues of the hiring of consultants and issues of *democratic legitimacy*.

In answering these three aims we should not assume that consultants are impeding the quality and democratic legitimacy of spatial planning just because they are “private actors.” Over the last thirty years planning has become less widely accepted as something the state should do. “Left wing” planners started to dispute the ability of the state to plan in the interest of less powerful groups in society. Citizens should start to organize themselves to plan without interference of the state. Planners were to support grassroots initiatives and empower citizens (see Jacobs 1961, Davidoff 1965). During the 1990’s, these radical and critical planning theories evolved into collaborative theories of planning: non-state actors and citizens should participate directly in the development of policies by horizontal cooperation (see Healey 1997, Innes and Booher 2003). From the “right,” the expanding state was criticized for its high costs and lack of efficiency. Planning should be left to markets and governments should begin to privatize and deregulate (see Hayek 1960, Nozick 1974, King 1976). Both the left and right thus called for a restriction of the role of the state in planning and for a larger involvement of the “private in the public.” As such, it isn’t self-evident anymore that planners are employed by states (Campbell and Marshall, 2002, Friedmann 2007). Consultants might have ways to enhance democratic legitimacy as well, and their wide involvement suggests this. As planning has become less of a state activity, the involvement of consultants can even be seen as a sign of shifting boundaries in the professional practice of planners, - and we might even be able to learn ways planners can improve their way of working from consultants.

As this is the first qualitative study into the phenomenon of hiring consultants in regional planning, this introduction will start with exploring possible ways to grasp their involvement and to understand where the involvement of consultants in Dutch regional planning comes from. At first sight the most logical explanation might be that their hiring is linked to other forms of outsourcing and the aim to bring the “private in the public” aspired by reforms of New Public Management in Western

governments over the last twenty years. However, other explanations are possible as well. As the two observations at the beginning of the introduction suggest, the involvement of consultants can be connected to problems of coordination and cooperation in regional planning as well. Two other ways to understand their involvement might be within the erosion of modernist boundaries (like between the public and the private) and as a loss of the capacity of the state to plan. These four possible explanatory frames will be discussed in the next paragraph.

1.2 Exploring ways to understand the involvement of consultants

1.2.1 As part of reforms of new public management

The wider movement to outsourcing is a logical starting point to make sense of the involvement of consultants in western planning systems. Over the last twenty years, initiatives to privatize, outsource, and decentralize public services and to cooperate with private stakeholders pursued under the banner of “New Public Management” have minimized the state (Flinders 2006). New Public Management (hereafter NPM) grew out of the new-right critique of expanding welfare states in the 1980’s (see Hayek 1960, Nozick 1974, King 1976). Proponents of NPM argued for reliance on private markets as a way to improve efficiency, and thereby reduce the cost of public services, and for the introduction of managerial oversight to control implementing organizations through measures like performance indicators, league tables, and contracts (Osborne and Gaebler 1992, Pollit and Bouckaert 2000, Campbell and Marshall 2002).

Hiring consultants is consistent with the NPM approach as a strategy to enhance efficiency by having private agents compete for assignments. The risks created by the move from hierarchical oversight to a market are reduced, in theory, by the use of contracts to create accountability and align incentives, thus solving the principal-agent tensions that threaten such arrangement. The agent, in this case the consultant, is hired to act on behalf of the principal, in this case the assignment giver. The principal-agent problem refers to the ways in which the interests of the agent can diverge from the interests of the principal (Holstrom 1982, Milgrom and Roberts 1992). NPM arrangements seek to reduce such tensions by aligning incentives

From a critical point of view such use of consultants raises several concerns. There is a risk that states will become “hollow.” Governments

that outsource, deregulate, and privatize core tasks run the risk of decreasing their power to do anything at all (Milward and Provan 1993, Rhodes 1996, Klijn 2002). States jeopardize their knowledge and capacity to plan when public officials become contractors who are divorced from the experience of governing and solving policy problems. Within NPM practice, business management tools like performance sheets, balancing, and internal accounting, are used to steer the work of public officials and hold them accountable for results. With this move, the “public-service-ethic of Weber” has increasingly been displaced by a “business” discourse that reduces public officials to managers (Nowotny et al. 2001, Flinders 2006). Another concern is that quality and democracy will be traded off for efficiency gains. Such steps can erode the legitimacy of planning in society (Campbell and Marshall 2002).

Accountability and transparency are key concerns in assuring a legitimate involvement of the “private in the public.” The need for accountability is especially strong for the wide variety of semi-privatized, semi-public bodies that operate in a “shadow area,” adjacent to government (Hood 1991). Quangos (quasi-autonomous non-governmental organizations) are a good example. These mostly executive organizations are not fully privatized yet provide public services like health care and public transport at arms length from government and political bodies. In 2004, some 3200 quangos employed around 130,000 people and spent 119 billion Euros of public funds in the Netherlands (Greve et al. 1999). The critique on quangos highlights the problem of oversight. The very distance that is supposed to help them function also makes them unaccountable (Greve et al. 1999, Ankersmit 2006). In a similar fashion, reliance on consultants runs the risk of decreasing transparency and accountability as consultants operate at a distance from the accountability structures that regulate public officials.

A fourth critique on outsourcing is that it creates conditions for clientalism (Verkuil 2007, Ankersmit 2006). Public affairs may come to be arranged through a system of personal favors and patronage between public and private actors. The “revolving door” through which former public officials are hired as consultants by the same government they worked for is a broadly used mechanism of this kind. Examples, like the public official who resigned from his job with the municipality of Maastricht to work as a consultant for the ministry of Traffic and Water on the same project for the same municipality -digging a tunnel under the A2-highway- are all too common. What changed most was his

compensation, which went to 1800 euro per day.²⁰ Guttman and Willner's 1976 study "The Shadow Government," showed how System Management reforms that were advocated in the US by large consultancy firms such as Arthur D. Little and McKinsey were later implemented by the same organizations. Beveridge (2008) showed a similar mechanism at work in the privatization of water governance in Berlin; the consultants that first proposed privatizing the water supply were subsequently hired to implement the program.

To summarize, the hiring of consultants might be regarded as an effort to promote efficiency through the outsourcing of public tasks to private entities and non-governmental actors. Advocates of NPM style reforms draw on principal-agent theory to mitigate the risks of delegation by establishing a relationship of accountability with the assignment-giver. Critics of NPM highlight concerns about diminished public capacity, accountability, clientalism, and the effects of such on democratic legitimacy.

1.2.2 As the erosion of modernist boundaries

Another way to understand the involvement of consultants is as part of a general pattern of the eroding of modernist boundaries between the public and private and between science and non-science. This pattern of historical and sociological changes, usually summarized as the rise of "network society," blurs the distinction between public and private as organizations cooperate across these boundaries to address shared problems or pursue shared goals. Fragmentation of the stable, modernist structures and boundaries that developed in the 19th and 20th centuries—bureaucracy, state, and society, etc—is both the cause and the effect of network arrangements. The boundary between science and non-science has also become less fixed. Nowotny et al. (2001) assert that the demarcation between traditional knowledge institutions (like universities and research institutes) and what they call "novel" knowledge institutes (like consultant companies and think-thanks) has started to break down as well. As traditional and novel knowledge institutes become involved in the same kind of work, clear boundaries between "science" and "non-science" break down. Interaction and cooperation between new and traditional knowledge advisors through joint applications for grants and research assignments from government further such erosion. The overall effect is that in the new network society traditional borders and institutions have become less important, and social and political

²⁰ G. Coerts, "Rumoer over de vergoeding van ambtenaar; ministerie weekt ambtenaar los," *Financieel Dagblad*, 22 september 2006.

organization has become more open and mutable (Castells 1996, Beck 1999, Rhodes 2000).

Consultancy firms can be seen as “novel knowledge institutes,” competing with universities, research institutes, and advisory councils for assignments and funding. A 2007 study commissioned by the Dutch Scientific Council for Government [WRR] showed a change in the pattern of advice giving (Den Hoed and Keizer 2007). In the past, traditional knowledge institutes were used to give independent advice to policy makers, usually through the formation of scientific advisory committees. In 1975, 386 permanent advisory committees were giving advice to the national government along with many temporary advisory committees (Den Hoed and Keizer, 2007). In the Netherlands the number and influence of these advisory committees decreased from the 1980’s on when they were cut back in the wave of liberalization and privatization. Concerns about the degree to which advisory councils were interwoven with politics also contributed to this trend. New competitors like ad-hoc advisory committees, university contract research, the Audit Commission and newly founded planning bureaus, emerged. The monopoly of permanent advisory committees was further broken by the practice of hiring commercial advisory and consultancy agencies for policy advice (Den Hoed and Keizer 2007).

Figure 1.1 shows the degree to which consultants have acquired a position next to scientific experts as policy advisors. Thirty-six per cent of the members of the permanent advisory committees on spatial planning issues at the national level are scientists working for universities. Consultants are not far behind however, in second place at twenty-three percent.

Figure 1.1 Members of permanent advisory committees in spatial planning

Source: composed from <http://almanak.overheid.nl/adviescolleges>, last visited September 11, 2008 and the websites of each advisory committee.²¹

To conclude, the increased involvement of consultants in spatial planning can be understood as part of a more general pattern of eroding boundaries between the public and the private and between science and non-science. In a network society, these boundaries can no longer be presumed, but get established in practice. From this perspective, the increased role of consultants is explained by the decreased salience of the boundaries that distinguish them from other policy actors. The professional boundaries between consultants, public officials and scientists become less distinct and perhaps less important when they increasingly take seats next to each other on advisory committees and give advice on the same policy problems. The question of how “private planners,” i.e. consultants, differ from “public planners,” i.e. public officials, becomes an empirical question. The answer might be that another distinction has become more important: those planners who are able to cope with challenges of the network society and those who are not, for example.

²¹ Counted are members of permanent advisory committees which are related to aspects of spatial planning (VROM-raad, Raad voor Verkeer en Waterstaat, Raad voor het Landelijke gebied, Raad voor de Wadden, Adviescommissie Water). Members with double functions are scored as 0.5 for each function).

1.2.3 As a result of problems of coordination and cooperation

Another starting point to understand the involvement of consultants is as a response to the increased complexity of the political and institutional landscape. As governments have become more dependent on other governments and organizations, and planning has become a collective matter, invariably requiring the cooperation of several governments and other actors. This “collective” character of planning creates problems of coordination and demands for cooperation in spatial planning. A variety of developments have contributed to this increased complexity in the governing landscape. The first are governmental reforms inspired by the already mentioned *NPM*, but also by *governance theories* and *collaborative planning*. One of the effects of *NPM* reforms is the emergence of a semi-sovereign state in which multiple interdependent public, semi-public, and private entities share responsibility for public affairs (Rhodes 1996, Klijn 2002). This blurs the boundaries over the responsibility for governing (Stoker 1998). As actors have become more interdependent and the state has decentralized its power, policies can no longer be controlled from the center (Klijn 2002). Planning and policy making become the activity of a diffuse, but interdependent amount of public and private actors.

Governance theories make a virtue of these developments. Horizontal steering through networks of interdependent public, semi-public, and private actors replaces hierarchical control and centralized steering increasing both the demand for and the possibility of cooperation and trust (Rhodes 1996, Klijn and Koppenjan 2000, Pierre 2002). Coordination in public administration is achieved through networks, as opposed to markets or hierarchies (Bevir 2004). The dispersion of power and administrative rationality sets the stage for more directly democratic politics organized through the involvement of stakeholders in planning and policymaking (Hirst 2000). Effective government is not a process of directly steering policymaking, but of enhancing the capacity of interdependent networks of actors to react to problems, generate knowledge about them, and create consensus about action. It also refers to the resilience of these arrangements and capacity of actors in policy networks to collectively learn (Sabatier 1987).

Network theory highlights how governance can emerge in horizontal networks of public, semi-public and private actors. In this network, actors strategically pursue goals that set the rules of the game. These rules develop in the course of interactions, but then come to regulate the behavior of actors (Klijn and Koppenjan 2000). Governments can steer by managing these networks. Planners and other public officials become, first and foremost “network managers” who can enhance the

capacity to govern by: improving the cooperation between actors in the network (O'Toole 1988); changing the formal and informal rules of the network; enhancing shared perceptions (Klijn and Koppenjan 2000); and building institutions (March and Olson, 1984). When governments adopt strategies of indirect steering through creating and stimulating policy networks, problems of cooperation and coordination are increased. Networks increase the number of actors involved in policy making and as networks often lack formal institutional rules establishing the course of interaction, the likelihood of conflicts about how to cooperate is enlarged.

Collaborative planning theory, derived from Habermas' (1984, 1987) account of communicative action, also aims to replace technocratic rational planning with a new paradigm that emphasizes the communicative character of action and the prospects for a communicative rationality developing out of the interaction among diverse stakeholders (Harris 2002). Planning becomes an inherently interpretative activity, rather than the rational application of scientific knowledge to action. Planning is a form of organized interaction and communication (Healey 1997, Fischer 2003) in whose quality and legitimacy are determined by features like the inclusiveness and procedural equality of the communicative processes through which interaction and interpretation occur. Good planning is a process of creating a conversation in which arguments are exchanged on the basis of reciprocity and equality, and the development of the best argument establishes a dominant meaning. Communicative or collaborative planning is also marked by its strong practical side, which some analysts mark by differentiating between communicative planning, the theoretical approach, and collaborative planning, its practical expression (see Twedwr-Jones 2002). I use collaborative planning because of its stronger resonance with planning practice. These practical resonances emphasize the importance of direct participation by citizens, and the need to create a 'level playing field' on which experts, citizens, and planners can interact as equals through the use of measures like organizing joint consultation on technical issues and avoiding jargon. The involvement of other actors such as interest groups, associations, and enterprises complicates the design of collaborative forums in which these diverse groups can meet in the common capacity as "stakeholders" "at one table" in an effort to develop consensus on policy issues (Innes and Booher 2003, Fung and Wright 2001, Young 2000, Fischer 2003). These tables may take different forms as soundboard groups, design ateliers, steering groups, citizen working groups, and so on. What they share is a pattern of diverse representation (interest groups, public officials of several governments, and experts) and a goal of collaboration through communicative interaction. The tasks of planners in

these processes are to create opportunities for lay citizens and stakeholders to provide input and to facilitate the collaborative process. The importance of coordination and cooperation is increased by the conflicts that often arise when such groups are brought together.

Government reforms inspired by NPM, governance and network theory and collaborative planning theory have increasingly made governing a collective endeavor. Governments don't plan alone anymore and planners are increasingly occupied with problems of coordination and cooperation, both among government agencies and between governments and other actors. In the Netherlands this phenomenon is discussed in terms of the "administrative spaghetti" (Hajer et al. 2006) and "administrative thickness" (Soeterbroek 2004) that are created by overlapping informal and formal administrative platforms. These platforms have even given rise to a new profession: the "process manager" whose ambit is the process side of planning and policy making (Van der Arend 2007). The wide involvement of consultants in planning might need to be considered as part of this rise of process managers.

1.2.4 Loss of capacity to plan

A final perspective through which to look at consultants is as a sign of governments' and public officials' diminishing capacity to plan. The network society reduces planners' grip on their subject. Institutional practices become less stable and "institutional voids" develop in which there are *"no-pre-given rules that determine who is responsible, who has authority over whom, what sort of accountability is to be expected."* (Hajer and Wagenaar 2003:7). Citizens are less likely to be organized in stable and identifiable groups (e.g. trade unions). Instead they are mobilized on an "ad-hoc" basis around particular issues that have shorter duration (Hajer and Wagenaar 2003, Warner 2005). This makes it more difficult for planners to know which public to address and to anticipate which policies will achieve public support and which will not. The network society, in the view of many analysts, creates the need for a different kind of planner who can act as a meta-governor and is capable of steering indirectly (cf. Sørensen 2006). The hiring of consultants might indicate the disparity between the skills of public officials and what governing in a network society demands of them. Hiring consultants might be a practical strategy to fill this gap.

The decentralization, deregulation and privatization processes described above might have led to a loss of the capacity to plan within governments, as well. As said above, so many public tasks are placed outside governments that governments run the risk of becoming "empty states," in which public officials have lost the experience to plan, even

more so because they are reduced to “managers.” The large reliance on consultants can be seen as a reaction to this response of a loss of capacity within governments. This development could drive a vicious circle in which loss of capacity leads to greater reliance on consultants, which, in turn, further diminishes governmental capacity and knowledge. In the Netherlands Tjeenk Willink, the vice-chair of the Council of State²² has highlighted the cumulative effects of such a pattern. As public officials have become managers and substantive tasks have been cut or outsourced, public officials have lost the capacity to form qualitatively good policies, which urges them to hire more consultants. The result is increased dependence on consultancy firms for substantive knowledge and for process knowledge about how to develop policies, to the point where public officials are “hardly able to act as confident and competent assignment givers.” A side effect, noted by Willink, is that public officials have become merely instrumental, lacking “substantial interests” and concern for “diverse and different signals from society.” A final consequence noted by Willink is the loss of reproducible knowledge and the increase in procedural knowledge among public officials. As public officials are reduced to “mangers of process,” they lose knowledge and governing capacity to the degree that they can’t even act as assignment-givers to consultants.

Consultants might thus both been seen as a result of a loss of skills of public officials and as strengthening the loss of skills of public officials, when public officials hire consultants to compensate their loss of skills.

1.2.5 Conclusion

These four distinct starting points each provide a historical and theoretical explanation for the increased reliance on consultants in spatial planning. They also pose different ways to evaluate consultants’ involvement. As such, they can be regarded as possible “explanatory frames” generating hypotheses that can help grasp the involvement of consultants. As part of the reforms of NPM, the hiring of consultants can be understood alongside other forms of outsourcing efforts to enhance efficiency by bringing the “private” into the public. In the context of eroding modernist boundaries, the involvement of consultants can be understood as a decline in the borders that distinguish them from traditional public-governmental planners. The rise of problems of coordination and cooperation, suggests that the hiring of consultants be understood as a practical response to the

²² The director is Queen Beatrix. The advice of the Council of State has to be asked before implementing new national laws, as is laid down in the constitution.

increasing complexity of the governing landscape, partly caused by the rise of a network-society and normative reforms, whether NPM, governance theory, or collaborative planning. As a sign of a diminished public capacity, consultants are hired because governments are simply less able to plan. These explanatory frames each pose different evaluative questions. Proponents of NPM would ask whether the hiring of consultants makes the articulation of policies more efficient and effective. Those who reason from the starting point of the erosion of modernist boundaries, will not focus on consultants' problematic "private" status, but what boundaries are enacted in practice and with what consequences. Problems of coordination and cooperation highlight questions about how consultants help governments to work together. Finally, the reliance on consultants as a sign of a loss of a capacity to plan poses questions about the consequences of this and how these can be prevented. The explanatory frames are not mutually exclusive, and the involvement of consultants may be best understood through several or parts of the distinct frames. However these frames helps understanding what consultants do in planning and the wider context of governing.

1.3 Embedding consultants in shifting dimensions of democratic legitimacy in planning practices

The variety of ways in which the broad involvement of consultants in spatial planning can be plausibly explained provides a rationale for a detailed, explorative study of what consultants do *in practice* once they are hired. Prior research on what practitioners *do* has expressed a view of practice as shaping meaning, institutions and policies in and through action. Practice summarizes the way consultants deal with problems, standards, conflicts, questions of knowledge, and procedure in day-to-day interactions (Wagenaar and Cook 2003, Hajer et al. 2006). It is in practices that policies get enacted, shaped, and molded: that they receive meaning, fail or succeed. From this perspective, if we want to know how consultants deal with policy problems, it makes sense to look to the daily struggles in their work. It is not that existing institutions, laws, theories, and regulations don't matter in the analysis of practice, but rather that, in practice, we can see how institutions, laws, theories and regulations acquire specific practical meaning in their *enactment* (Mol 2002, Butler 1999, Weick 1988). The analysis of practice provides a tangible way to grasp the wider policy context in which a practice is embedded: the practices that constitute the involvement of consultants can teach us something about Dutch spatial planning, by looking at how the consultants enact these changes in the current institutional environment.

Practice has drawn interest as an analytic approach in parallel with the recognition of the contingent character of democratic legitimacy in planning (see Laws and Hajer 2006, Cohen and Sabel 1997). Until the 1980s, planning practice was distinguished by its rational approach in which scientific knowledge was applied to planning problems. The very name ‘technocratic planning’ captures this orientation. Critiques of this normative foundation disputed that scientific knowledge could provide a singular and consensual legitimate basis for planning that could be justified by the linking between knowledge and action. The critique of state-centered rationalist planning has invoked a search for open ways of planning, that can accommodate the participation of a wide variety of stakeholders and draw on different kinds of knowledge in order to realize distinct and diffuse ends. Planning has lost a self-evident legitimacy anchored into the common good (Allmendinger 2001, Friedmann 2007). This means the legitimacy of planning practice cannot be presumed anymore, but needs to be established by the way planners actually deal with issues of participation, knowledge, and decision-making in the daily practice of planning. To accommodate a view on democratic legitimacy as contingent and practice-oriented this thesis will develop a normative framework to assess the democratic legitimacy of consultants based on ideas of direct-deliberative democracy and interpretative policy analysis (see the next chapter). This framework will allow us to avoid presumptions about how the involvement of consultants affects the democratic character of planning. Rather I will look in the practice of planning for mechanisms by which the involvement of consultants enhances and impedes democratic legitimacy.

1.4 Contextualizing: consultants enacting a new kind of Dutch regional planning

During the last decade the boundaries of “legitimate” planning have shifted, contributing to a search for a new kind of spatial planning in the Netherlands, which can be summarized as “developmental planning” [gebiedsontwikkeling]. Developmental planning aims to overcome the limits of centralized, sectoral and procedural planning by focusing on specific areas and developing plans through an interaction among stakeholders, including government. Developmental planning has been organized primarily at the regional level at which the “institutional void” has been experienced strongly (Hajer 2003). Precisely because the regional level has fewer institutions, rules, and procedures, it offers a good site to explore changing “patterns of new kinds of interaction” between

society and government (Van Tatenhove 1996). The search for and experiments with a new way of planning make Dutch regional spatial planning an interesting research context in which to examine how consultants negotiate the boundaries and legitimacy of planning.

Chapter three of this thesis elaborates the developments of Dutch spatial planning sketched above. It provides the policy context in which the involvement of consultants will be researched. Moreover, it formulates more concrete hypotheses about the meaning of consultants in planning. Chapter four and five discuss the involvement of consultants in two concrete regional planning practices: the IJsseldelta South project and the City Region Arnhem Nijmegen. In both practices regional governments try to solve immediate demands of action and, thereby, search for a new way of planning that is more collaborative and aimed at “development.” Consultants played a central role in both instance of planning practice, both in articulating policies and in developing a new approach to planning.

Many of the developments sketched in this introduction have made regional practices more important. In light of the reforms of NPM, tasks that were previously the domain of the central government have been decentralized to lower governments. Moreover, the central government has tried to take a less dominant role in spatial planning, through measure like stimulating the development of regional plans, rather than formulating the precise content of policies in national plans. In light of governance-theories and collaborative planning, many attempts to stimulate horizontal cooperative planning have been undertaken with direct impacts on the inclusion of local, regional, and nationally organized governments and stakeholders. This shifts planning to a regional level as a middle ground between local and national policies.

The final rationale for researching the practice of consultants in the context of Dutch regional spatial planning is the high level to which they have been involved in “developmental” and regional planning. They have been hired as project leaders of developmental planning projects or to articulate plans by making master plans, providing second opinions, and so on.

1.5 Summarizing Research questions and outline

The meaning of the wide involvement of consultants in the *substantive articulation* of policies in Dutch regional spatial planning and other western planning systems is the central research puzzle in this thesis. Consultants not directly engaged in the policy making process, such as

interim-managers, IT-consultants, and HR-advisors, are excluded. This introduction has sketched a variety of developments that help us understand what the outsourcing of planning means, resulting in a set of (sub) research questions. Table 1.1 provides an overview of these research questions.

Table 1.1 Research questions

1. What do consultants *do* in the regional spatial planning practices for which they are hired?

2. How can we understand the involvement of consultants in light of possible explanatory frames?

- As part of reforms of New Public Management (NPM)?
- As a sign of the erosion of modernist boundaries?
- As a result of problems of coordination and cooperation?
- As a loss of the capacity to plan?

3. In which ways are consultants able to impede/enhance democratic legitimacy of regional spatial planning?

a. Which normative framework can we use to assess the democratic legitimacy of consultants?

- on the level of the projects they are hired for?
- on the level of the personal accountability of consultants themselves?

b. Which mechanisms explain how consultants impede/enhance democratic regional planning?

c. What are the recommendations for hiring consultants resulting from this research?

4. What can we learn from consultants about the organization of spatial planning in government and the role of public officials?

The first level concerns how consultants might impede or enhance the democratic legitimacy of the projects they are hired for: for example, how does a consultant hired to chair a design atelier in which affected citizens design policy alternatives, enhance or impede the democratic legitimacy of that policy? The second level refers to the position of the

consultant himself. To whom and how is he accountable? The final question is what can we learn from consultants about the organization of spatial planning in government and the role of public officials? This is a “coin flip” question: if the development of policies is (partly) outsourced, what does this tell us about the development of policy within government? If consultants are hired to do the work that has traditionally belonged to public officials, what are public officials doing? The second sub question is, which mechanisms explain how consultants impede or enhance democratic regional planning? Since the data for this thesis is exploratory, no generalization to a population can be made. I look, however, for mechanisms that make it easier or more difficult for consultants to impede or enhance democratic regional planning precisely because they are consultants and not public officials. From these mechanisms we can arrive at recommendations for the hiring of consultants, answering the last sub question.

To be able to not just describe, but also reflect on the ethnographic research, the first chapters discuss a theoretical framework and the context in which consultants participate. Chapter two develops a theoretical framework to assess the way consultants impede or enhance democratic legitimacy. Chapter three discusses the history and contemporary context of Dutch spatial planning. Part two of the thesis will discuss empirical material. Chapter four analyzes the IJsseldelta South project; Chapter five examines the City Region Arnhem Nijmegen. In Chapter six, a mirror practice is been studied to “open-up” the practice explored in the Dutch cases, that of American Public Policy mediators. Like Dutch externs, these are independent consultants hired to mediate public conflicts between multiple actors. The study of the American Public Policy mediators will be used to reflect on the Dutch practice and to provide examples of how to improve the Dutch practice. Table 1.2 provides an overview of the thesis.

Table 1.2 Outline of the thesis

Chapter	Yield
PART ONE	
1. Introduction: Outsourcing Planning	Describing research puzzle Generating four explanatory frames to explore the meaning of the hiring of consultants.
2. Assembling democratic legitimacy in regional planning	Developing a normative framework to assess the way consultants enhance or impede democratic legitimacy. Discussing research method.
3. A search for a new kind of planning in the Netherlands	Describing the context of for the ethnographic research: Dutch regional spatial planning Raising more concrete hypotheses about the meaning of consultants for Dutch planning.
PART TWO	
4. Consultants and the “running train” of the IJsseldelta South project	Describing what consultants do in a regional planning practice. Exploring the meaning of consultants in planning. Finding mechanisms of the ways consultants can enhance/impede democratic legitimacy
5. Consultants and “light governance” in the City Region Arnhem Nijmegen	Describing what consultants do in a regional planning practice. Exploring the meaning of consultants in planning. Finding mechanisms of the ways consultants can enhance/impede democratic legitimacy Providing a comparative case to chapter 4.
6. Learning from American Public Policy Mediators	Providing a contrasting case to Chapter 4 and 5. Finding ways by which the Dutch practice of hiring consultants can be improved.
7. Conclusion: Outsourcing planning: Plethora or Khaos?	Answering and discussing research questions. Formulating recommendations for policy makers and consultants.

2. Assembling democratic legitimacy in regional planning

2.1 Introduction: Assembling democratic legitimacy in the IJsseldelta South project

In June 2005 Jos, the project leader for the IJsseldelta South project, gave a presentation at an official meeting of the municipal council of Kampen. Jos was a consultant hired by the province Overijssel. In the meeting the municipal council of Kampen had to decide whether it would approve the “*preferred scenario*” of the IJsseldelta South project. The preferred scenario makes a choice for the specific layout of a new river arm to be constructed on the territory of Kampen. The new river arm is needed to prevent flooding. The municipal council meeting was an important moment in the project because until that moment the municipal council had been opposed to building the new river arm.

If the municipal council voted in favor of the preferred scenario, could the preferred scenario then be considered as democratically legitimate? Before answering this question, we would probably like to know more about the way the preferred scenario was derived and how the municipal council reached its decision. Is the municipal council the body with authority to decide this issue? Which important choices had to be made to reach this policy outcome? Have sufficient studies been done into the safety of the new river arm? Who has been involved in the development of it? Who has been excluded? Is Jos, the consultant hired by the province Overijssel, the right person to give a presentation to the elected council of another government, i.e., the municipality of Kampen?

Let’s turn then to the question of how the preferred scenario was derived for a moment. Jos, the consultant-project-leader, started by talking to all kinds of “stakeholders”: representatives of interest groups, aldermen, and public officials. He also had “kitchen table meetings” with farmers, in which he learned whether some farmers might be willing to move to make room for the river arm. In addition to the consultant-project-leader, four other consultants designed five scenarios for the layout of the new river arm. The consultants reported to a project group

consisting of public officials of three ministries, two provinces, three municipalities, and two water boards. These governments all had some kind of formal authority or decision-making power about the river arm. Politicians of the same governments participated in a “core group.” The scenarios drawn by the consultants were used as input for a “participation round.” The participation round included an exhibition in a local library, information evenings in community houses, lectures at schools, and articles in regional newspapers. Citizens could also fill in questionnaires about which scenario they preferred. During the participation round farmers started to protest fiercely against the construction of a river arm, and this protest received a great deal of media attention. As a result the farmers were invited by the elected representative of the province Overijssel to design a sixth scenario with the help of the consultants who had designed the original five scenarios. The sixth scenario that the farmers designed crossed a railway at a technically difficult location. Technical experts of the governments and the consultants investigated whether the scenario of the farmers would be technically feasible. The sixth scenario did prove technically feasible, but extra costs were required to construct it. The elected official of the province Overijssel organized a meeting with two ministers (of the ministry of Traffic and Water and of the ministry of Spatial Planning) to ask whether they were willing to pay the extra costs. After the ministers agreed, the consultant-project leader combined the sixth scenario with the outcomes of the questionnaire and some demands articulated by the governments into a “preferred scenario.” Finally, the preferred scenario was presented to the municipal council for approval.

Let’s now go back to the question of whether the policy outcome of the preferred scenario is democratically legitimate? The account above shows the heterogeneity of this question in regional planning practices. We can’t pinpoint one decision-making place or formal decision, but only an “assemblage” (Latour 2005) of many places, contents, actors, and moments: from the “kitchen table” of farmers to a municipal council to a meeting with ministers. This might be especially the case in concrete regional policies, in which almost by definition multiple publics, rules, governments, and issues are involved. It is difficult to see the formal yes or no of one government (i.e., the municipal council of Kampen) as the yardstick of democratic legitimacy in a situation where at least ten governments have formal authority, as is the case in the Project IJsseldelta South. Also, the fact that all eight governments achieve consensus at a certain moment doesn’t solely indicate a democratic legitimate policy outcome, although it can be seen as quite an achievement in itself. Most important is how this “moment of closure” (Mouffe 2000) is

accomplished, and what and who is included or excluded from this consensus. Are the farmers developing their own scenarios representing other farmers in the area as well?

Achieving democratic legitimacy for *articulation of policies* can best be characterized as “multiple” (Mouffe 2000) or as a “politics of multiplicities” (Hajer 2009: 42-47). The dispersion of formal governing authority over a variety of governments, semi-public, and private institutions, and a more network-like society, as well as a more collaborative approach to policymaking has resulted in a dispersed process of decision-making. In today’s society democratic legitimacy can be reached in multiple ways, and it is mainly in the interplay and dynamics of these different ways that a policy process or outcome is made more or less democratic. A “multiple” approach to democratic legitimacy might therefore be more suitable for judging the legitimacy of policies than a situation where we try to pinpoint democratic legitimacy at one constitutional moment, i.e., elections, or one group of actors, i.e., the direct participation of groups of citizens.

In this view, consultants can enhance or impede democratic legitimacy in multiple ways. In the IJsseldelta South project, consultants were enhancing democratic legitimacy when they helped farmers to develop their own scenario, but were limiting democratic legitimacy when they were drawing the scenarios without direct input of citizens. Furthermore, consultants have to work and comply with existing formal procedures of democratic legitimacy, for example: rules for formal participation.

Rather than identifying norms for an ideal form of democracy, this chapter will develop a frame which is rooted in the existing democratic norms, historical notions, and institutions with which planners have to engage. These include formal forms of representative democracy, such as the approval of the municipal council of Kampen and informal forms of deliberative democracy, such as the involvement of citizens in the actual development of the scenarios themselves. Therefore, this chapter develops a multiple approach to democratic legitimacy, with each paragraph adding a layer. We will focus on the democratic legitimacy of the articulation of policies, rather than elections of representatives, fixing budgets, or designing laws. We will start discussing formal forms of representative democracy by characterizing the existing constitutional structure by what Dahl (1989) and Cohen and Sabel (1997) have called “polyarchy.” The second paragraph discusses mechanisms for accountable policy-making within polyarchies. We will then again follow Cohen and Sabel (1997) in sketching a situation in which existing polyarchies are strengthened by direct deliberative forms of policy making. Next, we will develop the

argument for forms of direct deliberative policymaking process further by pointing at the contingency of policy problems (paragraph 2.4.1), by seeing the policy process as a shared meaning-giving process (paragraph 2.4.2), by including a diversity of voices (paragraph 2.4.3), and by adding a contextualized view of knowledge (paragraph 2.4.4). Finally, we will discuss issues of connecting representative democracy to direct deliberative forms of democracy (paragraph 2.4.5). The discussion of direct deliberative forms within polyarchies will end with a general definition of the democratic legitimacy of the articulation process of policies. From this general framework of democratic legitimacy, we will operationalize the definition of democratic legitimacy by looking historically how democratic legitimacy for spatial planners has developed. In the next part, the accountability of the consultants themselves will be described by theorizing about the relationship between consultant and assignment-giver. The last paragraph will discuss the research method.

2.2 Planners working in polyarchy

Planners in western liberal democracies work in general conditions of *polyarchy* (Dahl 1989, Cohen and Sabel, 1997). Polyarchy refers to the long-established western liberal democracies in which all adults have rights of suffrage, political expression, association, and office holding; in which elected officials control public policy; citizens choose officials through free and fair elections; and information is shared and adequate. Polyarchies are not perfect democracies, but they have succeeded in creating peace, stability, freedom, prosperity, and the protection of individual rights (Dahl 1998: 221-222).

“an accountable system for the exercise of power, in which citizens are treated as equals, arguably helps ensure peaceful transitions of power, restrain the exercise of power by protecting majorities from minority rule, avoid at least some egregious violations of minority rights, and foster greater responsiveness of government to the governed (Cohen and Sabel 1997:319).”

In addition, polyarchies have an instrumental value. Polyarchies are not only characterized by liberal values, such as freedom or liberty, but by functioning systems of: elections, organizing government action, and arriving at policy decisions as well. In other words, polyarchies have institutionalized mechanisms for the formulation of *policies*. Cohen and Sabel argue that polyarchies are not enough though:

Furthermore, under the modern circumstances of political scale and social pluralism, polyarchical institutions are necessary for realizing fully an ideal of democracy (..) This said, however, polyarchy is

insufficient for full democracy (...) then, we use the term 'directly-deliberative polyarchy' for a form of polyarchy distinguished by the presence of a substantial degree of directly deliberative problem-solving (Cohen and Sabel 1997: 318)."

Cohen and Sabel accept institutions of polyarchy, but plead for a substantial degree of direct deliberative forms within them. For Cohen and Sabel, polyarchies are a kind of basic framework in which a more fundamental degree of democracy can be achieved by adding direct deliberative forms of decision-making. Before we will discuss what kind of direct deliberative forms are mentioned by Cohen and Sabel and why these are important, we will first discuss the established norms for policy formulation within polyarchies.

2.3 Accountable decision-making

In addition to ensuring some basic rights, political equality, and prosperity, polyarchies have provided at least three other mechanisms for a democratically legitimate exercise of public power: a chain of representative accountability; rules for open and accountable government; and norms for independent judgment. These mechanisms can be seen as norms for how policies are to be formulated *within* governments. They are based on the institutions of representative democracy. Within representative democracy the popular will is channeled through the election of decision-makers and there is a strict demarcation between elected officials and non-elected officials (Dunn D. 1999). Because elected officials are elected on the basis of their political viewpoints, and because they are the only ones who can be held accountable to the public through elections, elected officials are the ones who bear the main responsibility for making policy choices (also called the primacy of politics). Non-elected officials have to work policy choices out and are accountable to elected officials. Elected officials depend on fair and open information from the non-elected officials to hold them accountable. These workings of representative democracy install a *chain of representative accountability* for policymaking, starting with citizens electing officials to the elected officials holding non-elected officials accountable, and to citizens holding elected officials accountable. The chain of representative accountability means that consultants can strengthen the democratic legitimacy of policies by enlarging the primacy of politics. But weaken democratic legitimacy if they break through this chain. Consultants also have to be accountable to elected officials. This introduces the issue of assignment-giving. If a politician is the assignment-giver for a consultant, the consultant has to be accountable to

the politician directly. If a non-elected official is the assignment-giver, the question becomes one of how the consultant relates to the elected official. The relationship of accountability between a consultant and an assignment-giver is further discussed in paragraph 2.7.

The second set of mechanisms for the democratically legitimate exercise of public power is norms for *open and accountable government* (Dahl 1998). As said above, the basis of representative democracy is the exercise of the popular will through elections. Citizens can only exercise their popular will if they have sufficient information about the way elected and non-elected officials have governed. Norms for open and accountable government include: due process; rules about the openness of information; and internal rules of accountability of non-elected officials to elected officials. Also part of open and accountable government are Weberian bureaucratic procedures for *independent judgment* (Weber 2006). To realize political equality, non-elected officials have to act without inconsistency, unreliability, clientalism, or personal involvement. Citizens have to be able to trust that they are treated on the basis of impartial, rational, and careful consideration, and not on the basis of public officials' personal preferences or social relations. Most of these norms are noted in rules of good governance: for example, the legal norm to do thorough research before making a decision and the norm to reject citizen requests on the basis of substantive argumentation.

2.4 Deliberative democracy

2.4.1 *The contingency of policy problems*

Cohen and Sabel plead for more direct deliberative forms of policy making in polyarchies. Herewith they connect to the emerging dominant paradigm of deliberative democracy (see Fishkin 1993, Gutmann and Thompson 1996, Benhabib 1996, Forester 1999, Dryzek 2000, Hajer and Wagenaar 2003). The key to deliberative democracy is that those subject to collective decisions are enabled to participate in effective deliberations about those decisions (Dryzek 2000). Deliberation refers to the quality of communication, embracing values such as openness, accountability, reciprocity, and integrity, which enables participants to learn and change their views (Dryzek 2000, Hajer and Versteeg 2005).

Advocates of deliberative democracy argue that deliberative democracy does better fit contemporary society than representative democracy does. Since governments are not the central actor anymore in policymaking, deliberative democracy provides the opportunity for other actors to participate. A legitimacy gap between those who are elected and those who elect them has weakened representative democracy. This gap is

caused by low voter turnouts, citizens who are not politically interested to gather enough information to base their choices on, and a decrease in party membership (Fishkin 1995). Furthermore the increased level of education of citizens, a more individualized society, and the ability of citizens to raise their voices more effectively demands forms of democracy in which citizens have a real say in policies concerning them (Hajer and Wagenaar 2003). Another set of critiques on existing polyarchies concerns bureaucracies through which the norms for open and accountable government and independent judgment are institutionalized. Public officials can become a power on their own (the fourth power) against politicians, for example, because public officials can conceal important information from politicians (Held 1987:165-168).

More relevant for our focus on policies, however, is the critique put forward in Cohen and Sabel's article that existing institutions of democracy are not well suited to solving policy problems. Policy contexts are less stable and hence cause contingency to become more important in making policies work:

“where existing political institutions favor uniform solutions throughout a territory, the problems require locally specific ones; moreover, the environment is volatile, so the terms of those local solutions are themselves unstable (Cohen and Sabel, 1997: 322).”

As a result, democratic legitimacy cannot be presumed simply because procedures and laws are followed; rather, it has to be built up in practice. Policy practices have become the “breath chamber” of democratic legitimacy. It is the very quality of interaction of policy practitioners, citizens, and other stakeholders that produces democratic legitimacy (Laws and Hajer, 2006). As a consequence of the importance of context, practices, and interaction, democratic legitimacy can be produced in multiple ways; yet it is always contextual, as was illustrated by the IJsseldelta South project described above. The important question regarding the democratic legitimacy of policies is *how* democratic legitimacy is built in the concrete context of solving policy problems in a multiplicity of ways. The approach to democratic legitimacy developed in this chapter will accommodate this multiplicity.

2.4.2 Policy process as practices of shared meaning-giving

The multiple definition of democracy posed above and the focus on practices fits within an interpretative view¹ on policy processes:

“Interpretative approaches explore not only “what” specific policies mean but also “how” they mean –through what processes policy meanings are communicated and who their intended audiences are, as well as what context-specific meanings these and other “readers” make of policy condensations (Yanow 2000: 8).”

The relevant research question for an interpretative policy analyst is not whether democratic legitimacy is reached, but how it is reached. Through a contextualized understanding - or *verstehen* - of how policies receive meaning, the analyst is expected to take a “critical position” towards the policy process (Torgerson 1986:2). After explaining how democratic legitimacy is reached, the interpretative analyst will take an evaluative stance and ask in what way policy processes can be made more democratic.

Interpretative policy analysis regards policymaking as a *shared meaning-giving process* (Fischer and Forester 1993, Yanow 1997, Hajer and Wagenaar 2003). Policymaking is about making sense of what is happening, how to understand policy problems, and possible policy solutions. Meaning-making occurs through a process of interaction, talking together, working together, and making sense together. It is about perceptions, frames, attitudes, and methods becoming shared, but also about those that don't get included and shared. It is in the *practice* of planning that certain meanings become dominant over others. Interpretative policy analysts don't judge the legitimacy of outcomes by a set of predetermined rules or procedures, but by judging the *dynamics of the meaning-giving process through which policies are constructed and implemented*. This also enables a heterogeneous or multiple way of defining democratic legitimacy: it is in the interchange and adding up of a variety of ways in a dynamic of meaning-making in the practices of planning that policies are made more or less democratic. What planners *do* is thus not only about some kind of substantive quality of planning - we

¹ Collaborative planning theory (see Healey 1997, Innes and Booher 2003, Fung and Wright 2001, Young 2000), deliberative democracy (see Gutmann and Thompson 1996, Benhabib 1996, Forester 1999, Dryzek 2000, Hajer and Wagenaar 2003) and interpretative policy analysis (see Healy 1992, Fischer and Forester 1993, Yanow 1996) have a common orientation on practices of policy processes, a contingency, and a focus on interpretation and communication. The main difference is that collaborative planning theory grew mainly out of planning theory, deliberative democracy grew out of political science and interpretative policy analysis grew as a method used by post-structural social sciences'

want planners to effectively solve problems - but also about the democratic legitimacy of planning.

2.4.3 Diversity of voices in the policymaking process

An oft-uttered critique of deliberative democracy is that it upholds an over-idealistic ideal of the potential of deliberation, as if it generates good and fair outcomes by itself. Another critique is that deliberative democracy is too oriented at achieving consensus. Having consensus about a policy, doesn't always mean that the best outcome is reached. Also, the consensus can appear to be just a façade, which falls down once the policy needs to be implemented (cf. Harrison 2002). Another critique is that because deliberative processes have the tendency to defend the status quo because they are oriented at creating consensus (Cooke 1994, Yiftachel 1998, Hillier 1998a, Mouffe 2006). Because deliberative processes don't alter the existing power structures, the most powerful actors will probably get their ideas through. According to this perspective, deliberative and collaborative theorists neglect the "dark side" of planning: the mechanism that deliberative processes will be used for manipulation and strategic action (Hillier 1993, Yiftachel 1998, Flyvbjerg 1996). Also, "difference democratists" (cf Dryzek 2000) argue that deliberative processes presuppose a more homogeneous society and reckon too little with fundamental differences between affected stakeholders (Young 1996, Benhabib 1996, Mouffe 2000).

It can be questioned whether this critique is to the point, and if it is, it can easily be incorporated into the theory of deliberative democracy. Already the early work of Healey (1993) on communicative planning seemed to recognize the important place of conflict in collaborative processes by defining communicative planning as

"focusing on the arenas of struggle where public discussion occurs and where problems, strategies, tactics and values are identified, discussed valuated and where conflicts are mediated [emphasis added] (Healey 1993: 154)."

Forester (1989, 2006, 2009) has made issues of difference, power and emotions in planning one of his central themes. Deliberative democratists have thus been well aware of processes of antagonism, inclusion, exclusion, and power within the deliberative processes. They just argue that these differences can be better addressed through deliberative forms than through other forms of democracy. Not because in this way differences can be suppressed by rational argumentation, but precisely the opposite: interaction and talking to each other can provide a place for emotions, conflicts, and differences in the policymaking process (Forester 2009). In reaction to the critique of the lack of awareness of diversity and

conflict, deliberative democracy can be seen as a “democracy of contestation” in which deliberative spaces are created for testing and recognizing different claims (Rydin 2007). Following Forester those deliberative spaces refer to:

“those dialogic or deliberative spaces include the meetings (often the hundreds and hundreds of meetings) occasioned by the projects that planners and designers work on, and the related negotiations, discussions, project reviews, charettes, hearings, and review sessions that bring affected citizens, regulators, developers, and public officials face to face” (Forester, 2006: 63).”

The process of “contestation” – i.e. the accommodation of a diversity of voices- takes place in a variety of day-to-day meetings and not only in carefully designed deliberative platforms. It relates to the degree that different viewpoints are taken into account and confronted by each other in the shared meaning-giving processes shaping policy outcomes, including formal meetings, public hearings, brainstorm sessions, informal meetings with farmers, and so on. Direct participation of citizens and stakeholders in direct deliberative forms of democracy is not only about whether or not they participate in some way, but about the quality of participation as well: are a variety of voices really heard, and are these voices somehow integrated in policy outcomes?

2.4.4 Contextualized knowledge

Deliberative policy analysis incorporates a view of how to integrate knowledge in the policymaking process. Following Laswell (1951) deliberative policy analysts have searched for “a happy marriage of science and democracy” (Dryzek and Torgerson 1993:129) and a plea for the “democratic politics of expertise.” This search is grounded in a critique on scientific knowledge as an unproblematic basis for policymaking. Scientific knowledge is constructed (Kuhn 1962, Latour and Woolgar 1979, Latour 1987). This makes it possible that different political views, all based on sound scientific knowledge, can co-exist and that political values are integrated in knowledge on policymaking (Rein 1976, Fischer 1980). Another reason knowledge is considered political is that actors can use knowledge strategically. This phenomenon occurs if politicians from one side align their experts to fight the experts from the other side in a form called “advocacy science” (Majone 1984, Weiss and Gruber 1984). Another critique on the use of scientific knowledge for policymaking is that it ignores other kinds of valuable knowledge, mainly local knowledge and practical knowledge (Schön 1983, Flyvbjerg 2000). Scientific knowledge is abstracted knowledge, which is generalized and therefore hampers the integration of local knowledge of citizens and

stakeholders, which is context dependent and not generalizable by definition. Furthermore, uncertainty in scientific knowledge can run deep, from disagreement about outcomes to disagreement about the basic assumptions and methods to even contradicting paradigms regarding scientific knowledge (Beck 1995, Fischer 2000). As a result, scientific knowledge is never a good enough ground for policymaking. The application of scientific research requires decisions about priorities and about how to judge the meaning of certain data. This makes knowledge inherently political: the application of scientific results requires a discussion about politics as well.

Because scientific knowledge is political, value-laden, uncertain, and context dependent, knowledge should be “contextualized” (Nowotny et al. 2001): mobilized in the meaning-making process of policy formulation (Laws and Hajer, 2006). Within Science and Technology Studies (STS) over the last few years, a call has been made for the “robustness” of knowledge (Nowotny et al. 2001, Liberatore and Funtowicz 2003, Rip 2003, Jasanoff 2003, Rydin 2007). Knowledge is robust if different knowledge claims are “trialed,” debated and defended in forums or stages in which experts, laymen, and decision-makers cooperate. Scientific knowledge is thus still valuable for policymaking, but it should be “taken of the shelf” and co-produced, molded, or adapted in concrete decision-making processes.

The ideas of robust knowledge fit within the definition of democratic legitimacy as defined above. Knowledge is seen as “*inherently multiple, with multiple claims to representing reality and multiple ways of knowing*” (Rydin 2007:54).” As knowledge claims are multiple and need to be disputed, the process of the production and mobilization of knowledge becomes basically a part of the deliberative democratic process. It also fits within a view of the planning process as a “confrontation” of different values and interests. Knowledge claims are then to be part of the process of confrontation. For the definition of democratic legitimacy developed in this chapter, three points can be concluded. First, knowledge should be mobilized in deliberative processes to become part of the shared meaning-making processes that shape policies. Second, different kinds of knowledge (scientific, local, experimental, practical) from different interests are mobilized in these deliberative processes; and third, that these different kinds of knowledge from different viewpoints are confronted by each other to enhance the robustness of policy outcomes.

2.4.5 Connecting representative democracy, open and accountable government, and direct deliberative democracy

This chapter started by describing existing institutions within polyarchies. In polyarchies the democratic legitimacy of policies is determined by institutions of representative democracy and mechanisms of open and accountable government. These are formal institutions laid down in laws, rules, and procedures. To the contrary, direct-deliberative forms of democracy are usually informal and ad-hoc. In practice, policy articulation in institutions of representative democracy and policy articulation in direct-deliberative forms take place on different stages. For representative democracy these are direct and indirect elected councils and officials, like a municipal council, in which citizens and stakeholders have no direct say. Direct-deliberative stages and collaborative planning processes involve the direct participation of citizens and stakeholders on stages like soundboard groups, design ateliers, and scenario-writing sessions. A critique on deliberative democracy is that these informal deliberative processes don't fit very well within existing structures of representative institutions of democracy in polyarchies. Deliberative processes occur usually outside the formal political arenas, and elected councils and politicians can become disconnected from the forum where policies are actually made (cf. Papadopoulos and Benz 2006, Sørensen and Torfing 2007). This might hamper the primacy of politics, breaks through the representative chain of policy articulation, and violates norms of openness. In practice, planners and consultants often have to deal with both forms. A municipal public official who have reached agreement on a taskforce with public officials of other governments still has to get formal agreement of the alderman and the municipal council. In order to combine a notion of democratic legitimacy that both includes the formal representative institutions of polyarchies and direct deliberative forms, planners and consultants have to find ways to connect the stages of formal policy making with those of deliberative policy making, in other words: to connect intra-governmental decision-making with inter-governmental decision-making.

2.4.6 Conclusion: approach to democratic legitimacy

We have now discussed the several layers of a multiple approach to the democratic legitimacy of the articulation of policies. This leads to the following general definition of democratic legitimacy as: *a shared meaning-making process characterized by the quality of deliberation and contestation, in which affected citizens participate and different forms of knowledge are mobilized and integrated into formal decision-making structures*. This general definition is necessary to make clear that

democratic legitimacy is not a checklist of requirements that can be answered with yes or no responses. It is the *dynamics* of the whole of sense-making around policy proposals that makes policies more or less legitimate. The dynamic of shared meaning-making is contingent: it is about how in the concrete practices of day-to-day action democratic legitimacy is assembled. This general definition is too abstract to apply to empirical research. Moreover, it is not very explicit about sources of democratic legitimacy for spatial planners. The next paragraphs will further operationalize the general approach by discussing more specific “sources” of legitimacy for spatial planning.

2.5 Participation, knowledge and decision-making as sources of legitimacy for spatial planning

This paragraph will derive at three dimensions of legitimacy for spatial planners developed from a historical perspective. These three dimensions are: participation, knowledge mobilization, and decision-making. First the development of the modern planning ideal is discussed, followed by a discussion of the evolution of the modern planning ideal into the technocratic planning paradigm. Next critiques on the technocratic planning paradigm are discussed. Finally collaborative planning theory will be addressed.

2.5.1 *The modern planning ideal*

The origin of “spatial planning”² as a policy domain, profession, and theory as we now know it is usually located in the town planning in the beginning of the twentieth century (Hall 1988, Goodchild 1990). The overcrowded, decrepit, industrialized cities were a reason to start planning town expansions and urban development. Town planning *an sich* and planning in general occurred already many years before this, see for example the L’Enfant plan for the basic layout of Washington DC from 1791 and the redevelopment of Paris under Louis Napoleon (1853-1869). What was new was the emergence of the very idea of something like a general method, logic, or system of planning to shape the physical environment for the achievement of a “common good.”

For spatial planning the modern planning ideal developed around three sources: a *democratic claim, knowledge, and state action*. The democratic claim means that planners felt they could plan in the benefit of

² Spatial planning will be used to refer to the group of urban, land use, environmental and regional planning. It is a translation of the continental European tradition to refer to this group of planning as “the ordering of space” (Ruimtelijke Ordening in Dutch and Raumordnung in German).

the common good. The pioneers of town planning thought that through the proper design of the urban environment it would be possible to alleviate poverty, alcoholism, bad hygienic circumstances, and the moral decay in industrializing cities (Sies and Silver 1996). The pioneers who tried to apply this modern planning ideal were a wide variety of intellectuals, social reformers, business leaders, professionals, and officials. Examples are Ebenezer Howard, who introduced the concept of the “garden city” in which factory workers could retreat from the filthy cities, and Raymond Unwin, who developed standards for affordable houses with gardens and family privacy. A democratic claim - planning as an activity for the common good - was thus part and parcel of the beginning of the identity of spatial planning. This democratic claim wasn’t based on the involvement of citizens as we would nowadays define it, but on the expertise of professionals trained to act in the common good. Also “*linking of knowledge to action*” as later labeled by Friedmann (1987) became part of the planning tradition and identity. The planner was seen as someone who could arrive at the best plan for the greater good by looking into all relevant developments, using what another pioneer, Patrick Geddes, called an “eagle eye view.” Geddes also introduced the idea of “survey before plan”: before a plan was made, all kinds of knowledge about an area needed to be gathered. Planning couldn’t just be left to “the people,” but needed to be done by an elite group of skillful men.

The third characteristic of the early planning ideal is that planning was seen as a state activity. Although in the beginning of the twentieth century there were also private entities trying to implement social reform and some planning theorists advocating a more local, municipal and private planning (i.e. Unwin 1909), the dominant frame soon became that town planning reforms needed to be subject to state action (Scott M. 1969, Goodchild 1990).

2.5.2 The technocratic planning model

During the 1930s to 1960s, the above-described planning idea slowly started to evolve into a professional system of planning with institutions, laws, practices, and methods (Scott, M 1969). Accordingly, the professional boundaries of planning became more demarcated and narrow. The scientific model of knowledge was adopted, partly through the influence of the rising social sciences from the 1930’s onwards. There were some counter-movements (for example the radical community planning of Alinsky (1946)), but overall planning mainly became technocratic: on the basis of knowledge provided by experts and the use of scientific models “objective” and “rational” decisions could be made

without the influence of political views (Hall 1998, Scott, J. 1998, Nowotny et al. 2001, Fischer 2003). Planners were to be objective and rational professionals hired by the state (Perkin 1987) who used their scientific expertise to arrive at the objective means to reach political aims (Dryzek 1989).

In addition, planning started to develop as a bureaucratic profession (Durkheim 1957). According to Hoch (1994: 43) planners *“embraced professionalism as a source of legitimacy.”* Planners developed specialized knowledge and sets of skills (Campbell and Marshall 2005). Unlike older professions, such as lawyers and doctors, planners usually weren't working independently, but rather were employed within government organizations. Reade (1987) therefore distinguishes planners from the classic, longer-established professionals (such as doctors and lawyers) and calls planning *“a public service profession.”* The development of planning as a bureaucratic profession using scientific knowledge meant that planning became a governmental internal activity. The typical planner became the ideal Weberian bureaucrat: aiming to be objective by doing thorough scientific research in service of governments (Friedmann 2007).

Around the 1960's system planning and procedural planning strengthened the technocratic planning paradigm by expanding the values of objectivity and rationality to the process of planning (Dryzek, 1989). System planning saw the policy process as a mechanical system of human and natural elements (see McLoughlin 1967, Chadwick 1971). Scientific data on the functioning of these elements would improve the rationality of the planning process. Procedural planning claimed that plans should not only be based on scientific data about all aspects of the system, but that the decision-making process itself should become scientific as well. The policy process was seen as a mechanical succession of certain decisions, such as the P(lanning)-P(rogramming)-B(udgeting)-S(ystem) within American scientific management (Hall 1988).

Both the modern planning idea (described in the previous paragraph) and the technocratic planning paradigm provide planners with distinct sources of legitimacy. The very idea that planning can change the future for the common good by state action legitimizes the very existence of something like a *“planning function”* within the state or someone like *“a planner”* being employed by the state. Consultants working as planners contrast with this idea of a planner as working inside governmental bureaucracies. As such consultants challenge the historical definition of *“public”* planners.

2.5.3 Critiques on technocratic planning

In the beginning of the 1970's a variety of critiques on the modern and technocratic planning model started to challenge the traditional sources of legitimacy of planning. Scientific and technocratic planning didn't result in the ability to predict human behavior and to produce the desired outcomes (Hall 1980, Hemmens and Stifftel 1980, Healey 1993, Scott 1998). Procedural planning only resulted in gathering more and more data and an "objective" process to come from all this data to an end decision deemed to be impossible (Hall 1975). Citizen protests started to challenge the self-evident authority of the state and a financial crisis tempered the optimism of the possibility of the state to plan at all.

A variety of alternative approaches to spatial planning emerged during this period (Healey et al. 1982). The first alternative approaches were focussing on process, such as the incremental and implementation oriented approaches (Healey et al. 1982). These approaches pointed at a gap between planning theory and what happened in practice (see Lindblom's (1959) "incremental planning," Etzioni's (1967) "mixed scanning," and Pressman and Wildavsky's (1973) study on implementation). According to these theories planning wasn't a rational process, but a process of "trial and error" and "muddling" through. Planners had to deal with a bounded rationality (Simon 1956) and did not only use rational or scientific method to deal with that rationality, but skills, experience, and intuition as well.

The second set of alternative approaches can be summarized as critical theory (see Jacobs 1961, Davidoff 1965, Harvey 1973 and the early work of Castells (1978)). Critical theory did not only acknowledge limits to the rational process of planning, but also provided critique of scientific knowledge in the planning process as part of a critique on knowledge advice dominated by vested interests. The works of Kuhn (1962), Feyerabend (1975) and later Latour (1987) made clear that knowledge itself was socially constructed (Fischer 2003). Several views on what is right or real can exist based upon scientific knowledge, and political values are integrated in scientific knowledge as a basis for policymaking. Planning is embedded in social-political structures of power and exclusion, which makes planning inherently political. Ignorance of the power structures in society has caused the rational model to neglect less powerful groups in society. The planner as an expert was not objective, but aligned with elitists in capitalist society. Planning should instead become a bottom-up social reform activity from within civil society (cf. Friedmann 1987). Planners should become advocates for less powerful groups and empower citizens.

The effect of these critiques was that the important sources of legitimacy of planning were removed from their self-evident character. In the words of Friedmann (1987:128):

“There was a time when planners’ lode star was a notion of the common good. That notion turned out to be deceptive. What we imagined as the common good or the polis was always contested terrain. The common good cannot be assumed a priori, nor can it be determined by research. It is not a given. The public good is a notion of process; it emerges in the course of planning itself, and its concrete meaning is constantly evolving.”

It appeared that planning wasn’t always for the “common good.” Due to both new-right critiques as critical approaches of planning, planning wasn’t automatically seen as an activity of the state anymore, and planners began to work outside state organizations more often (Friedmann 2007). Second, incremental planning and the critical approaches to planning broke through the perceived unproblematic relationship between knowledge and action: the idea that planning could be rational and scientific became disputed (Friedmann 2007). As scientific expertise as a self-evident source for planning was lost, planners also lost their presumptive position as distant experts who knew what was best for society. The traditional sources of legitimacy for planning - the democratic claim, the linking of knowledge and action and planning as state action - became inherently problematic. This means that the legitimacy of spatial plans couldn’t be presumed, but needed to be established and secured by the way planners actually deal with issues of participation, knowledge, and decision-making in practice.

2.5.4 Collaborative planning

After this variety of critical and procedural approaches, a new dominant paradigm emerged in planning theory: collaborative or communicative planning (Allmendinger and Twedwr-Jones 2002, Rydin 2007) (hence forward called collaborative planning). Collaborative planning emphasizes planning as an interpretative activity. It derives from Habermas (1984, 1987) and aims to replace technocratic rational planning with a different paradigm, that of communicative action or communicative rationality (Harris 2002). Rather than a result of the rational application of scientific knowledge to action, planning is seen as the result of an inherently interpretative activity, which means it is a result of interaction and communication (Healey 1997, Fischer 2003). Hence the quality, inclusiveness, and equality of the communicative process through which interaction and interpretation occur determine the quality and legitimacy of planning. Good planning can be achieved by creating a conversation in

which arguments are exchanged on the basis of reciprocity and equality and a dominant meaning is established by the development of the best argument. As critical planning theories, collaborative planning believes knowledge is constructed and is critical to the role of experts. Claims of experts are not necessarily more valued in the policy making process than those of lay citizens. Types of knowledge and communication that are not scientific, such as practical knowledge and storytelling, deserve a place in the planning process as well (Healey 1997). Planners are seen as communicators facilitating citizen participation, rather than as autonomous, systematic thinkers (Campbell and Fainstein, 1996:11). By emphasizing communication and interaction, collaborative planning turns attention to what happens in the micro-politics of planning (Allmendinger 2002). It is in the concrete interaction between planners and citizens that democratic legitimacy gets established.

In addition to the theoretical side of collaborative planning summarized above, collaborative planning has a strong practical side including normative notions of how to shape the planning process (Twedwr-Jones 2002). The first practical notion of collaborative planning is that citizens should directly participate in policymaking. Since citizens aren't as prepared to participate in the planning process as planners and other experts, a 'level playing field' needs to be created on which experts, citizens, and planners can participate as equals. Examples of ways to create a level playing field are spreading information, avoiding jargon, and empowering citizens to enable them to participate. Not only citizens but other "stakeholders," such as interest groups, associations, and enterprises are to be invited as well. Usually one or several collaborative forums are created at which different kinds of stakeholders meet "at one table" to find consensus on policy issues (Innes and Booher 2003, Fung and Wright 2001, Young 2000, Fischer 2003). Collaborative planning conceives planning as something state and non-state actors should do together. The task of planners in collaborative processes is to offer the opportunity for lay citizens and stakeholders to provide input and to facilitate the collaborative processes.

Through its focus on interaction between planners, citizens, and experts, collaborative planning emphasizes the vision that the legitimacy of spatial planning is something that needs to be built up in the practice of planning. The three historical dimensions still have their defining character for planning, but each receive different meanings through the critiques on the technocratic planning paradigm and the emergence of the collaborative planning paradigm. The *democratic claim* that the expert planner knows what is best for citizens was transformed into a claim that citizens and stakeholders should *participate* in the formulation of plans.

Regarding the dimension of *knowledge*, it became recognized that *different kinds* of knowledge deserve a place in the policy process. Finally, planning isn't seen anymore as something only the state should do, but as something private actors or constellations of public-private actors can do as well. *Decision-making* was thus widened: from inside governmental organizations to private and semi-public actors.

2.6 Operationalization of democratic legitimacy

Planning as a policy domain and profession traditionally receives its legitimacy from three sources: participation, knowledge, and decision-making. These sources can also be found in the general approach of democratic legitimacy formulated in this chapter and will be used to operationalize the definition of democratic legitimacy in this paragraph by considering them as dimensions of democratic legitimacy. The idea of dimensions is derived from Tilly (2007). Although he uses other dimensions of democratic legitimacy,³ thinking of democratic legitimacy as a dimensional concept, as he does, helps to overcome a procedural approach in which a set of requirements is listed and scored. First, it shows that each requirement has a qualitative dimension and can be fulfilled to a greater or lesser extent. Second, it shows that the interplay between dimensions co-determines to a large extent how democratically legitimate a policy formulation process actually is.

In assessing the way consultants build or hamper democratic legitimacy, the question is thus not *if* democratic legitimacy is reached, but *how* and in *which ways* this could have been done better. Second, the dimensions need to be considered interconnected. It is important that participation, knowledge and decision-making are connected to each other. In the words of the general definition of democratic legitimacy above: a policy process in which citizens, experts, public officials and politicians engage in “contested” and qualitative deliberations and develop shared meaning.

Below follows an explanation of the three dimensions and their aspects, based on the points discussed in this chapter, summarized in Figure 2.1.

Participation refers to the involvement of citizens and stakeholders in the articulation of policies and the way citizens relate to

³ Partly because he is interested in a comparison between political systems of western and non-western countries, and the focus of this thesis is on policy formulation in western planning.

other actors involved in the planning process, such as consultants, experts, and decision-makers. As explained in this chapter, direct deliberative forms of decision making can be distinguished by the direct participation of citizens and the facilitation of deliberation among citizens, stakeholders, experts, and decision-makers. The *quality of deliberation*, i.e., the openness, accountability, reciprocity, and integrity that enable learning among actors, is a degree of democratic legitimacy in this dimension. The second degree is the way a *diversity of voices* is dealt with. Are a diverse set of interests included and listened to? The third degree is whether consensus reflects a process of *contestation* and exchange between different interests.

Knowledge mobilization is a catchphrase for different kinds of knowledge that can be mobilized in a policymaking process: scientific data, local information, technical models, and practical skills. It is important to include these *different kinds* of knowledge, and not to base planning on one type of knowledge, such as scientific data. Second, as knowledge for policymaking is neither neutral nor objective, knowledge presented from *different interests* needs to be included. This needs to occur *within the deliberative process*, which means that knowledge needs to be contextualized in the meaning-giving process. Finally, knowledge claims need to be *contested*, i.e., not taken for granted, but discussed and debated, before a conclusion is reached.

Decision-making refers to: 1) *intra governmental decision making*, i.e. the formal, representative decision-making procedures and settings within government. Intra-governmental decision making has been split in paragraph 2.3 into: a *chain of representative accountability, rules for open and accountable government*, and *norms for independent judgment*.; 2) *the coordination of inter-governmental decision-making*, i.e. coordination of informal direct deliberative decision-making procedures and settings that bring public, semi-public and private actors together; and 3) *connecting intra- and inter-governmental decision making*, i.e. the procedures and settings that connect formal government internal and informal collaborative decision-making.

Figure 2.1 Operationalization of democratic legitimacy

Democratic legitimacy is achieved by a shared meaning-making process around the formulation of policies characterized by the three dimensions of knowledge, participation and decision-making. It is Important that participation, knowledge and decision-making become connected in the shared meaning-making process.

2.7 Relations of Accountability

This chapter not only discussed the way consultants can enhance or impede the democratic legitimacy of the projects they are involved in, but also the way the personal legitimacy of consultants themselves can be strengthened. The personal legitimacy of consultants can be defined as the way consultants are accountable. Within a relationship of accountability, one person either can or can't hold another person effectively responsible for her actions (Dunn J. 1999). A general norm in polyarchies is that each individual policy actor is embedded in a relationship of accountability. For consultants this would be a relationship with his assignment-giver, which can be either a high-ranked non-elected official (i.e., a department head) or an indirectly elected official (like an alderman or another politician) or both at the same time. This paragraph will discuss ways in which a consultant can be held accountable by the assignment-giver, starting with principal agent theory.

2.7.1 Principal agent relationship

Principal agent theory (henceforth PA theory) is designed to conceptualize problems that can emerge from a relationship between a principal (i.e. the assignment-giver) and an agent (i.e. consultants) (Holstrom 1982). The principal hires an agent when he doesn't have the resources to do the job himself or to do it as well as an agent can do it: for example, when someone hires a real estate agent to sell his house. In a proper relationship, the principal gains from hiring an agent rather than doing the job himself. However, PA theory is based on the assumption that there is always a conflict of interests between the principal and the agent. The agent will want to maximize his interest: for example, a consultant who wants to do an assignment in less time than he gets paid for, while the interest of the principal is that the consultant spends more time and deliver better quality. PA theory is about creating incentives to let the agent act in the interest of the principal: for example, by agreeing upon payment per hour worked. Other incentives for the external agent might be a contract, the expectation of future work if the job is done well, and a no pay-no cure clause. Another problem the principal faces is information asymmetry (Akerlof 1970, Spence 1973, Sitglitz and Rothschild 1976). Because the agent is the one performing the task for which he is hired, the agent will have more information about it than the principal. This makes it more problematic for the principal to be able to hold the agent accountable.

In basic PA theory there are three types of relationships that can make a principal act on behalf of the agent: competitive, contractual, and coercive (Milgrom and Roberts 1992). A fourth one will be added in this paragraph: cooperative (see Figure 2.2 for an overview).

Competitive refers to the type of relationship we find among actors competing in a market. Because an agent wants to remain being hired by the principal and by other potential principals, he needs to build and maintain a reputation in the market. This is the idea with standard forms of outsourcing. You look for a market party for a particular service based on the assumption that the market party will perform this service more efficiently because the market party needs a competitive advantage in the market. Also, tender rules for the hiring of consultants work within this idea. Tendering is a way of achieving good performance through competition: because there is a market-driven selection, it is assumed that the best candidate is selected. The relationship of accountability is characterized by the moment the principal selects a particular consultant from among other consultants in the market. Incentives for the consultant to do his job well come from the need to maintain a reputation in the

market. The relationship of accountability between the assignment-giver and the consultant is mainly enacting at the moment of selecting the consultant from the market.

Contractual is another relationship of accountability we regularly find with outsourcing: both parties, the principal and the agent, are then bound by a contract. The contract states the tasks performed by an agent and how the agent is rewarded. The relationship of accountability is shaped by the incentives agreed upon in the contract, such as payment after the consultant has achieved certain goals. The moments of accountability occur upfront at the moment of hiring, when the contract is closed and the terms of the relationship are agreed upon, and afterwards when it is decided that everything has happened according to the contract.

Coercive refers to a hierarchical relationship we find within an organization between a supervisor and an employee, or between a public official and his department head. Incentives for the agent are things like continued employment and promotion, for which he is dependent on his supervisor. Here, the relationship of accountability is continuous. The principal can ask the agent to be accountable at any moment, or steer the agent at any moment. Because a consultant is by definition not in the service of the agency he is hired for, this kind of relationship of accountability doesn't really apply to the relationship between a consultant and an assignment-giver.

Cooperation is the final relationship of accountability. In such a relationship the incentive for the agent is to behold a reciprocal relationship of trust with his assignment-giver. We can find this kind of relationship between equal actors, for example between two cooperating aldermen. Deliberative processes are also based on these kinds of relationships, in which respect and trust are important values (Guttman and Thompson 1996). In a relationship of cooperation, the moments of holding someone accountable are continuous: they occur throughout the process of policymaking.

Figure 2.2 Types of relationships of accountability between an assignment-giver and consultant

In practice, all four relationships of accountability present themselves as a mix. However we can use the four types to describe and assess the relationship between consultants and their assignment-givers. Should it be predominantly a contractual relationship; or should a consultant be held accountable by his position in the market? This is partly an empirical question to be answered in the coming chapters; however, we can already say something about this relationship using the view of policymaking and democratic legitimacy articulated in this chapter.

PA theory is based on the assumption that an actor will maximize the achievement of his interests through a rational estimation of what's in his best interest. Herewith, PA theory fits within the New Public Management paradigm (NPM), as explained in the introduction. Through market-based incentives, such as contracts, monitoring, and performance sheets, consultants will make different estimations of their interests and change their behavior, to the benefit of the assignment-giver. Most standard outsourcing contracts and regulations are therefore based on PA Theory. Also, the existing policies for the hiring of consultants in western planning systems are based on NPM and PA theory: the existing tendering procedures and rules for awarding contracts are based on a competitive relationship of accountability. It can be questioned, however, whether these mechanisms also work if a consultant is hired for the articulation of policies. The hiring of consultants is a form of outsourcing in which authority or responsibility for a certain public task stays with the

assignment-giver. The hiring of consultants is thus not an outsourcing of authority or implementation, but of the substantive articulation of policies. If we see policy making as a shared meaning making process, the relationship between consultants and other actors is not one of *distance*: how can we transfer public responsibility?; but of *closeness*: how do consultants interact with and relate to other actors involved in the shared meaning making process? A shared meaning making process is given shape through developing a common understanding by exchanging experiences, problems, and language. Following the deliberative definition of democracy, the relationship of accountability between the consultant and the assignment-giver should be assessed by their mutual position in the shared meaning-making process *and* how they relate to each other in this process. This means it should be a relation of cooperation and trust, of closeness and mutual learning, rather than a distant one defined by incentives, monitoring, performance, and contracts. The cooperative relationship is therefore probably the most suitable to shape the relationship of accountability between an assignment-giver and a consultant from our deliberative and interpretative perspective on democratic legitimacy.

2.8 Research method

This chapter developed a conceptual framework to assess the ways consultants can hamper or impede democratic legitimacy on two levels: how they hamper or impede the democratic legitimacy of the policies they help articulate; and how consultants can be held accountable by their assignment-givers. This last section of the chapter will discuss the research method applied. The involvement of consultants will be researched by analyzing the dynamics of the meaning making process shaping the policies for which they are hired. This is done by making use of different bodies of data and research methods, explained in Appendix A. The central research orientation, however, is the analysis of the *practices* of consultants. Practice refers to the daily way of working practitioners develop within existing institutions and regulations (Wagenaar and Cook, 2003). A practice, as an analytical unit is the “whole of doing” of planners, including standards, criteria, ways of interacting, (practical ways of) knowing, language, symbols planners use, and story lines they tell (Wenger 1998, Yanow 1996, Wagenaar and Cook 2003). Research into what planners actually do deployed over the last twenty years has shown that analyzing the practice of planning is an important method in researching policy problems and changes (see Schön 1983, Healey 1992b, Forester 1999, Hoch 1994). The practice of

consultants will mainly be researched by an *ethnographic method* of observing consultants “in action” and by the development of *practitioner profiles* by performing interviews. The way both methods are used in this thesis is explained below.

2.8.1 Ethnographic method

The main characteristic of an ethnographic method is doing research at the moment and place where events are actually taking place (Latour 1987). By being there at the moments when events really take place, the researcher avoids the effect of “hindsight”: the researcher can interpret what planners do before a particular meaning becomes dominant or is ruled out. Another advantage is that physical, rather than just textual, aspects can be included in the analysis more easily. Another characteristic is that the researcher has access to a level of detail inaccessible by other research methods, such as interviewing or desk research (Geertz 1973, Becker 1998). In an ethnographic study the aim is not generalization to a population, but exploring research puzzles, finding the “unexpected” (Yanow 1996) and building new theory or invalidating existing theory. The researcher does this through an ongoing “conversation” between theory, context, and practice in which the researcher engages in several interpretative loops between detailed empirical material and theory (Glaser and Strauss 1967). As an outsider “inside” the researcher can provide new insights about practice and use these new insights to generate new theory (Woolgar 1988).

As with other methods, the researcher employs a variety of devices to enhance the validity and reliability of the ethnographic research. Those employed in this thesis include:

- *Making use of a wide variety of data.* A variety of sources and methods can be used, such as observations, interviews, document analysis, statistical data, tape recordings, photos, and movies. Reproducible sources (like documents and taped interviews) help to enhance the validity and reliability of the non-reproducible sources like observations and informal, non-taped conversations. In the ethnographic accounts in chapters four and five, the sources of the variety of data used are given in footnotes as much as possible. In both cases I had access to and made widely use of the computer archives. Furthermore, in both cases I did tape-recorded interviews with key players. Finally, I was allowed to tape record strategic meetings: in the IJsseldelta South case I tape recorded (and sat in on) the two weekly meetings of the project leader and the chairs of the taskforces. In the City Region Arnhem Nijmegen I was allowed to tape record (and attend) the weekly management team meetings.

- *Making use of the “I-voice.”* The researcher can enhance validity and reliability by giving insight into her own learning process, by making explicit which theories and assumptions are brought to the field, when the researcher was caught by surprise, what were important learning moments, and so on. Usually the “I-voice” is used to clarify the interpretative process of the researcher herself. In the ethnographic accounts I switch to the I-voice in such moments. Furthermore, the introduction and this theoretical chapter have clarified the normative view and assumptions I brought to the field.
- *Quality of the account:* does the account make sense; is there an internal logic; have elements been unaccounted for?
- *Contextualizing the findings:* sketching what is seen as the context in which the research occurs gives the reader ability to understand the ethnographic account in a wider setting. The next chapter describes the context of the empirical chapters (Dutch spatial planning).
- *Clarifying the analytical concepts used to generate an interpretation of the account.* In this chapter an analytical framework for understanding the achievement of democratic legitimacy in processes of regional policy formulation has been developed. Below, the analytical tools used to analyze the empirical account are described.
- *Expanding the moment of research:* by returning to the case or researching another case, the reflexivity of the account is increased. During the research the ethnographer can become immersed in the practice and lose her edge as critical “outsider in” (Schwartz and Schwartz 1995). By stepping out of the practice and researching another practice or coming back another time, the researcher can find other ways or new ways to look at the researched practices. In this thesis, this has been done in two ways. First, I researched two comparable cases (IJsseldelta South and City Region Arnhem Nijmegen) in the same context of Dutch regional spatial planning. Second, I researched a practice in a different context: I interviewed eleven American Public Policy Mediators (see chapter 6).
- *Checking the account:* the researcher can discuss her interpretation with the actors who were the objects of the research to see whether they recognize themselves in it. I held presentations about my findings at both Dutch cases. I had individual meetings with the key players of the cases to discuss the research findings. Furthermore, all paragraphs discussing the way of working of a particular person or using quotes of a particular person were checked and approved by those persons.

2.8.2 Practitioner profiles

In researching the City Region case and the American Public policy mediators, I made use of interviews, using the method of developing practitioner profiles. Practitioner profiles are practice stories derived from practitioners themselves. They are developed by case-oriented interviews. The goal of practitioner profiles is to get a detailed account of what consultants are doing (Forester 1999).⁴ In this way, a window into the practice of consultants is provided. Compared to the ethnographic method, this research doesn't collect direct observations, but rather looks through the eyes of the practitioner. This gives the researcher more insight into the dilemmas the consultant is facing and how he handles them. A disadvantage is that the researcher obtains less information about the setting the practitioner is working in and isn't able to "open up" the practice of the consultant by direct observation. To enhance the quality and validity of the profiles, I followed some guidelines to prevent steering the interviewee in a certain direction too much. I started the interview by explaining that I was interested in the consultant's daily way of working and dealing with problems he encounters. I intentionally didn't elaborate on my research topic too much. Next, I used an opening question that allowed me to "tap in," following the account of the practitioner: for example, I asked whether he could discuss a case. He would then start explaining the case and I would ask questions. Beforehand, I had selected four or five themes I wanted to discuss with each consultant. When this theme came up, I would ask questions about it geared to what the consultant did rather than ask directly what he thought of this theme. An example is the theme of neutrality in an interview with an American public mediator. When the public mediator would discuss the proceedings of the first meeting, I asked him how he introduced himself to establish whether he presented himself as neutral, and if so, how. At another moment in the interview, when the mediator discussed a conflict between two actors, I would ask whether his own position became disputable and what he did to prevent or overcome this. Furthermore, I tried to ask for details to compensate for interviewees' tendencies to present "concluding comments."⁵ I included questions like "can you describe a moment that was crucial for the success of the case?" and then asked detailed questions about that moment, and what the consultant did during that moment. Since you can't directly ask about things you do not know, asking for details is a good way to explore practice without steering the interviewee in a

⁴ Forester also developed a website about how to develop practitioner profiles. See <http://courses.cit.cornell.edu/practicestories/UP.htm>, last visited September 13, 2009.

⁵ See <http://courses.cit.cornell.edu/practicestories/UP.htm>, last visited September 13, 2009.

particular direction too much (Weiss 1994). All interviews are transcribed and interviewees have approved the use of the interviews as presented in the final version of the thesis.

2.8.3 *Condensations of meaning*

Interpretative policy analysts make use of a variety of analytical concepts to analyze the dynamics of the meaning-giving process, both textual as material. These analytical concepts can be seen as *condensations of meaning*:

“Interpretative philosophies contend that human meanings, values, beliefs, and feelings are embodied in and transmitted through artifacts of human creation, such as language, dress, patterns of action and interaction, written texts, sculpture (Yanow 1996:8).”

Condensations of meaning are thus artifacts such as language, sculptures, symbols, habits, and so on that can be used as analytical concepts to describe and analyze the dynamics of meaning-giving. Table 2.1 provides a description of those condensations used as analytical concepts in the empirical chapters of this thesis.

A distinction is made in condensations playing a role in two different temporal elements: an *episode* refers to a somewhat longer period important for the meaning-making process. A *defining moment* refers to a particular moment at a particular place in which a crucial event happens for the way meaning gets shaped: for example, because a moment of crises changes abruptly the authoritative meaning. The difference between an episode and a defining moment is the level of abstraction. An episode takes place at several stages and settings, and the condensations of analysis used are oriented to the language used by the actors to characterize the episode, such as storylines and frames. In addition to discursive elements, setting in which and episodes takes place can be storages of meaning as well. The setting refers to those aspects of the physical, geographical, and historical context of policy that are important for understanding the shared meaning making process going on. For example, the layout of an office can embody meaning, i.e., the top floor is reserved for the directors of a company, signaling that these are considered as the most important people for that company. Also, geographical surroundings can be part of the setting and can be used to explain why a certain meaning is given to an event or policy. For example, climate change might mean something different for a country with a coastline than for a country with only desert. Finally, the historical context explains how certain events are interpreted; for example, whether lightning is seen as a sign of God or as a result of electricity in the air.

In the analysis of a defining moment, the contextualized interaction of the actors involved is made central. Hajer and Uitermark (2008) developed the concept of “*staged performance*” for this type of analysis. A staged performance is:

“the way in which the contextualized interaction itself produces social realities like understandings of the problem at hand, knowledge, new power-relations (Hajer and Uitermark 2008:5).”

As a theater play, policies receive meaning through the stage, setting, props, and other dramaturgical elements (Edelman, 1964). The same words can receive different meaning at a municipal council meeting or at a public hearing. Verbs are used as condensations of meaning to emphasize the interaction occurring within a defining moment. However, the verbs do not always indicate intentional action or that meaning gets established as intended by the actors. To the contrary, staging, scripting, and the use of props can be used to explain why different meanings were established beyond the intention of the actors.

Table 2.1 Condensations of meaning used to analyze the dynamics of meaning making in a policy formulation process.

General concepts:

- *Actors*: the people playing an important role in the meaning-giving process.
- *Policy puzzle*: a summary of the complexities and problems central in the dynamics of meaning-making in a policy formulation process.

Condensations of meaning in an episode:

- *Frame*: a particular construction of a situation defining a problem and providing directions for solutions and future action (Rein and Schön 1997, Laws and Rein 2003).
- *Counter frame*: a competing construction of a situation.
- *Storyline*: a narrative of an ambiguous situation suggesting a sequence of events and a way actors relate to each other (Roe 1994, Hajer 1995).
- *Counter storyline*: a competing narrative.
- *Metaphor*: provides an understanding in the terms of something else. The “something else” provides cues about the meaning attached to the metaphor (Yanow 1996, Fischer 2003).
- *Symbol*: a clearly demarcated unit like a drawing, word or figure, mediating a complex of associated meanings in a time period.
- *Setting*: those elements of the physical, geographical and historical surroundings in which an episode takes place that are crucial for understanding how meaning gets established.

Condensations of meaning in a defining moment:

- *Staging*: the creation of a setting to facilitate interaction that produces meaning: for example, organizing a public hearing (Hajer and Uitermark 2008). Policy actors try to influence the meaning produced, but the interaction at the stage might develop in unexpected directions (Hajer 2009).
- *Scripting*: the development of story lines of actors providing cues for appropriate behavior on a specific stage (Hajer and Uitermark 2008).
- *Counter-scripting*: efforts of actors to undo the effect of scripts of other actors (Hajer and Uitermark 2008).
- *Using props*: the use of objects that are symbols of a particular meaning and that help enact a particular meaning in a defining moment, intended or unintended. Examples of props are pictures, drawings, and signs.

2.9 Conclusion: connecting knowledge, participation and decision-making

In regional policy processes, democratic legitimacy can be built in a multiplicity of ways. This chapter developed a normative view on democratic legitimacy that emphasizes the heterogeneous dynamics by which democratic legitimacy can be reached. It aimed to develop a view that fits within the existing institutions, practices, and rules that planners have to work within: polyarchy, but strengthened by direct-deliberative processes. This definition enabled me to search for a view of democratic legitimacy that integrates the “kitchen table” with the municipal council. Second, it allows me to take for granted certain general conditions of democracy, such as free elections, citizens having access to information, and public officials generally following the rule of law. Obviously, these conditions might be different for regional policies in other places of the world than in western democracies. To do justice to the contingency of regional policy problems and the view of policy formulation as a shared meaning making process, norms of deliberative democracy are also included.

The chapter developed a normative framework on two levels: first, the democratic legitimacy of the policies consultants are hired for; second, the “personal legitimacy,” i.e. accountability of consultants themselves. Regarding the first level (the formulation of policies) a “layered” approach to democratic legitimacy is developed. The first layer consists of three sets of institutions for the formulations of policies that are important within existing polyarchies: a chain of representative accountability; rules for open and accountable government; and norms for independent judgment. The second layer is formed by emphasizing the contingent and interpretative character of planning. Policy making is to be regarded as a dynamics of meaning making about how to make sense and deal with policy problems shared by policy actors. Democratic legitimacy gets established through the way this dynamics of meaning making is played out in practice. A third layer is added by following theories of direct-deliberative democracy: judging the policy making process by the quality and inclusiveness of the deliberation taking place. The quality of deliberation refers to the way different voices, types of knowledge, and rationalities are treated, and the degree to which a real process of “contestation” occurs. Another layer is added by the notion that knowledge ought to be “contextualized” so that the mobilization of knowledge becomes part of the meaning-making process. Finally, the co-existence of polyarchy and deliberative processes means that the different stages of representative democracy and direct deliberative democracy

need to be connected in order to achieve democratic legitimacy. Summarizing the above, we reach the following general definition of democratic legitimacy:

a shared meaning making process characterized by the quality of its deliberation, in which affected citizens participate and different logics of knowledge are mobilized and integrated into existing decision-making structures in contemporary polyarchies without undesired consequences.

This definition is more an approach to democratic legitimacy than a definition or set of criteria. Historically spatial planners derived their legitimacy from three dimensions: a democratic claim, the mobilization of knowledge and planning as state action. If we combine the general approach to democracy with these three dimensions of legitimacy we get a multi-dimensional approach to the democratic legitimacy of planning practices, summarized in Figure 2.1. Democratic legitimacy can be mainly reached through the connection and interplay of these dimensions (knowledge mobilization, participation and decision-making). It is by the combination of these three within the meaning-giving process that democratic legitimacy is “assembled.” The challenge for planners and consultants is how to connect and interlock dimensions of knowledge, participation, and decision-making into a shared meaning making process.

If we turn to the position of the consultant himself, it is important that he develops a relationship of accountability with the assignment-giver, characterized by a close relationship of trust and cooperation. Other possible relationships of accountability are competitive and contractual relationships.

Before we start investigating what consultants do in practice when they are hired, we will discuss the context of the research, Dutch spatial planning, in the next chapter.

3. A search for new planning practices in the Netherlands

3.1 Introduction

At an evening in November 2007, the president of the regional government of the City Region Arnhem Nijmegen, one of the ethnographic case studies in this thesis, gave a guest lecture for architecture students. He explained the view of the City Region on how to govern to them:

“We [the city region] have a view, which becomes slowly more common, which is called governance. The idea in the Netherlands still exists, that the government as we know it, that the government stands in the centre of the universe and gives assignments and determines who is going to live where, where infrastructure is laid down. We, ourselves, have a view that presumes much more interaction between the government and society. Herewith I don’t just mean the developers and private parties, but we do also all kinds of projects with science, with action groups, with societal groups. In short, we look much more to the outside world in developing our policies [emphasis added].”¹

The president explained that the City Region tried to make a shift in governance: from a centralistic government to a government that develops policies in interaction with “society.” In this quote we can recognize the shift from technocratic planning to more horizontal and collaborative forms of planning in planning theory. Moreover, it represents a search for a new kind of planning by the City Region. A year before the guest lecture took place, the City Region went through a reorganization to shift from an organization mainly “developing policies based on the optimal concept according to experts”² to an organization facilitating “winning coalitions of public and private parties.”³ The planners working at the City Region

¹ Jaap Modder, College Bouwacademie, November 7, 2006.

² Drs. Frank Beemer en Prof. Dr. Theo Camps, “Verbindend Bestuur, Verbonden Organisatie, Besturings- en organisatieconcept, KAN vernieuwt!,” Berenschot, April 1, 2005, Utrecht.

³ Idem.

Chapter 3

struggled with the new expected way of working. Take for example Sam,⁴ who worked as a policy analyst. For more than two years he had been doing analysis to prepare the legally required “Regional Development Plan” for 2005-2015. The president of the City Region saw the plan as the first opportunity to try the new approach. Because the president felt the public official of the City Region was writing the plan too much from an internal governmental perspective, the president hired a consultant to discuss the plan with stakeholders and write the plan based upon these discussions. Another example is Erik, a consultant working on a project to improve the air quality in the region. The City Region was asked by the province to join a collaborative project on improving the air quality initiated by the ministry; however, the project came to focus mainly on collecting data about the project and performing calculations. The president of the City Region feared the cooperation of the province would slow down the process too much through its focus on doing research and calculations, so he asked the planner to start developing his own regional policy alongside that of the province. The City Region Arnhem Nijmegen was thus trying to find new practices of planning away from a technocratic approach to a more collaborative, “governance-like” approach.

Also, the other ethnographic case study discussed in this thesis, the Project IJsseldelta South, was a search for a new planning practice called “developmental planning,” in which a wide variety of governmental partners and other stakeholders tried to develop an “*integrated plan*.” Both cases thus aimed for a planning that is more collaborative, horizontal, regional, integrated, and aimed at implementation. In doing so, a view of what planning should not be based on the technocratic planning model is represented: namely that planning shouldn’t be focused too much on doing studies and policy development. Planners and consultants working in both practices were trying to find ways to enact this “new” way of planning.

This chapter discusses the historical and policy context of this thesis by looking at what kind of planner practices are seen as emblematic of a certain planning period and what the main sources of legitimacy for these practices are. It shows how shifting expectations of what a planner should and can do are embedded in the historical development of a technocratic bureaucratic planning system and the subsequent opening up of this system. The search for new planning practices can historically be understood in the opening up of the planning system to other actors, expertise, and institutional arrangements. The chapter explores what kind

⁴ Sam is a pseudonym.

of planner practices are arising in this search and why so many consultant are involved in developing these practices. The words “planners” and “spatial planners” are used as synonyms, unless specified otherwise.

3.2 Expert Planning

The early years of the twentieth century are usually regarded as the beginning of a government system and profession of Dutch spatial planning (De Ruijter en Koopmans 1979, Faludi and Van der Valk 1994). Although governments already had a role in the planning of the Dutch landscape and environment since at least 1795, it was only from 1900 onwards that some systemizing and coordination in government action started to emerge (Van der Woud 1987: 28-29). The enactment of the first Housing Law in 1901, which gave the national government the right to interfere with housing and allowed municipalities to write “expansion plans” was an important turning point for government action in planning. The beginning of spatial planning occurred together with other social laws, marking the beginning of the intervention state of the Netherlands, such as the first law regulating child labour [Kinderwetje van Van Houten] from 1874.

At the same time that planning as an inherent part of state action started to emerge, a more or less coherent professional group of planners began to emerge as well. This professional group was well up to date on the international ideas about planning and adopted ideas like the City Beautiful approach, survey before planning, and garden cities. They also adopted the international modern planning ideal that planning should foremost be an action of the state for the general well-being of the people. From 1900-1920 planners started to see town expansions as a means to solve social problems like poverty, bad hygiene and alcoholism, and to achieve ‘social welfare’ (Van der Cammen and de Klerk 2003, Faludi and Van der Valk 1994). The first planners weren’t trained in solving social matters though: they were mainly civil engineers and architects educated at technical schools (Van der Cammen and De Klerk 2003). In the words of a well-known planner of that time:

‘(...) What do those nice façades, designed by an architect, give for guarantee that he is known with the demands of hygiene, with social laws and housing circumstances; what use does the civic-engineer have from his study in geodesy, theoretical mechanics, bridge construction, and so on, when he is called to advise on issues of sewerage and water supply, on issues of schooling and

the improvement of working-class houses (P.Bakker Schut in de Kroniek, O.c De Ruijter, 1983, 18 in: Van der Valk, 1990).'

The pioneer planners started to develop knowledge of social aspects of planning. After 1920 the idea that planners should have expertise about social aspects as well as technical and aesthetic aspects of planning expanded to an idea that planning should be based on all relevant knowledge of a particular area. A group civil engineers and architects who called themselves “*Stedebouwers*” developed. Originally *Stedebouw* was translated from the German “*Städtebau*” (meaning “the building of cities”) and was the Dutch component of the City Beautiful approach, mainly focusing on the aesthetic aspects of planning. However, between 1920 and 1940 *Stedebouw* developed as a movement that tried to unite various disciplines in planning.⁵ The leading men of *Stedebouw* were Van Eesteren and Van Lohuizen. Van Eesteren was an architect and was president of the CIAM (Congres Internationaux d’ Architecture Moderne) from 1930-1947. Van Lohuizen was educated as a civic-engineer and worked at one of the first town expansions (of Rotterdam) in the Netherlands. Van Eesteren and Van Lohuizen cooperated in the design of the new villages and agricultural land in the dry-makings of the Zuider Sea: the IJsselmeerpolder (reclaimed land of 1620 square km.). They also cooperated in making the first expansion plan of Amsterdam in 1934.

Following the British Geddes, Van Eesteren and Van Lohuizen felt that not just a part of a city should be considered while making plans, but the whole area should be considered in order to be able to see the “connected relationships” relevant for planning future developments. In order to be able to see these relationships, an “eagle eye view” was necessary. Van Eesteren, for example, used to stand on a ladder to survey an area. The *Stedebouwers* argued that the visual findings should be strengthened by gathering as much data about the related underlying developments in an area as possible. Again following Geddes, Van Lohuizen introduced the “survey-before- plan model”: first inquire about the important determinants of an area and their relationships, and then make a plan (Hall 1988, Van der Cammen and De Klerk 2003). As much data as possible about “driving forces,” like population growth, traffic flows, soil conditions, and so on needed to be included in the survey (Van der Valk 1990). To gather knowledge of all possible aspects of an area, commissions of architects, civic-engineers, lawyers, geographers, agricultural experts, urbanists, economists, and mathematicians should make plans together (Van der Cammen and De Klerk 2003). The

⁵ Hence the Dutch *Stedebouw* can’t be directly translated to the Angelsaksian term Town Planning.

coordination and integration of the knowledge of the different areas of expertise was seen as the main purpose of the ideal planner according to the Stedebouw.

Ideally, the planner was someone who could synthesize a lot of different expertise and knowledge based on a vision of what an area needed and would look like in the future. Since most information about relevant developments wasn't available yet, in practice the work of a planner mainly consisted of literally collecting data and then forming a plan on the basis of his skills and intuition (Faludi 1981, Faludi and Van der Valk 1994). For example, in 1930 Van Lohuizen organized a large traffic census inquiry in Amsterdam for the first time. Almost 3000 people participated as "counters," among them high school students, policemen, and school heads (Van der Valk 1990).

"Survey before plan" became widespread practice in Dutch planning (Janssen-Jansen, 2004). This was strengthened when the social sciences started to claim a role in the planning process. Surveys started to be performed by social science-educated researchers - called sociologists, geographers, or sociographs -gathering data concerning history, demography, occupation, soils, borders, the mentality of inhabitants, and other characteristics of a municipality or area (Van Doorn 1965 in: Van der Valk 1990).

Following our definition developed in the previous chapter, democratic legitimacy of planners in that time was mainly determined by a strong knowledge claim and reliance on scientific data. Participation of citizens and stakeholders was out of the question. And, although the idea of planning as a state activity provided a source of legitimacy for planners, there was no encompassing governmental system for decision-making on matters of spatial planning yet.

The ideal planner, according to Stedebouw, as a synthesizer of different disciplines didn't really emerge. In practice, different professional groups (civil engineers, architects and social scientists) operated as planners (Van Doorn 1965 in: Van der Valk 1990) in the first three decades of the twentieth century. Emblematic of this planner is the "expert planner:" plans are made mainly on basis of the skill and professional intuition of the planner. Symbolic is that Van Eesteren and his colleagues at the Department of Public Works of the city Amsterdam used to do their work in white coats (Van Kessel and Palstra, 1994), like doctors, knowing what was best and distinguishing themselves from society. In the early days the emphasis was on a planning practice of collecting all kinds of developments through the "eagle eye view" of the planner. Later, through the dominance of the survey-before-plan model the emphasis became to rely on collecting as much scientific data as

possible. The idea that a planner as an expert could know what was in the best interest of the people wasn't disputed.

3.3 Bureaucratic Planning

From the 1920's onwards, spatial planners started to engage in discussions about how to further institutionalize spatial planning. One issue was how to achieve an increase in the scale of plans from the municipal expansion plans to regional and national plans. The idea of a National Plan was first discussed in 1924 by H. Cleijndert (De Ruijter en Koopmans 1979, Van der Cammen en de Klerk, 2003). In 1930 the first 'area-plan' [streekplan] was written for Oost-Brabant, and in 1931 provinces officially received the mandate to make area-plans by a change in the Housing Law. At this time, the first departments for making area plans emerged in the provinces (De Ruijter and Koopmans 1979). In 1941, the National Government Service for the National Plan [Rijksdienst voor het Nationaal Plan] was founded by the German occupier. In 1942 a commission was formed to organize an education for spatial planning. In 1956, the first specific law for spatial planning became installed [WRO, Wet op de Ruimtelijke Ordening]. This law enacted a planning hierarchy between national, provincial, and municipal plans. A minister of Spatial Planning was installed, but was given little budget and few binding instruments with which he could implement his policies. Furthermore, a bureaucracy for making plans within government became installed, as is generally the case within polyarchies. Typical for the bureaucratic model is a governmental internal process for the articulation of policies in which ministers form a council that assigns an inter-departmental administrative council to prepare policies; the council is then supported by a special service (Roes 1978). The institutions shaping the governmental internal process for spatial planning were: an undercouncil Spatial Planning falling under the council of ministers; an Interdepartmental Planning Commission [Interdepartementale Rijksplanologische Commissie, later Rijksplanologische Commissie [RPC], and the already mentioned Government Service for the National Plan, which became transformed into the National Planning Service [RPD, Rijksplanologische Dienst] (WRR, 1998). On the other governmental levels, this bureaucratic system was copied by founding special departments for spatial planning at provinces and large municipalities (De Ruijter 1983: in Van der Valk 1990).

Because several departments were involved in formulating spatial policies, a planning practice emerged in which policy formulation on the national level became a consultative decision-making process between all

departments involved with spatial aspects. Planning was seen as a primarily conceptual and intellectual endeavor, in which practical and financial concerns should not play an immediate role. The minister of spatial planning had little budget and binding instruments and the cooperation of the other ministers was needed to get spatial policies implemented. The interdepartmental commissions were used to “persuade” and “seduce” the other ministers (WRR, 1998). The practice of internal governmental policy articulation was completed by a practice of informal consensus-building (Priemus et al. 1997). The process of informal internal policy articulation was made to be facilitated by the use of “strong concepts.” Strong concepts refers to the development of concepts within a closed community of spatial planners in national inter-governmental forums, which were producing communicative policy frames for other policy domains (WRR 1998, Siraa et al. 1995, Korthals Altes 1995). The most famous examples of these strong concepts have been the Green Heart and the Randstad, introduced in a publication about the Western part of the country in 1958.⁶ The Randstad denotes the area around the four largest cities (Amsterdam, Rotterdam, Den Haag, and Utrecht) in the western part of the country. The Green Heart is the rural area in between. Until today, the policy has been to further develop the Randstad, but to protect the Green Heart for further urbanization.

Next to governmental internal policy formulation and steering by informal coordination, a characteristic of Dutch planning practices became the reliance on scientific knowledge emerging from the dominance of the survey before plan paradigm and the extensive gathering of quantitative data within the national, provincial, and municipal planning departments. Scientific, quantitative knowledge became considered as the most important basis for policymaking. It became required by law to do research before plans were made (Faludi 1980). At the national level the planners at the National Planning Service [RPD] were mainly gathering quantitative data for planning. Every year they produced an annual report with data about population growth, migration rate, traffic flows, and so on. Also, planners working at the provincial planning departments and the planning services at municipalities became mainly engaged in gathering data and doing quantitative research (De Ruijter and Koopmans, 1979). The reliance on quantitative data is visible in the First⁷ and Second⁹

⁶ “De ontwikkeling van het Westen des Lands,” Rijksdienst voor het Nationale Plan, Den Haag, 1958.

⁷ Every five to ten years the national government published a national plan structuring government policies for the coming years.

⁸ “Nota inzake de ruimtelijke ordening in Nederland,” Staatsdrukkerij- en uitgeverijbedrijf, 's Gravenhage 1960.

National Plans Spatial Planning (Siraa et al. 1995, Van der Cammen and De Klerk 2003). For both plans a large amount of quantitative data was gathered for indicators that were used to predict the population density. Examples of indicators were: birth rate, fatality rate, infant death rate, and even the “netto-replacement factor.”¹⁰

Until the 1960's a variety of professional groups (civil engineers, architects and social scientists) were still employed in spatial planning (De Ruijter 1983). This changed when a group of spatial planners started to claim that the research performed by the social scientists and other professions was too much aimed at “just” gathering data and that planners paid too little attention to translate the outcomes of research into plans (Steigenga 1964, De Ruijter 1983). In 1962, an academic discipline aimed at educating spatial planners was erected: “planology.” Planology is anglicized from the Dutch “Planologie” (as done by Needham 1988) literally meaning “the logic of planning.” Planology was founded to strengthen the link between knowledge and action (Haas, 1998). During the 1960's and 1970's the spatial planners educated in planology became widely employed in the national, provincial, and municipal planning departments (Faludi and Van der Valk 1994, Van der Cammen 1971). In 1970, an influential government commission, the “Commission- De Wolff,” further strengthened the position of spatial planning in Dutch policy making by introducing the distinction between “sector” and “facet” planning.¹¹ Spatial planning was seen as a “facet,” relevant for many other policy “sectors.” Other kinds of “facets” were welfare planning, technical development, and protection of the environment (Den Hoed and Keizer 2007). Like facet planning, spatial planning was assigned a “coordinative role” with regard to other governmental activities (Simonis 1984). Spatial planners themselves started to focus on how this coordinative role could best be given shape. In doing so they embraced the aim to make the procedure of planning more rational. The systemic approach and later the procedural approach to planning became very influential in Dutch planning practice (Siraa et al. 1995, Kleefman 1984). The functioning of policy making and decision making became the most studied subject by the planners (Wissink et al 2003).

⁹ “Tweede nota over de ruimtelijke ordening in Nederland,” Staatsuitgeverij 's Gravenhage, 1966.

¹⁰ The netto-replacement factor consists of the number of women of reproductive age who will be brought forth by the contemporary generation of women by a constant fatality and a constant fertility rate. When the netto-replacementfactor is 1, the population will maintain itself.

¹¹ “Rapport van de commissie voorbereiding onderzoek toekomstige maatschappij-structuur,” Tweede Kamer 1970- 1971 (10 9 14) Den Haag, Staatsuitgeverij, 1970.

The internal governmental system of policy making, the strong reliance on scientific knowledge, and the focus on finding a rational planning process resulted in a tendency of planning to become “technocratic,” as described in the previous chapter. In the Netherlands, this tendency was always counterbalanced by a practice of informal coordination and consultation among administrators at various levels of government. Planners mainly derived legitimacy from the dimensions of knowledge and decision-making. Although citizen protests against government policies occurred more often direct participation of citizens and stakeholders didn’t take place yet. Participation of citizens was formally included in law in 1974, but participation was still seen as something that came after governmental internal policy formulation. Well into the 1980’s not many people outside the planning community had a say in the formulation of spatial policies.

In their English book about Dutch planning, Faludi and Van der Valk (1994) call the technocratic planning model balanced by the practice of informal consultation, from 1960-1980, the “heydays of spatial planners.” By this they mean the wide acceptance and agreement of the coordinative role of spatial planners in policymaking and society. The strong role of spatial planners overlaps with a broad use of planners in other policy fields as well, like social planning and welfare planning. The spatial planners formed a relatively homogeneous planning community, agreeing on the basic substance of planning and the coordinative role of planning. Because planners were usually employed by governments, the planner became foremost a bureaucratic professional, basing his judgments on scientific knowledge and trying to rationalize procedures to come “from knowledge to plan.” These two characteristics of the planning practice between 1960-1980 (basing planning on scientific knowledge and being employed by governments) are captured by the following definition of a planner in 1979 by Van der Cammen. According to Van der Cammen, planners are: “*experts with a scientific education involved in spatial policy in the service of government organizations*” (1979: 16).

3.4 Planning as coordination

Around the 1980’s a fundamental critique of western welfare states began to emerge, partly initiated by the economic and oil crises. The general theme was that the state tried to do too much and that welfare states had become too expensive and too intrusive. Government was seen as “overloaded” and so unable to solve societal problems effectively. Public administration entered a new-right era of liberalization, privatization and

deregulation. People believed that the government should “step down” and leave more things to the market. After a period of rolling back the state a new era emerged: government should be “run like a business.” The ideas of New Public Management (NPM) were introduced quickly in the Netherlands and provinces, and municipalities had already started to experiment with methods of NPM in the 1980s (Hendriks and Tops, 1999). In academic planning theory new right theories did not really catch on. Here the dominance of the state and experts in planning was criticized by authors inspired by critical theory and later by academics that developed the theory of collaborative planning.

Dutch planners were not able to deliver on their aspirations to predict and steer the future either. Many predictions in the National Policy Plans proved incorrect, such as the prediction of the Second National Plan Spatial Planning that 20 million people would live in the Netherlands in 2000 (the actual number turned out to be 16 million). “Blueprint plans” produced “planning disasters,” like the high rise buildings in the Bijlmer in Amsterdam-South (Helleman and Wassenberg 2004). Also, the system and procedural approach proved difficult to implement: collecting and integrating all the data took too much time (Faludi en Van der Valk 1994, Siraa et al 1995, Van der Cammen and De Klerk 2003).

The Dutch planning community recognized the end of centralized planning early on - as the National Planning Service [RPD], for example, suggested in 1983 that the state should deregulate and deconcentrate in order to “provide society with opportunities to function more social and better.”¹² Despite the recognition of the problems with rational, technocratic planning, the planning community reacted slowly to this recognition and the changing social circumstances and political climate in the 1980’s. The National Planning Service [RPD] remained “quiet in this period (Vuijsje 2002).” The Third National Plan Spatial Planning (the last part dates from 1984) was mainly a continuation of the concepts of the First and Second National Plan, focusing on how to accommodate population growth, and was out of step with the economic rhetoric of that time (Van der Cammen and De Klerk 2003).

Instead of adapting to their times, *Dutch* spatial planning theory still focused on the “coordinating function” with respect to other policy fields and their search to find procedural means to improve internal coordination in government (cf. Den Hoed et al. 1983, Simonis 1984). This is illustrated by two reports of the Scientific Council for Government Policy [WRR] about spatial planning in the early 1980’s: “*Approaches to*

¹² “Jaarverslag Rijksplanologische Dienst 1983.” RPD 's -Gravenhage, Staatsuitgeverij, 1984.

planning” [Benaderingen van planning] (Thoenes et al. 1981) and “Planning as enterprise” [Planning als onderneming] (Den Hoed et al. 1983). As the title of the second report suggests, both reports recognized the changing position of planning in society: “government planning should not be outside, but within society” (Den Hoed et al. 1983:9). However, in their reaction to the changing position of spatial planning, the authors revert to a strengthening of the coordinating role. The following quote of Faludi from the first report provides a nice example of the way of thinking of that time:

“The definition of situations of choice is subjective to a certain degree. This leads to problems when different actors are involved in a decision. When different actors are involved, consultation is required, in which the subjective character of each definition of a situation of choice will be noticeable: situations of choice are usually interpreted totally different. Hereby the need emerges to make appointments regarding starting points. Only from a starting point one is able to come to a communal definition of the situation of choice. Herein lies the political character of planning. Consultation, however, costs time. The more actors are involved, the higher the costs connected with this. Consultation should thus be limited, by excluding as much potential partners as possible (Faludi 1981: 104) [Emphasis added].”

Faludi’s quote highlights the planning theorists’ awareness of the subjectivity of plans and the potential for political conflicts and values in the early 1980’s. This acknowledgement did however not lead to a rejection of the technical, rational model, but to an attempt to strengthen the technical model and to close the planning process off from political strife as much as possible.

While planners themselves focused on the coordinative role, critics outside the planning community saw planning as outdated, and spatial planning received a more modest role with regard to the other policy domains (Van der Cammen and De Klerk 2003). A lot of provincial planning departments were reorganized or discharged, and the National Planning Service received less funding (Vuijsje 2002). With the critique on the strong state and the welfare state, spatial planning as a professional field and policy domain came under pressure, as the origin of spatial planning was very much interwoven with the expansion of the state and the origin of the welfare state. The emblematic type of planner of this period can therefore be described as a coordinating planner. There was no clear break with the expert or bureaucratic planner, but the emphasis further shifted from the mobilization of knowledge to the coordination of government policy. Facilitating the participation of citizens and

stakeholders was not widely acknowledged as part of the coordinative function.

3.5 Opening up planning practice

In 1990's changes inspired by two contrasting views on policymaking limited the role of the state in planning. First were reforms of New Public Management (NPM), which emerged out of the new-right critiques on the welfare state during the 1980's (see Osborne and Gaebler 1992, Pollit and Bouckaert 2000). In the name of NPM liberalization, decentralization and outsourcing became widespread. Second, taking place somewhat later than NPM, were reforms of governance that resulted in many ad-hoc informal experiments with "horizontal" policymaking together with citizens and stakeholders (see Rhodes 1997, Pierre 2000). The Netherlands had a left-liberal parliament [paarse-kabinetten] from 1994 until 2002, which initiated the privatization of many public services, like railways and electricity. In spatial planning the reforms mostly focused on decentralization and deregulation. However, spatial planning had to deal with privatizations as well, as many areas related to spatial planning did become privatized, like housing and public transport. Furthermore, "interactive planning" became the norm in spatial planning. Interactive planning stands for all those "governance" processes that try to involve stakeholders and citizens early on in the policy process. The popularity of interactive planning gave rise to the emergence of the professional group of process-managers (Van der Arend 2007). Process-managers are most of the time consultants hired to facilitate participation, without having a substantive role.

For Dutch spatial planning, a lot changed. In line with the reforms of NPM and Governance and inspired by a critical stance to the field by spatial planners themselves, spatial planning became more regional and the closed technocratic system opened to other ways of policymaking, other policy actors, and a variety of experts. The typical planners became more "process-planners" as well: instead of making claims themselves, they facilitated the process between policy actors and stakeholders to come to a policy. Since this period is more recent in time, it is discussed more extensive than the previous paragraphs. First, the Fourth National Plan Spatial Planning initiating above change will be discussed. Second, the critical stance of the professional field will be discussed. Finally, the search for alternatives to the expert and bureaucratic practices and the opening up of spatial planning to practices from outside the field are discussed.

3.5.1 *The Fourth National Plan and the regionalization of planning*

The reaction of spatial planners to the critique posed from outside the field came in the late 1980's with the writing of a new policy paper: the Fourth National Plan Spatial Planning, which was intended to pull spatial planning "*out of its grave*" (Faludi 1988). The minister of spatial planning assigned the National Planning Service [RPD], the task "*to come up with new concepts*" better fitting the economic rhetoric of that time (Korthals Altes 1995). Indeed the Fourth National Plan¹³ and its second part, the Fourth National Plan Extra (VINEX),¹⁴ introduced new economic concepts, such as the *Spatial Economic Main Structure*¹⁵ (concentrations of main economic activities that should be strengthened) and *Urban Nodes*¹⁶ (urban regions with international growth potential). Spatial planning started to focus on the spatial-economic structure and infrastructure and on how the Netherlands could compete internationally (Korthals Altes 1995).

More importantly, the Fourth National Plan started to introduce a new way of governing. To "re-establish the position" of spatial planning in times when it wasn't self-evident that the government arranged everything, spatial planning as a policy field was to become more selective and focus on its main tasks (Galle 1992, Tweede Kamer der Staten-Generaal 2000). In summary, the Ministry took three steps: starting to regionalize planning; adopting a communicative approach; and introducing a new mix of instruments.

The aim of regionalizing planning was to overcome the traditionally weak "meso-government" in the Netherlands. Provinces are either too small or too large to solve regional problems. Furthermore, the provinces have been rather passive in governing spatial planning, especially compared to other European governments on the meso-level (Boogers, 1997, Toonen 1993, Peters 2007). A final reason for a weak "meso-government" is the lack of adequate governance structures between municipalities and provinces. Municipalities are regarded as too small to solve certain problems and provinces as too large. The first proposal to reorganize the provinces and to install regional governments originates already from 1849. Between 1947 and 1994 numerous plans and draft laws were discussed by the Dutch ministers and parliament to solve the problem of meso-government: "districts" [gewesten], "provinces-new- style," "mini-

¹³ "Vierde Nota over de Ruimtelijke Ordening, op weg naar 2015," Ministerie van VROM, SDU Uitgeverij, 's Gravenhage 1988.

¹⁴ "Vierde nota over de Ruimtelijke Ordening extra," Ministerie van VROM, SDU Uitgeverij, 's Gravenhage, 1996.

¹⁵ Economische hoofdstructuur.

¹⁶ Stedelijke knooppunten.

provinces,” “municipal up-scaling,” “city provinces,” and so on. Despite all these proposals, no regional governments were actually installed until 1994 when the Framework Law Governmental Renewal [Kaderwet Bestuur in Verandering] enacted the possibilities for municipalities to form “joint arrangements”[Gemeenschappelijke Regelingen] (Boogers 1997, Van der Lans 2006).

For the first time, the regionalization of spatial planning became a real development. An example of the regionalization was Urban Nodes [stedelijke knooppunten]. Urban Nodes were concentrations of cities and economic activities with the potential to become more important in the European economy and strengthen the economic position of the Netherlands. Cities started a lobby to become recognized as Urban Nodes, and some cities installed regional governments or informal collaborative platforms for creating policies for the Urban Nodes.

Another central theme of the Fourth National Plan was that the ministry tried to adopt what it called a “communicative approach.” All governments should collaborate in one process to lay out the details and implement the national policy (Tweede Kamer der Staten Generaal 2000). This was referred to as “diagonal planning.” Spatial planning should become “more aimed at implementation” through both vertical collaboration (between national government, provinces, and municipalities) and horizontal collaboration (between the ministries of the national government).

In addition to a more communicative approach, the ministry introduced new steering instruments, like negotiations with other governments about the concrete filling-in of its policies and closing contracts: for example, in the VINEX-districts. VINEX districts are large middle-class new housing districts built “bicycle distance” to existing cities to prevent long commutes. The ministry negotiated contracts with regional governments and municipalities for the location and completion of the VINEX districts (Karhals Altes 1995).

3.5.2 Dutch planning in crisis?

The Fourth National Plan was a success in re-establishing the position of planning among other policy domains. At the same time, Dutch spatial planning theorists themselves started to heavily criticize the planning system:

“The developments over the last decade have much more serious repercussions for the viability of the Dutch system of planning than often is acknowledged. There is a crisis in terms of its institutional structure, its prime conceptual commitments and in

terms of the coalition which is to make the planning strategy work (Hajer and Zonneveld 2000:345) [emphasis added].”

As above quote shows, planners even started to speak of a “crisis of spatial planning” (see Lukkens 1990, Bijswijk et al. 1995, Drexhage, and Pen-Soetermeer, 1995, Martens, 1995, Taverne 2001, Janssen en De Casseres 2003).¹⁷ According to the spatial planning theorists, many developments added up to this alleged crisis: the regulatory system of planning had become too slow and overregulated; planning was too much aimed at writing policy documents and not enough directed towards implementation; the national government had withdrawn itself, but there was nothing to replace its steering role due to a weak regional governmental level. Municipalities had become too much captured by market interests and by the financial interests of municipalities themselves, without taking into account the national interests (see Tweede Kamer der Staten-Generaal 2000, WRR 1998, Drexhage and Pen-Soetermeer, 1995, Nirov et al. 1998, Korthals Altes, 2000, Peijte et al. 2000, Feddes 2006). Finally, planning had become too much focused on process, leaving the substance of planning empty, and planners started to call for a “search for the substance” of planning (Reijndorp 1998).

3.5.3 Introducing alternatives to expert and bureaucratic planning practices

It is surprising that while the Fourth National Plan catalyzed re-recognition of the field, the planning community itself heavily criticized the field. The self-declared crisis of the planning community actually seems to be a reaction to the simultaneous degeneration and opening of the established planning system and doubt about what should replace it. Slowly the system of planning as it had been known started to change. In sum, this system was characterized by: informal coordination and consultation within the national government; a tradition of generating “strong concepts, rather than money;” a dense system of governmental departments doing research for plans; a strong tradition of survey before plan; a strong procedural tradition aimed at improving the rationality of planning; and a relative homogenous planning community. Several mechanisms contributed to the change of the planning system.

First, although NPM never really got a strong foothold in spatial planning (Hendriks and Tops 2003), decentralization, the need to focus

¹⁷ See also the special issues of Dutch planning journals with the central theme “Crisis” of ARchis (5, 2004) and Stedebouw and Ruimtelijke Ordening (2, 2003) and the evaluation project of the RPD (the Government Planning Service) published in Drexhage and Pen-soetermeer, 1995.

more on implementation and the popularity of public-private partnerships became more prevalent in spatial planning. Through decentralization the national government reduced its strong role in producing strong concepts for spatial planning and local governments went more their own ways (Needham and Zwanikken 1997, Korthals Altes 2001, Hajer et al 2006). Moreover, reforms of NPM had more influence in other policy fields on which spatial planning was dependent for the implementation of the national policies. Social housing, for example, was strongly privatized and deregulated; hence, spatial planning wasn't able to use the national housing policy to fulfill its goals anymore (Siraa et al, WRR 1998, Priemus 1997).

Second, the interconnection of knowledge production and policy formulation within governments received criticism. The advisory committees were seen as too interwoven with politics and not sufficiently independent (De Staat van Advies 2000). The double task of generating knowledge and making policy of the National Planning Service [RPD] was also criticized on this point. The National Planning Service [RPD] was split into an independent "Spatial Planning Bureau" [Ruimtelijk Planbureau, RPB] for developing knowledge for policy advice and a planning department falling under the minister of Spatial Planning. The Spatial Planning Bureau would deliver knowledge for spatial planning from an independent position, and the planning department would develop policies. The internal advisory council for spatial planning [the RARO] was replaced by an independent council [the Vrom-raad]. The transformation of some of the governmental internal forums into independent advisory councils meant that the internal method of policy formulation was partly externalized as well.

Third, the original planning system had become more complex. Bureaucratic planning systems had developed disadvantages, like slow and complicated rules. Western societies had become more complex, individualized, and interdependent. Moreover, the state itself became more polycentric and dispersed due to decentralization and more horizontal and collaborative forms of planning. As a result the kind of centralistic planning in which the national government is the biggest influence on planning wasn't feasible anymore. Planning projects had become collective by definition. This meant that in all planning projects at least a few governments were interdependent in the formulation and implementation of policy plans. Furthermore, the informal involvement of stakeholders had become common practice through the popularity of interactive planning. The result was an enormous number of informal platforms and settings in which consultation takes place among involved actors.

Finally, planners themselves started to incorporate the critique on the rational, technocratic model of planning. Planners had already recognized the shortcoming of this kind of planning before, but now Dutch planners started to see more fundamental problems that called for other planning practices. The modern planning ideal had failed, and with this came doubt about whether planning was still possible at all. At the same time it was acknowledged that scientific knowledge wasn't very suitable for planning either. Scientific knowledge was not a "neutral" base for planning and experts were politically biased. The confidence in expert planning and bureaucratic planning started to erode. This was replaced by an uncertainty about how new planning practices should look like. De Haas (1998) characterizes this period as "a shyness" regarding "knowledge and knowing" and "insecurity about communal reference points." Also, Hajer (2000) wrote about "confusion" among administrators about how to deal with "unyielding reality."

3.5.4 Opening of Dutch planning

The change of the old planning system was accompanied by a simultaneous "opening up" of the system. The debate about spatial planning started to take place outside the internal coordinative forums and the closed profession of "the planners," both of which had previously dominated the debate. All kinds of professions and self-organized coalitions from within society started to offer alternatives to national planning concepts. The government and the closed planning community lost the "planological primacy" (Sijmons 2006). Architects, urban engineers, landscape architects, environmentalists, and sociologists started to enter the debate. The expansion was specifically characterized by three developments: the re-recognition of other kinds of expertise; the emergence of coalitions outside the traditional forums within governments; and experiments with interactive planning. These developments are discussed below.

First, other kinds of expertise started to become important in planning. During the 1980's and 1990's, new kinds of professionals emerged to address environmental problems, such as environmentalists, ecologists, and nature preservation experts (Broekhans 2003, Faludi and Van der Valk 1994). Another professional group was that of urban designers and landscape architects (Tweede Kamer der Staten-Generaal 2000). From the end of the 1980's through the 1990's, designers began a large number of initiatives, helping them to claim an important role in planning debates. In 1985, landscape architects founded the EO-Wijers foundation, which started to organize competitions for the best architectural design for existing spatial planning problems. Another

example is the foundation “Designs for the Netherlands” (from 1987), which started to put the issue of how the Netherlands would look in 2030 on the agenda.¹⁸ The landscape architect Adriaan Geuze placed 800,000 little wooden houses in the arcade of the Dutch Architectural Institute (NAI) to attract attention to the risk of unplanned urban expansion (Lootsma, 2000). In 2004, the Ministry of Nature and Landscape installed a “Government Advisor for the Landscape” (Rijksadviseur voor het landschap), who was given the task of guarding the quality of design in the development of large projects.

Second, initiatives started to take place outside the traditional forums of government. An example is an action of professional associations (BNSP and NIROV) that united all spatial plans in one map: the “New Map” of the Netherlands. Other surprising coalitions entered the public domain, for example between the interest groups for nature preservation, the Royal Dutch Automobile Association, and the farmers association¹⁹, who together presented a manifesto to improve the quality of the “Green Heart.”²⁰ (Tweede Kamer der Staten Generaal 2000, Nijhof, 1996). Interest groups started to mobilize their constituents against or in favor of spatial developments: for example, the protest of the Interest Group Nature Monuments against the Amsterdam VINEX–district IJburg, which resulted in a referendum about the building of the VINEX-district.

Third, interactive planning became widespread in spatial planning. As discussed earlier, NPM never got a really strong foothold in Dutch spatial planning. Also, NPM lost influence in other policy domains very quickly and became replaced by “interactive planning” as the central steering philosophy in the early 1990’s (Hendriks and Tops 2003). Interactive planning stood for the involvement of stakeholders and citizens during the policy formulation phase. Participation mainly occurred in informal platforms and settings, such as soundboard groups and taskforces. The preparation of the Fifth National Plan Spatial Planning is an example of interactive planning. The preparation occurred in three phases: phase one consisted of proposing questions; phase two involved the discussion of thirteen discussion scenarios; and phase three was the development of four scenarios. During the interactive process, more than thousand members of interest groups, the professional field, public officials, enterprises, and citizens participated in a wide variety of

¹⁸ “Q-werkboek, kwaliteit in de Volkshuisvesting,” Stichting Q, NIROV, Den Haag 1993; “Ontwerpen voor Nederland, een nieuw programma voor het stedelijk landschap in de 21ste eeuw,” Stichting Ontwerpen voor Nederland.

¹⁹ Vereniging Natuurmonumenten, Stichting Natuur en Milieu, ANWB, LTO Nederland, WLTO.

²⁰ The rural area between the four largest cities in the Netherlands.

settings, such as workshops, presentations, discussion on the Internet, “legs on the table meetings,” a youth forum, a drawing contest for children, essay assignments and interviews.²¹

Also, local and regional governments started to experiment with all kinds of interactive projects and started to enter into partnerships with private actors themselves (Tweede Kamer der Staten-Generaal 2000, Hendriks and Tops 2003). Van der Cammen and De Klerk (2003) characterize this period as a “kaleidoscope of approaches” and Hajer (2000) speaks of an “experimentierfreude” to designate the wide variety of settings in which new institutional practices between public officials, experts, citizens, and stakeholders were tried out.

All this new initiatives, coalitions and new informal planning practices didn’t replace the technocratic, bureaucratic system, but can be seen as an addition to it. As such, the opening up of the closed planning system did stimulate an “administrative spaghetti” (Hajer et al. 2006) of new informal arrangements, like platforms and steering groups, on top of existing institutions (Soeterbroek 2004). Furthermore spatial planning has become more collective: many governments and often many semi-public and private organizations are interdependent and cooperate to solve policy problems. In this collectivity, planners have taken a more modest role regarding the substance of planning. This is partly because they have recognized the limits of their own scientific knowledge and expert claims, partly because they have lost terrain to other experts, and partly because in interactive planning substance is to be brought in by stakeholders and not by expert-planners. The mobilization of knowledge as a source of legitimacy for planners moved to the background. Instead, planners started to focus more on the *process* of planning: facilitating the coordination of cooperating governments and the participation of citizens.

3.6 Searching for new planning practices

3.6.1 Developmental planning

The emphasis on process didn’t satisfy the planning community. By the end of the 1990’s, planners started to search for a new way of planning. In 1998 the Scientific Council for Government [WRR] published a very influential report, edited by some of the most important spatial planning

²¹ The Fifth National Plan was never implemented, because the government fell about something unrelated to spatial planning. The new government chose not to implement the Fifth National Plan.

scientists in the Netherlands (WRR 1998).²² In this report the Scientific Council introduced “*developmental planning*” [ontwikkelingsplanologie, later renamed gebiedsontwikkeling] as a new way of planning. It based its proposal for a new kind of planning on an analysis of the network society. In a network society “nearness” is replaced by “accessibility” and a spatial hierarchy (from urban to rural and from core to periphery) is replaced with a spattered pattern of important “places” (WRR 1998). The Scientific Council concluded that in a network society a system of nationally produced “strong concepts” was no longer effective. Instead, coalitions of regional actors should develop policies for specific areas. National policy should become more “strategic” and more selective, only being concerned with issues of “national interest.” Responsibilities for planning should be assigned in a variable way, assigning responsibility to the government at the strategic level most adequate: national government should identify national interests and get responsibility for those; regional governments, provinces, or municipalities should get responsibility in “development areas.” Developmental planning thus asks governments to take different roles: from setting policy frameworks and controlling them to becoming “proactive co-developers” of a specific region. But developmental planning received a wider meaning, nicely summarized in the description of the ministry below:

*“Development planning is spatial planning for regional projects, where all concerned parties make together an integrative plan. That [plan] is aimed at implementation [emphasis added].”*²³

The above quote contains many promises for developmental planning: on the regional level strategic coalitions should develop regional plans; governments need to cooperate; and stakeholders need to be involved. Developmental planning is also seen as a response to the critique that planning is too slow, not oriented enough “towards” implementation, too “sectoral” and not much adapted to contemporary society. Another criticism developmental planning was supposed to be a response to was that spatial planning was too much “classical land-use planning” and “planning by permission” [toelatingsplanologie], determined by the sectoral departments of governments (WRR 1998).

The idea of developmental planning was taken over by the professional community of practitioners and Dutch scientists working in the field. The ministry of Spatial Planning started a program to reform

²² The project team comprised the following members: prof. dr. R. Rabbinge, W. Derksen, dr. M.A. Hajer, prof.dr. C.W.A.M. van Paridon, mr. J.C.I de Pree, prof.dr.s.I.J. Schoonenboom, dr. W.A.M. Zonneveld and drs. C. Schutte (assistant).

²³ www.vrom.nl, last visited April 17th, 2007.

spatial planning to conform to the idea of developmental planning. As such, developmental planning came to stand symbol of a search for a new way of planning.

In the successor of the Fourth National Plan, the National Plan Space (2004) [Nota Ruimte], developmental planning plays a very central role. Furthermore, the decision was made to renew the Spatial Planning Law [WRO] and adapt it to a more flexible way of planning. (The new Spatial Planning Law entered into force on July 1, 2008). The new law aims to make governments more proactive in making plans, instead of reactive to the plans of others. Each government is allowed to make a strategic plan [structuurvisie]. This strategic plan will only have consequences for the plans of lower governments if it is made beforehand. The idea is that governments will together make strategic plans for regional problems to prevent co-existence of strategic plans of separate governments (Kamphorst et al. 2008).²⁴ In addition to the strategic plans, the ministry and the provinces receive a set of more binding instruments for dealing with goal setting in plans from municipalities and provinces.

It is supposed that the new law will be the biggest change for planners working at provinces. Because provinces are standing close to the regional level, they are expected to become coordinators of the cooperation between municipalities and the ministry to write strategic plans. This is a different role than provinces have traditionally had. Previously, provinces were mainly controlling lower governments, approving municipal plans if they conformed to the provincial plans. More importantly than writing and approving policy plans, provinces should now initiate cooperation among governments and public and private actors before plans are made and fixed.²⁵ In the words of the national advisor for “developmental planning” appointed by the Ministry of Spatial Planning:

*“Developmental planning is new in the sense that provinces should change from “blueprint thinking” (the definition of spatial scopes and controlling municipal area plans) to actively (co) developing at the regional scale as well.”*²⁶

In implementing developmental planning the ministry used the motto: “central what is needed, decentral what is possible.” This meant

²⁴ Idem.

²⁵ “De provincie als publieke ontwikkelaar, rol en ambitie van de provincies in het landelijke gebied,” Interprovinciaal Overleg, Den Haag, August 2005; “Kansen verzilveren,” Eindrapport visitatiecommissie investeringsbudget landelijk gebied, Interprovinciaal Overleg (IPO), Den Haag, December 2005.

²⁶ “Ontwikkelkracht,” Eindrapport van de adviecommissie Gebiedsontwikkeling, Lysis Consulting Group, Amersfoort, November 2005, p. 5.

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that the ministry would leave solving spatial problems to lower governments as much as possible and would only indirectly steer:

*“In the implementation [of developmental planning] the motto “central what is needed, decentral what is possible” is put central. Enlarging the discretionary room of decentral governments is inherently part of that. Hereto, the ministry and central government will shift the focus from a detailed central steering with a lot of rules and norms, to an ongoing decentralization of responsibilities (also for realizing national interests) and steering of the national government on strategic issues.”*²⁷

To stimulate the new role of the provinces, the ministry was inviting provinces to hand in “*example projects developmental planning*” in which the provinces could try out the new approach and their new role as an “area-coordinator.” Furthermore, the ministry stimulated the development of a “*knowledge infrastructure*” around developmental planning. In 2006, measures to stimulate the development of a knowledge infrastructure were the founding of a professorship of “developmental planning” at the University of Delft, an online forum and guide to developmental planning, and an academia of practice, organizing master classes in developmental planning.²⁸

The language around developmental planning is put in general terms and it’s ambitions are comprehensive. In the ministry’s aim for more regional planning and stakeholder involvement, we can recognize claims of governance theories and collaborative planning. In that sense, developmental planning can be regarded as attempts to find “patterns of new kinds of interactions” between society and government (Van Tatenhove 1996). From the other side we see a resemblance to NPM in the attempt to withdraw from the national government and to be aimed more at implementation (Frouws and Van Tatenhove 2002). We also see how developmental planning should be a response to technocratic planning to overcome “central steering with a lot of rules and norms.” A planner engaged in developmental planning should become more of an “area-coordinator”: developing an area together with concerned parties. In the discussion about the new provinces, we see how this kind of planner is the opposite of the bureaucratic planner, who tries to follow

²⁷ “Uitvoeringsagenda Nota Ruimte.” Ministerie van VROM, April 23, 2004 p. 5

²⁸ www.vrom.nl, last visited August 13 2009.

procedure in a rational way. The area-coordinator is creative and dares to take risks.²⁹

3.6.2 Empirical exploration of developmental planning in practice

Because of its recent introduction and ambiguity in terms, developmental planning can best be seen as a search to find different kinds of planning practices taking place on the regional level. To get some sense about the direction this search is going in practice this paragraph explores available data about how developmental planning is actually enacted. The data gathered and discussed below are: learning groups for project leaders in developmental planning; the amount and variety of consultants in sample developmental planning projects; and the contribution of consultants to the knowledge infrastructure of developmental planning.

Learning groups. The organization representing the provinces in the Netherlands [Interprovinciaal Overleg, IPO] started a project aimed at the professionalization of developmental planning. This project consisted of learning groups for project leaders in developmental planning at the provinces, other governments, businesses and consultants. The aim of the learning groups was to create a “community of practice” about how to do developmental planning. There were four regional groups of project leaders, each in separate parts of the country. Each group met seven times, for more than four hours, over the course of half a year. The groups represented a significant and representative sample of the project leaders working with developmental planning. In total, more than fifty project leaders participated: around two-thirds of the participants were employees of one of the twelve Dutch provinces. The other one-third was consultants, municipal public officials, real estate developers and public officials of executive departments.

I attended and tape recorded two regional groups (fourteen meetings in total). The idea was that the project leaders would learn from the practical experience of others and discuss dilemmas and cases they engaged with in their daily work. Therefore, in the analysis of the data I focused on the dilemmas and problems the planners brought forward in the learning groups. I used the operationalization of democratic legitimacy into three categories (knowledge, participation, and decision-making) developed in the previous chapter to categorize the dilemmas. Issues scored as dilemmas of knowledge mobilization are questions of: the capacity of the planner himself; questions of which knowledge to use and how; and questions about coordinating and integrating knowledge from

29 “De provincie als publieke ontwikkelaar, rol en ambitie van de provincies in het landelijke gebied,” Interprovinciaal Overleg, Den Haag, August 2005.

different actors and interests. Issues scored as dilemmas of participation concerned questions of: how to coordinate the participation of citizens and stakeholders; how to make sure the input of citizens and stakeholders was integrated in policy making; and how to overcome hinder power of citizens. Issues of decision-making were dilemmas regarding: intra-governmental issues of decision-making; the coordination of the many parties involved; and the coordination of inter-governmental processes of decision-making.

The results are represented in Figure 3.1. Textbox 3.1 provides examples of each category.

Figure 3.1 Dilemmas of project leaders of developmental planning participating in learning groups

In total, 198 dilemmas are scored. Of these dilemmas, more than three quarters (77%) were dilemmas about how to overcome problems of inter-governmental and intra-governmental decision-making. Compared to the number of the dilemmas concerning issues of inter and intra governmental decision-making, the number of dilemmas concerning issues of participation and knowledge mobilization is small, 8% and 15% respectively. Of the 15 % of the issues dealing with knowledge, the largest portion was issues concerning the capacity of the planner himself, and not issues concerning how to mobilize different kinds of knowledge in the policy process. Examples of the dilemmas per category are given in textbox below.

Textbox 3.1 Examples of dilemmas of project leaders of developmental planning

Dilemmas of decision-making:

77% were dilemmas of decision-making. An example of a dilemma listed as a dilemma of decision-making regarding the coordination of the involvement of parties is the question of when to involve private parties in the cooperation of public parties:

“With developmental planning we hear all the time that you need to involve the market as soon as possible. But when the public parties haven’t reach agreement yet and a municipality might still give trouble. What is then the right moment to involve a market party? When are you really starting to put effort in talking to the market?”³⁰

Another example of a problem of decision-making dealing with the coordination of involvement of many actors involved in planning:

“We try to make an extra step in the design. Together with the parties in the region we want to make an extra step to see how you get a maximum effect. Thus then you have to deal with municipalities in that region, that organize themselves together, and regional actors who weren’t cooperating yet. You have to deal with water boards, environmental groups and developers who have ownership in the region. So that makes it all very complicated to make that extra step.”³¹

Another example of a dilemma of decision-making involved the connection between what happens inside a government and the cooperation with the other governments:

“My dilemma is the relation of the project organization and the internal organization [of the province]. I feel I don’t get enough support from the directors from the internal

³⁰ Tilburg meeting 1, September 18, 2006.

³¹ Den Bosch meeting 1, September 11, 2006.

organization to operate independent in the project organization.”³²

Dilemmas of participation:

Only 8 % of the dilemmas involved the participation of citizens. Of these 8%, most were discussing the problem of hinder power developed by citizen, like the next example:

“How do you prevent that a person retires, buys a computer and organizes an effective lobby against this development in his back yard and finds so much support that he becomes an icon for Milieudefensie [environmental interest group] to show that the Green Heart is irresponsible. In other words how do you deal with these kinds of pop-ups that aren't foreseeable?”³³

Only a few were really concerning the question of how to make better plans by involving citizens, like the following example:

“The question that mainly bothers me is in which way do you involve the citizens who own land? More concrete: the municipality once dropped the idea to ask LTO [association representing interest of farmers] as a representative of the farmers. But I don't think that is wise. My proposal would be to just talk to those farmers themselves: how they think they want to participate in this process and if they say: “ we think it is fine if the LTO represents us,” than that's ok. But I expect that we will need to look for direct involvement of the farmers.”³⁴

Knowledge-mobilization

15% of the dilemmas dealt with how to mobilize knowledge in the planning process. Most of these dilemmas concerned the skills of the planners themselves that are needed to make developmental planning work:

“[For developmental planning you need to] be a generalist. Because you need to know something from everything, but you

³² Tilburg meeting 1, September 18, 2006.

³³ Tilburg meeting 5, January 17, 2007.

³⁴ Tilburg meeting 4, November 29, 2006.

don't need to know anything in detail, as a matter of speech. So being sensitive, a generalist.”³⁵

Only two planners mentioned a dilemma about the mobilization of knowledge itself. One of them said:

“We were discussing that you can research anything you want, but how do you organize the communication about that, so that all runs well?”³⁶

The results of the learning groups don't really show how the planners dealt with the dilemmas mentioned, but they inform us about how planners frame planning problems and thus also what they see as the most important aspects of solving these problems. What stands out is the narrow definition the planners use for the problems they face. The biggest problem for the planners seems to be how to get governments to work together at all and how to solve problems of cooperation and coordination between all actors involved.

Consultants in example projects of developmental planning. The core of trying to put developmental planning into practice are eleven “example projects of developmental planning.”³⁷ These projects are assigned by the ministry, but performed on a regional level, coordinated mostly by provinces, but also by municipalities. The involvement of consultants in the example projects of developmental planning is very large. Figure 3.2 depicts the eleven example projects and the consultant agencies hired for these projects. Although the lists of consultant agencies are not exhaustive in all cases, the number of consultant agencies and self-employed consultants is remarkable. Of the eleven example projects, four had a consultant as a project leader. In addition to the project leader, a wide variety of consultants were involved in substantive articulation of policy plans: for example, by writing a part of a master plan, organizing a design atelier together with citizens, or chairing meetings and workshops. Consultants were also hired to do research, such as: an Environmental Impact Assessment, research into hydraulic aspects, and traffic studies. To discuss an example of the degree of the involvement of consultants, we can take a look at the Oude Rijnzone project. The Oude Rijnzone project

³⁵ Den Bosch meeting 7, March 16, 2007.

³⁶ Den Bosch meeting 2, October 13, 2006.

³⁷ Between 2005 and 2009 some example projects of developmental planning were cancelled and some new ones attained the status “example project of developmental planning.” Included in this thesis are projects as listed on the website of the ministry of Spatial Planning in October 2008.

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aims to re-develop old industrial areas at a twenty five kilometer trajectory along the Oude-Rijn River. More than thirteen different consultancy firms were involved in a part of the substantive articulation process. At least six others were hired to do research. Different consultancy firms were hired to organize a “design atelier” with citizens, to write an area vision, to write a transformation vision, and to write an integral master plan. A self-employed consultant was hired to coach public officials of the municipalities about how to do such a project, and so on. Another example is the Wieringerrandmeer. This is a project to put reclaimed land under water again, whereby the former island Wieringen, now a municipality of 8,600 inhabitants will become an island again. In this project, at least twelve consultancy firms were involved in substantive policy articulation, and a consultant was hired as an independent chairman. The variety of consultancy firms participated in a “design atelier” with citizens; wrote a masterplan; wrote an area vision; and made a “talk plan [praat plan].”

Figure 3.2 Consultants in example projects developmental planning

Bold means the consultant agency acted as project leader.

Normal means the consultant agency was involved in substantive articulation

Italic means the consultant agency was involved in doing research

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Included are example projects as listed by the ministry of Spatial Planning in October 2008 on its website. Sources to compose the list of consultancy agencies have been websites and documents of the projects themselves or websites and documents of the consultant agency involved. Therefore the list is indicative and not exhaustive.

Knowledge infrastructure. The involvement of consultants is remarkable in the development of a knowledge infrastructure about developmental planning as well. As is shown in Figure 3.3, consultants are the largest group of authors of Dutch publications about developmental planning listed in libraries, i.e: 31%. Scientists only wrote 20 %. The second largest group are public officials (15%); the third largest are people working for knowledge institutes and advisory committees (13 %); and the final 8% are written by business people.

Figure 3.3 Authors of publications about developmental planning

Counted were 143 publications listed in the academic library search machine Picarta from 1998 until 2008. The work affiliation of the authors was searched via Google. Only websites of the employee or of the author him/herself were used as trustworthy sources to find the work affiliation. The working affiliation of 17 publications couldn't be found. These are listed as "others."

Another part of the knowledge infrastructure about developmental planning was developing an online forum and guide to developmental planning. An online Wikipedia where people could submit instruments for developmental planning was put up by the ministry and Habiforum (the latter is a knowledge network intended to stimulate new "ways of planning"). 131 people submitted material to this online Wikipedia. Of these, 60% were consultants (see Figure 3.4).

Figure 3.4 Submitters to the online Wikipedia for instruments of developmental planning.

Source: NLBWikipedia, <http://traverse.sharepointsite.net/NLBWWiki/Wikipagina's/Introductiepagina.aspx>, last visited August 13, 2009. The working affiliation of the submitters is noted at the website.

The above figures only give a small glimpse of the wide involvement of consultants in regional spatial planning in the Netherlands. Looking into which consultancy firms are hired, we find a large variety of firms and self-employed consultants. In the above-mentioned “example projects developmental planning,” more than seventy different consultant agencies or self-employed consultants were hired (see Figure 3.2). Of the authors of developmental planning, more than the half of the 43 consultant-authors were from different consultancy agencies or self-employed. More than thirty different consultancy firms or self-employed consultants contributed to the Wikipedia. On the basis of these findings, we cannot conclude that just a few consultancy firms are dominant in implementing developmental planning, like in the examples of scientific management and privatization in Berlin mentioned in the introduction. Here only a few consultancy firms were dominating the pledge for one particular approach and were subsequently hired to implement it.

A dominant influence of a few consultancy firms with shared values and practices is thus not a good explanation for the wide involvement of consultants in Dutch regional planning. Therefore the

landscape of consultancy agencies is too diverse. Rather it seems that consultancy firms have become an inherent aspect of the policy landscape and that consultants have become one of the wide variety of actors playing significant roles in shaping policy outcomes. This opens the question what kind of (affirmative or obstructing) roles consultants can play. To answer that questions explorative research to what consultants do is discussed in part two of the thesis.

3.7 Conclusion

This chapter has described the evolution of Dutch planning theory and practice. It reveals an attempt to move away from the old technocratic, closed planning model towards more collaborative and interactive forms of spatial planning. It is a reaction to the fundamental critique of the legitimacy of planning in the 1980's, the opening up of the planning system to other groups, expertise and regional governance during the 1990's and the acknowledgement of and response to an emerging network society by the planning community itself. As part of this reorientation the regional level became centre stage. On this level societal actors are supposed to be included and flexible coalitions of several governments and sometimes private and societal partners are supposed to cooperate.

The contemporary search for new planning practices at the regional level can be summarized by attempts to come to "developmental planning." Developmental planning has become a diverse range of activities and projects: i.e. the ministry has installed eleven "example projects developmental planning" (trials for the new approach performed by regional governments); an online Wikipedia has been developed on which professionals can submit "instruments of developmental planning;" and a knowledge platform to stimulate new ways of planning has been erected (Habiforum). In addition many municipalities and provinces have started "projects developmental planning." Furthermore the Spatial Planning Law (WRO) has been renewed to accommodate for "developmental planning." In the new law the emphasis is put to "coordinating" governments: each government can take the initiative to develop strategic plans *together* with other governments.

Exploring the implementation of above initiatives, two observations stand out. The first observation is that, despite a "high-reflexivity" about what the new kind of planning should look like (non sectoral, aimed at implementation, collaborative, adapted to a network society), in practice a rather narrow implementation of developmental planning seems to occur. The main emphasis seems to be on problems of

coordination, or in the analytical words of chapter two, on issues of intra- and inter-governmental decision-making. Regional planning practices are collective almost by definition: involving the cooperation of multiple governments (municipalities, provinces, regional bodies, and departments) and stakeholders. As the planners who participated in the Learning Groups showed, planning seems to become more and more about how to facilitate a smooth process of cooperation between these actors. Herein planners are to be “area-coordinators” [gebiedsregisseurs] or “meta-governors” (Sørensen, 2006). Issues crucial for the democratic legitimacy of planning, i.e., issues of participation and knowledge risk to be left out of this search. This contrasts with expert-planning and bureaucratic planning, which derived their legitimacy largely from utilizing scientific knowledge. It also contrasts with the process planning, that derives its legitimacy from facilitating the participation of stakeholders. Comparing to the other planning practices, the legitimacy of contemporary regional practices seems to rely mostly on the successful facilitation of intra- and inter-governmental decision-making. The question is which role for knowledge or participation as additional sources of legitimacy can still be played in the projects of developmental planning.

The second observation is the large role consultants play in “developmental planning.” Consultants are hired on a large scale to find new planning practices and to develop knowledge about it. This raises the question if something in the character of regional spatial planning urges the hiring of consultants.

The two observations will be further explored in the next two chapters, which discuss the results of ethnographic research into two concrete practices of regional spatial planning: the example project developmental planning “IJsseldelta South” and the regional governmental body City Region Arnhem Nijmegen.

4. Consultants and the “running train” of the IJsseldelta South Project

4.1 Introduction

In this chapter the IJsseldelta South Project is discussed. The IJsseldelta South project is one of the “example projects developmental” planning. As such it is a struggle of a wide variety of governments to cooperate. In this chapter, we will follow the consultant-project leader and a variety of other consultants in how they enact the search to a new way of “developmental planning” and help governments to reach agreement.

The Project IJsseldelta South is a regional spatial planning project in the middle of the Netherlands in the province Overijssel. The centre of the project is a rural area in between the IJsselriver and two lakes (Dronterlake and Vosselake) (See Figure 4.1). The area is called IJsseldelta because it used to be a river delta of the river IJssel into a large inland bay of the North Sea (called Zuiderzee). The area became predominantly reclaimed meadow-land after draining a large part of the sea and placing a dam that made the rest of the sea a lake, IJsselmeer, in 1932. Being reclaimed meadow-land and the location between rivers and a lake makes the area vulnerable for flooding. That’s why a new river arm, a bypass, will be constructed. At the same time, several spatial developments will change the rustic character of the area: a new railway and railway station will connect the region to Amsterdam; the municipality of Kampen aims to build around 4000 houses; and the regional road might be enlarged into a highway. To coordinate these developments and maintain the special character of the area, the IJsseldelta South project was initiated by the province Overijssel.

Figure 4.1 The location of the IJsseldelta South Project

Source: based on map from www.michelin.com

In total, three ministries, two provinces, four municipalities, two water boards, and several implementation organizations of the ministries are involved. In addition, a variety of national and local interest groups participated in a soundboard group. See Table 4.1 for an overview of the “*governmental partners*” of the project.

In this chapter I will discuss four episodes crucial for the “shared meaning-giving” process taking place from the moment when the consultant project leader was hired in the summer of 2004 to the finalizing of a master plan in the summer of 2006 (see Figure 4.2): 1) weaving a policy; 2) assembling democratic legitimacy; 3) unraveling consensus; and 4) ripening towards commitment. In these episodes we will mainly follow the consultant project leader, Jos. Other actors are introduced along the way. In some episodes “defining moments” are discussed. Words used by the practitioners themselves are put in quotation marks and italics like: “*this.*” The condensations of meaning are put in italics, i.e., *frames*.

Table 4.1 Overview of the “governmental partners” in the project IJsseldelta South

Governmental partners
<i>National</i>
Ministry of Spatial Planning
Ministry of Transport and Water
Ministry of Agriculture and Nature
Rijkswaterstaat East of Netherlands
<i>Directorate-General of Ministry of Transport and Water, regional office.</i>
Rijkswaterstaat IJssellake- area
<i>Directorate-General of Ministry of Transport and Water, regional office.</i>
RIZA
<i>Research and advisory body for Rijkswaterstaat.</i>
Prorail
<i>Privatized organization responsible for constructing and maintaining the national railway network.</i>
Government Service for Land and Water Management
<i>Implementing organisation of ministry of Agriculture and Nature [Dienst Landelijke Gebieden, DLG].</i>
Staatsbosbeheer
<i>Public organization managing the natural heritage in the Netherlands, accountable to ministry of LNV.</i>
<i>Provinces</i>
Province of Overijssel
Province of Flevoland
<i>Local</i>
Water Board Groot Salland
Water Board Zuiderzeeland
Municipality of Kampen
Municipality of Zwolle
Municipality of Dronten
Municipality of Oldebroek

Figure 4.2 Four episodes in the IJsseldelta South project

Jun '04 – Feb'05	Mar '05 – Jun '05	Jul '05 – Jan '06	Feb '06 – Jul '06
Weaving a policy	Assembling democratic legitimacy	Unraveling Consensus	Ripening towards commitment

The data for this chapter was gathered through ethnographic research. During four months, from February 2006 until June 2006, three days a week, I both worked and did ethnographic research at the project's office. My research strategy was twofold. First, to "follow" the project leader in his activities as much as possible. From the beginning, I received a lot of cooperation and trust from him. He took time to regularly "*catch up*" with me. I was also allowed at most meetings, even when politically sensitive and confidential issues were discussed: for example, I attended the meetings between the project leader and the elected representative of the province [gedeputeerde]. My second strategy was to attend as many meetings as possible. I sat in and tape recorded the two weekly meetings of the taskforce chairs. Furthermore I attended taskforces, workshops, project groups, presentations, and excursions. During the day I took notes in a notebook. After each day I wrote my notes down in "daily reports." Since my desk was in the same room as the project members and next to the desk of the project leader, I was able to take part in many informal moments of deliberation. Lunches and rides in the car to meetings were useful moments to discuss the details of the project as well. My work at the project involved general tasks such as looking things up, writing letters, and calling people.

For the description of the episodes, I have used written data to support my observations as much as possible. This written data includes: public documents that have open access and can be verified (newspaper articles and public documents of the project, like a report of a presentation round), and documents I found in the (computer) archives of the project (draft plans, minutes, presentations, letters, and plans of approach). In addition, quotes from taped interviews performed before and after I did ethnographic research are included.

4.2 Weaving a policy

In this episode we follow how Jos, the consultant hired by the province Overijssel as the project leader, "weaves" the project together from a variety of different policies, developments, laws, and actors. It shows the heterogeneity of regional planning projects. Jos works for a consultancy company specializing in hydraulics (DHV) and has a master's degree in Urban Planning [Stedebouw] and Law. Before he started at DHV, he worked at municipal spatial planning departments throughout the country and was head of a planning department of a municipality. IJsseldelta was his second large assignment for DHV.

4.2.1 *Grasping the problem*

Before Jos was hired, the province Overijssel had taken two initiatives leading to the start of the project IJsseldelta South. First, it wrote a *regional advice* to the ministry of Traffic and Water, which proposed to construct a bypass as a “short-term measure” to prevent flooding, instead of dredging the IJsselriver as was provisioned by the ministry in her policy paper “Space for the River.” A quick scan performed by the consultancy firm Royal Haskoning had explored this possibility of the construction of the bypass as a short-term measure. Second, the elected representative [gedeputeerde] of the province Overijssel¹ had applied to become an “example project developmental planning.” The ministry of Spatial Planning had invited provinces to submit projects to receive the status of “example project developmental planning.” For the elected representative acquiring the status of “example project developmental planning” was important, because he could use it to show that the provinces could take up the newly expected role of “*proactive area coordinators*” in developmental planning.

Another development leading to the project IJsseldelta South was the assignment of the status “National Landscape” to the area north east of the IJsselriver by the ministry of Spatial Planning with the requirement to write a plan about how to protect the nature and environmental values in the National Landscape (see textbox 4.1).

Jos was hired to make a project out of the above developments and to implement “developmental planning.” Since, “developmental planning” was a new way of planning for the province, it can be said that Jos was hired to help develop a new way of planning. To get a better grasp on what was going on Jos started with “*exploring the field*.”

*“First, I started to explore what was happening in the field. I just started with a round of conversations with all kinds of people in the area. To ask what is going on here? I talked with the foreman of the farmers, with the representative of the Association of Tenants [pachtersbond], with the land agent, with aldermen, with citizens, with a large variety of people to get a little bit a feeling of what was going on.”*²

To get an idea of “*what was going on*,” to get the full story so to say, Jos talked individually to all kinds of people who might have something to say about what the project should be about. These people were not only public officials, but also politicians (aldermen), representatives of interest groups, citizens, and farmers.

¹ The position of an elected representative of a province is comparable to that of an alderman and he is indirectly elected by the directly elected provincial council.

² Idem.

By talking to all kinds of people “in the field” Jos found out for himself, that in the relatively small area south west of Kampen (around 400 hectares) several spatial projects were planned without mutual coordination of the governments planning these projects:

*‘By that [talking to all kinds of people] I tracked down that at the other side of the IJssel, at the south side, what is actually also the IJsseldelta, but the borders weren’t limited clearly, that there was a whole different problem: the tumbling down over each other of a few infrastructural investments of the national government, for which, the coordination was not good.’*³

We can see in above quote that Jos has already started to *frame* the project in a certain way: as a problem of coordination between governments. The problems of coordination Jos formulated were:

1. **Railway.** The Ministry of Traffic and Water was planning a new railway, the Hanzelijn, in the area. Also a new **train station** was planned south of Kampen (see red line for the railway and the red dot for the train station in Figure 4.3a). The railway should be completed in 2013.
2. **Bypass.** The same Ministry of Traffic and Water was planning to dig a new river arm of the IJssel, the bypass, around 2050-2100 (see blue line, Figure 4.3b). The bypass is one of the measures of the national Space for the River policy program designed to protect the Netherlands against future flooding due to climate change (see Textbox 4.1 for discussion of the Space for the River policy program).
3. **Dredging.** Also, part of the Space for the River program was the dredging of the IJsseleriver as a short-term measure to prevent flooding. The bypass would be constructed when dredging wouldn’t be sufficient anymore to secure the safety of the area.
4. **Combining railway and bypass.** Because the bypass is a long-term measurement, the railway would already be constructed. This provides a problem, as the bypass has to cross the railway at least one time. This means that a bridge or viaduct needs to be constructed later. Another problem is that building a bypass next to the railway would disturb the rustic character of the area.
5. **Houses.** The municipality of Kampen aimed to build around 4000 houses in the area. Because the north-east of Kampen was designated as National Landscape, the new houses needed to be built either west or south of Kampen (see Figure 4.3c).
6. **Planning reservation.** The Ministry of Traffic and Water had already laid down a “planning reservation” [planologische

³ Idem.

reservering] (see Figure 4.4) on the potential area for the bypass, west and south of Kampen. This meant that Kampen wasn't allowed to build new houses in the area as long the bypass wasn't constructed.

7. **Various.** During the course of the project more planned developments showed up. The provincial route between Dronten and Kampen (the N307) needed to be improved and broadened. This was planned by the province Flevoland. The sluice under the provincial route (between the Dronterlake and the Vosselake) needed to be renewed, which would be the legal responsibility of Rijkswaterstaat, the implementing agency of the Ministry of Traffic and Water. Finally, the other provincial route in the area (the N50) might become a highway, which would be the jurisprudence of the province Overijssel and ministry of Traffic and Water together.

Figure 4.3 The planned developments of the IJsseldelta South project

a. The Railway (dot= station)

b. Bypass

c. Housing

d. all developments

Source: Project IJsseldelta South. Drawn by: H+N+S

The picture above became a *symbol* of the problem of the project. It was drawn by landscape architects of the consultancy firm H+N+S. Whenever the project was introduced in folders, presentations, and publications, the picture was first used to explain what the project was about. The picture framed the project as a problem of separately planned developments that needed to be integrated. Framing the project as a problem of cooperation enacted a relationship of interdependence among the governments, stimulating them to cooperate.

Figure 4.4 Planning reservation on the area around Kampen

The ‘planning reservation’ [planologische reservering] for the bypass imposed by the Ministry of Traffic and Water. In this area no spatial developments are allowed to be built until the start of the construction of the bypass. However, the construction of the bypass is not scheduled until 2050-2100.

During the summer Jos started to write a project proposal for the IJsseldelta project in which he defined the project. Jos took the idea of bringing the bypass forward in time over from the regional advice. According to the regional advice the best chance to create more “*spatial quality*” in the area was to “*exchange*” dredging the IJssel with constructing the bypass. As such, a “*no-regret*” measurement could be taken: instead of first implementing a short-term, non sustainable solution (dredging), the sustainable solution in the long term would be

implemented right away (the bypass). When the construction of the bypass would be brought forward in time, the bypass could be integrated with the other planned developments. In this way the railway, the highway, and the bypass could cross each other in a more optimal way. If the bypass was constructed earlier, the planning reservation on the area of Kampen would expire, and the houses and the bypass could be planned simultaneously. Furthermore, if the bypass had permanent water in it (a “*blue bypass*”), attractive houses could be built along the water and opportunities for leisure and nature could be created.

Furthermore, Jos proposed to distinguish the project “IJsseldelta South” from “IJsseldelta North.” IJsseldelta South became the “example project developmental planning” and consisted of the integration of the bypass with the other projects. IJsseldelta North became the development of a “the National Landscape” at the other side of the IJsselriver. Another project leader from the province Overijssel was installed for IJsseldelta North, and Jos remained the project leader for IJsseldelta South.

In the beginning of his involvement, we saw Jos trying to grasp the project IJsseldelta South from a wide variety of running policies, proposals and planned developments. What stands out is a policy *setting* in which apparently all these projects and policies can co-exist. Many of these policies were laid down on the region from national policies, as is described in textbox 4.1 Despite the aim of the ministries to enact a new kind of planning - more integrated, less top-down, and more collaborative - these policies imposed conflicting claims on the region. The way of working of Jos can be described as weaving wove the existing policies and proposals together into one project. Herewith Jos helped to overcome problems of cooperation and coordination posed by the conflicting policies and arrangements.

Textbox 4.1 The national policy setting of the IJsseldelta South project

The IJsseldelta South project takes place in a heterogenic planning landscape. Part of this is a variety of national policies posing conflicting claims on the area. The national policies discussed below show a high level of reflexivity towards ideas in planning theory and the field, like the network society. Notable is also the unity in the search for a more integrative and collaborative planning practice.

National Plan Space⁴

In the National Plan Space, the ministry of Spatial Planning assigned twelve “*example projects developmental planning*,” of which the project IJsseldelta South is one. The aim of the example projects is to search for a new kind of spatial planning. Instead of classical “land-use planning” and “planning by permission” (toelatingsplanologie) determined by the sectoral departments of governments, the aim is a spatial planning that tries to develop the “*spatial qualities*” of regions as a whole. This has to be done through horizontal cooperation with a variety of governments and stakeholders.

National Landscape

In the same National Plan Space the ministry assigns the same area as the example project developmental planning IJsseldelta as a National Landscape. National Landscapes are areas for which subsidies are available to maintain and enhance special landscape qualities. As a result of achieving the National Landscape, the province Overijssel is obligated to make a plan to protect and enhance the qualities of the landscape in the “IJsseldelta.”

Space for the River

Space for the River is a policy paper of the Ministry of Traffic and Water about measures to prevent flooding. The policy program “Space for the River” aims for a paradigm shift in dealing with water issues in the Netherlands. In the past, water policy was aimed at containment of the water by building dykes and sluices. However, due to climate change, the lowering of the earth, rising sea water level, and intensive use of land, it is expected that just containment of the water and “technical solutions” – like dykes and sluices- will not be enough to prevent future flooding. Instead of containing the water, “space” should be returned to the water, by building retention areas, bypasses (new river arms) and flooding areas: hence the title “Space for the River.” In order to enable such a paradigm shift, political-organizational changes need to be

⁴ “Nota Ruimte, ruimte voor ontwikkeling,” Deel 4: tekst na parlementaire instemming, Ministries of VROM, LNV, VenW, EZ. May 2004.

made, as well. In 1995, a commission on Water Policy in the 21st century concluded that the governance of water was characterized by: the lack of coherence of policies at the several governmental levels; dispersed legislation; the lack of participation of citizens and hence lack of support; verticalization; and sectoral thinking.⁵ Traditionally, (spatial) planners and the administrators of the water system in the Netherlands (these are Rijkswaterstaat, the implementing agency of the ministry of Traffic and Water, and the independent Water Boards) operate fairly autonomously. Plans are first developed and thereafter assessed by technical standards and made technically possible by water administrators.⁶ Space for the River aims at the use of solutions with “*spatial quality*,” instead of technical solutions to improve water safety. To do this the policy domains of water and spatial planning should become more integrated. Finally, Space for the River tries to implement a less top-down approach than normal. Regions are given the opportunity to bring in their own alternatives. For the IJsselriver near Kampen, the Space for the River policy provides two measures: dredging as a short-term measure and a bypass as a long-term measure.

Exchange decision

In 2001 the ministry of Traffic and Water asked for a “regional advice” regarding possible measures to prevent flooding in the area of the IJsseldelta. The regional advice suggested digging the bypass as a short-term measure, instead of first dredging the IJssel and then later digging a bypass. In 2003 the ministry of Traffic and Water decided to keep dredging the IJssel as the short-term measure in the policy program, because they hadn’t enough money to dig the bypass right away. However, the ministry offered the region the possibility to see if they could get the option of the bypass financed themselves. If the region proved that the bypass would be financially and technically feasible, sustainable, and safe before 2009, the ministry would exchange dredging the IJssel for making the bypass. This is called the “exchange decision” [omwisselbesluit].

⁵ “Waterbeleid voor de 21e eeuw,” Commissie Waterbeheer 21e eeuw, August 2000.

⁶ “Speciaal Duurzaam Waterbeheer in de praktijk,” Rathenau Instituut, Afsluiting project, November 2002, Den Haag.

Planning reservation

To keep the grounds where the bypass was planned free from other developments, the ministry of Traffic and Water imposed a “*planning reservation*” [planologische reservering] on the area: prohibiting building in that area until the bypass was constructed.

Railway: Hanzelijn

Plans of the ministry of Traffic and Water for a new railway (the Hanzelijn) in the area were already advanced. The route of the railway was already legally and procedurally binding: construction would start in 2008 and would already be finished in 2013. In order to not delay the construction of the railway, changes should be made before the autumn of 2006, two years after the start of the project IJsseldelta South.

Network City Zwolle Kampen

The Network City Zwolle Kampen is one of the Urban Nodes created in the Fourth National Plan Spatial Planning by the ministry of Spatial Planning. The idea of this policy was that cities grow together more and more in the form of networks of places, mobility and people, and hence governments in these “network cities” should cooperate in platforms to coordinate this development. The Network City is chaired by the municipalities Kampen en Zwolle. The province Overijssel and other governments in the region participate in the cooperation platform of the Network City. The IJsseldelta South project falls officially under the Steering Group Network City Zwolle Kampen.

4.2.2 Creating a sense of urgency

In his project proposal, Jos emphasized the deadlines of the project. The route of the railway was almost legally and procedurally binding (at that moment it went to the last round of juridical appeal) and adaptations would have to be taken in autumn 2006, two years after the start of the project. Another deadline was caused by the Space for the River policy. The policy provided the opportunity to exchange the short-term measure of dredging the IJssel with the long-term measure of the bypass if the

“region” proved that the bypass was technically and financially feasible and would comply with safety standards before January 2009. There was also still some time for a lobby to avoid the “exchange decision” and to replace dredging the IJssel with the bypass right away in the Implementation Plan of the Policy Program Space for the River [PKB, Planologische Kernbeslissing], which was to be approved by the parliament sometime between 2004 and 2005. Third, the ministry of Spatial Planning wanted the “example projects developmental planning” to already start to show concrete results in 2005. In the following excerpt of the working plan, it is shown how Jos mobilized the deadlines above to create a sense of urgency and a sense of “*having to act now*” with the partners of the project:

“IJsseldelta as a try-out project comes at the right time. The many before mentioned initiatives in the IJsseldelta will not be coordinated automatically. By now very smart playing with the opportunities, you can create room to live, guarantee safety against the water and you make room for leisure and nature, all at once. And the farmers will get clarity about the future. That is also the core of developmental planning: an integrated area-oriented approach in which chances are recognized and used [emphasis added].”⁷

One of the reasons Jos enacted these deadlines was because he felt he needed to make the project more “alive” among the other governmental “partners:”

“Both projects [IJsseldelta South and North] have a long passing time and a high level of abstraction. At this moment there is (still) insufficient support by the internal and external target groups; it isn’t ‘alive.’”⁸

Despite that fact that the regional partners had already proposed the early construction of the bypass to create more “spatial quality” in the regional advice written before Jos was hired, Jos felt the need to emphasize the urgency of the project and to use the metaphor of making it “alive.” The reason for this becomes clear when we look to the possible alternative storylines.

The first alternative storyline is uncertainty about whether the bypass would ever be built at all. In this storyline the bypass is just considered to be a long-term measurement in the policy paper Space for the River for the period 2050-2100. At the start of the project 2050 was still far away. In the mean time all kinds of developments might happen

⁷ “Plan van aanpak,” IJsseldelta Zuid, September 2004.

⁸ “Memo, Advies gezamenlijk communicatiestrategie projecten Netwerkstadvisie en IJsseldelta en benodigde communicatiespecialisten,” October 21, 2004.

that might lead to not building the bypass. For example, the calculations in Space for the River are based on expectations about the amount of water the rivers in the Netherlands are expected to discharge from the inland borders of the Netherlands towards the sea. If, for example, it is decided sometime before 2050 that the other rivers in the Netherlands have to discharge relatively more water than the river IJssel, the bypass might not be necessary or might only be necessary in the long term (after 2100). Another uncertainty is that sometime between now and 2050 the policy might be revisited and other measurements, which would replace the bypass, might be taken. Third, the whole project IJsseldelta South hinged on “*exchanging*” dredging the IJssel with the bypass: without the early construction of the bypass there would be no project.

The second alternative storyline was that there was no problem at all. The ministry of Traffic and Water was planning to guarantee the water safety by first dredging the IJsseleriver and then later when necessary digging the bypass. The ministry could than just lay dykes in the landscape, the so called “*green bypass*.” The bypass would probably only be in use once in the 500 years for around two weeks. Only during this period water will stand in between the dykes and the railway would just be out of order.

A third storyline was about financial capacity: who would pay the costs of the project? The costs of dredging the IJssel would be around 40 million. The costs of making a “blue,” and navigable (for recreation) bypass were estimated at 250 - 300 million Euro. The ministry had already decided they wouldn’t exchange the bypass for dredging unless the region itself would finance it and would prove the technical feasibility of the project before 2009. The ministry of Spatial Planning had assigned the project IJsseldelta South the status of “example project development planning,” but had not offered financial support. The region didn’t want to pay for a problem for which the ministry of Traffic and Water was actually responsible.

The counter-stories explain why Jos was emphasizing urgency of the project and was framing the problem of the project as a lack of cooperation between governments. From this problem definition he frames the project as “creating spatial quality by integrating separately planned developments” “by bringing the bypass forward” and “acting fast.” By this definition, he tried to facilitate cooperation between all involved governments.

4.2.3 Continuing the cooperation

After defining the project, Jos had to design an organizational structure for the project. Because Jos personally talked with many of the people

involved, he became aware of the “sensibilities” he had to reckon with in installing some kind of steering structure for the project. There were, for example, some sensibilities within the province itself. The bypass first belonged to the domain of the elected representative responsible for water. As the new river arm became the focal point of the project IJsseldelta South, it came under the domain of another elected representative, responsible for spatial planning. Jos had a conversation with the elected representative responsible for water to discuss how this was a problem. Another sensibility emerged around the role of the municipalities. A collaborative platform of the province Overijssel and the municipalities of Kampen and Zwolle already existed, which oversaw the same area as the project IJsseldelta South: the *Network City Zwolle Kampen*. The Network City Zwolle Kampen was chaired by the mayors of the municipalities, and they wanted the IJsseldelta project to fall under the umbrella of the Network City, instead of being chaired by the province.

Jos had to try to come up with a steering structure that would respect these sensibilities and existing policies and cooperation structures on the one hand, and foster cooperation among the governments involved on the other hand. Jos designed an institutional arrangement in which decisions would be prepared by a project group in which public officials of all the governments had a seat. Hereafter, formal decisions would first be made in the “Core Group IJsseldelta South,” in which the elected representatives and politicians of the governments participated under the chair of the province Overijssel, and later again in the “Steering Group Network City Zwolle Kampen,” under the chair of the mayors of Kampen and Zwolle. A soundboard group of interest groups would meet separately and would give comments before decisions were made in the Core Group of Representatives (see Figure 4.5).

Figure 4.5 The organization structure of the IJsseldelta South project

Again the fullness of the policy setting provided a problem for Jos: how to deal with existing cooperations and platforms. As a response, Jos designed an institutional structure in which all actors “*had their stage*”. We see how Jos was not only involved in defining the substance of the project, but also in helping to find a way to work together. In doing so, he started to mediate between “sensible” relations, for example by talking directly to the elected representative for water. This was made easier because he was an external outsider to the project: Jos himself wasn’t embedded in relationships around the project.

4.2.4 Developing a way of working

After the summer Jos got a project team assigned to him. The project team consisted of a secretary employed by the province and a communication advisor hired from a consultancy company. The public official who had worked at the bypass and the regional advice until that moment was assigned as assistant project leader.

Jos started to develop a way of working that placed him somewhat at a “*distance*” of the province. One working practice Jos developed was not coordinating everything internally within the provincial organization. Another way was by talking directly to politicians of the province and the other governments to get them involved. In the words of Jos himself:

“I just started to communicate my ideas about how to do it with Zwolle and Kampen. I didn’t first coordinate it here internally with the board. That would be the usual way: if I was a public official of the province, I first would need to coordinate it with the board and then go talk with people outside the province. Then you

are sanctioned, politically safe. That I didn't do. I consciously went to Kampen right away with my ideas, went to Zwolle right away. To make sure I had commitment everywhere. I started to broke a little between those parties. That is something you are not supposed to do as a public official of the province, but something that I surely do not regret. (...) You need to take a certain freedom as project leader, to move at a certain distance from the province as a project leader.”⁹

In the above quote Jos explains that he broke through the normal procedures of the province of first internally coordinating and sanctioning. Instead, he went to talk to the “partners” right away. Mediating between the several partners was more important than being sanctioned internally. In that sense, he took the freedom as a project leader to work at a certain distance from the province. The unaffiliated position as a consultant made it easier for Jos to act as a “broker” between partners. Because as a consultant he was *external* to the governments involved, he was not part of already existing relations and structures. Furthermore, he could more easily mediate between sensibilities within relations between actors, because he was not part of these sensibilities himself. He also knew that he was only involved for a limited time, and therefore had to worry less about building good personal relations for future projects. As a consultant Jos is not embedded within historical and cultural habits as a public official of the province would be. It is therefore easier for him to position himself outside these historical and cultural habits. This helps him to overcome restrictions imposed by these historical and cultural habits, and to form a “new way of working.” Another example of this was that Jos asked permission to give an oral presentation about the progress of the project in the elected boards of the Province Overijssel, Municipality Kampen, Municipality Zwolle and the Water Board instead of providing them written progress reports. Much to his own surprise, the elected boards of these governments allowed Jos to do so most of the time. This made it easier to keep the elected boards informed about the project: they didn't have to read reports and could directly interact with Jos.

Throughout the project Jos and his project team continued to develop a style of working that they contrasted with a “provincial,” bureaucratic style of working. They saw themselves as working more quickly, more informally, and more effectively than the workers who used the bureaucratic “provincial” style of working. This non-provincial style of working was enacted in circumventing official administrative provincial rules and cultural habits: for example, sending press releases normally required permission of a special provincial department, taking

⁹ Interview Jos Piercy, September 28, 2006.

time and limiting adequacy of messages. The communication advisor on the project had taken the freedom to send press releases directly. Also, official notes to be discussed within the elected board of the province were often delivered last minute and not according to the official delivery procedure, which demanded that official notes be handed in several weeks beforehand to the secretary of the board.

The distance of the project team to the provincial organization is symbolized by the location of the offices of the project team. The project team had an office in the basement of a dependence building of the Province Overijssel, because there was no place left in the rest of the building. This office was located next to the post chamber, the smoking room, and bicycle storage room. The office consisted of one large room with eight desks placed in groups of three. A large table for meetings stood in the middle of the room. The desks and chairs were outdated and the office was disorderly: papers and materials for the project (prospects, etc.) were laying everywhere. Also, large wooden boards with maps of the project were scattered around the room (see Figure 4.6).

Working in one large room offered the project members the opportunity to frequently and informally deliberate about the project. Jos often called for a “catch up moment,” in which the project members pulled their chairs together and discussed things that had happened, the outcomes of meetings, and how to move forward (see Figure 4.7 for such a moment). This way of deliberating became so effective that the official two-weekly meetings were cancelled most of the time. This seemed an indicator for the *modus operandi* the project members stood for. They presented themselves as a “Gideon’s- gang in the basement.”

There are some reasons that explain why the project members identified with a “non-provincial” style of working. Acting as a coordinator of a regional collaborative project was seen as a new institutional role for the province. By letting provinces coordinate the “example projects developmental planning,” the idea was that provinces would start to learn how to transform from traditional governments, mainly aimed at approving municipal area plans and writing provincial structure plans, to governments having a process and proactive role in coordinating and starting collaborative regional projects. The project members tried to implement this coordinating role of the province and hence had to do something different from what had been until now the “provincial way” of working. In order to do so, the project members tried to create “high dynamics” in the project, to keep the project moving, to keep all partners actively involved and to meet the deadlines. They also needed to react quickly to unplanned developments to keep the partnership together. Bureaucratic procedures and customs could hamper

this: for example, at the moment that a negative press release appeared in a newspaper, it was seen as crucial to react in the newspaper the day after. This was the reason they needed the communication advisor to be able to send press releases without first authorizing them within the province. A second reason for keeping a quick pace in the project and to circumvent some provincial procedures was that if all the involved governments first moved through their official channels before they discussed something, the collaboration would become too slow. Third, within the collaboration the province was a partner with certain interests itself; however, at the same time the province needed to act as a coordinator. Being placed at a distance from the provincial organization, quite literally and by their way of working, made it easier for the project members to be seen as independent by the other partners and to be accepted as coordinators.

Figure 4.6 The office of the IJsseldelta South project

The basement, however, also symbolized how the project members sometimes became isolated from the rest of the provincial organization. During the project only a few public officials of the province were actively involved, while the active involvement of a dozen consultants in addition to the project team deepened during the project. The distance from the provincial organization made it sometimes possible to lose the support of the public officials working for the province. For

example, at one moment, when I had already been working with the project team for a couple of months, the opportunity arose to use a subsidy managed by the province to finance part of the new river arm in which a special ecological zone could be created. Jos asked me to talk to the public official managing the subsidy to explore this opportunity; however, the public official was reluctant to cooperate because at the start of the project he had been left out. Another effect of a disconnection from the provincial organization was that learning effects of the project couldn't easily spill over to the public officials working for the province. This mechanism of disconnection between projects lead by consultants and the organization they are hired by will be discussed more often in the coming paragraphs and chapters.

Figure 4.7 ‘a catch up moment’ at the project IJsseldelta South

Left the project co-worker. In the middle: the communication advisor. Right at the front sitting on the desk: Jos the project leader.

4.2.5 Conclusion: problems of coordination and finding a new way of planning

The problem of IJsseldelta South is a problem mainly caused by governments themselves. A wide variety of policy papers, planned developments, forums, and norms made by a variety of governments create problems of coordination and cooperation or intra-/inter-

governmental decision-making. The IJsseldelta project fits into the development towards more complex policy landscapes, partly caused by the aim of governments to work more collaboratively themselves. An example of these problems with intra- and inter-governmental decision-making is that the same area around Kampen received the status “National Landscape” and was appointed as “example project developmental planning” within the same National Spatial Plan Space [Nota Ruimte]. Another example is that due to the status of National Landscape the municipality of Kampen can’t build houses north, but due to a “planning reservation” imposed by the ministry of Traffic and Water Kampen can’t build extra houses at the other side either, for at least 50 years. Ironically, this means that the new railway station for Kampen planned by the same ministry of Traffic and Water will come to lie in the polder removed from the city itself.

Moreover, governments seem to enact many planning theories and policy theories like the idea of a network society or about a new way of planning. The collaborative platform of the “Network City Zwolle Kampen” to informally coordinate the development towards a network society is an example of this. A few years later the province Overijssel aims to create another collaborative platform to find a new way of “developmental planning.” However, to bring this new way of governing into practice a consultant is hired.

Let’s turn our attention to what the consultant did in order to enact this new way of governing. Figure 4.8 provides a schematic overview of what the consultant did. We can use the metaphor of “weaving a policy” to describe how the consultant defined the project by “weaving” together heterogeneous aspects: different policies, governmental plans, local interests, existing cooperation structures, historical relations and regulations, and so on. The consultant connected these aspects by framing the project as a problem of a lack of cooperation between governments that could be solved by bringing the construction of the bypass to the front. Next, he designed a steering structure on which all important actors had their “stage.”

The consultant wove the policy together by “exploring the field,” talking to all kinds of people and by carefully listening to them. His role as a “broker” between policies and governments was enabled by his position as an external consultant. Because he was an “external,” he could more easily break through the traditional way of working of the provinces, by operating at a “distance” from the province and talking directly and independently to public officials and politicians across governmental levels. As such, the consultant helped governments to overcome problems of intra-governmental decision-making and coordination.

On the other hand, the consultant was largely isolated at this stage of the project. The consultant talked to citizens, experts, and involved policymakers, but they did not talk to each other. To continue the metaphor of weaving: the consultant became the spool integrating aspects of participation, knowledge, and decision-making without facilitating a shared meaning-giving process among involved actors.

Figure 4.8 Weaving a policy

4.3 Assembling democratic legitimacy

4.3.1 Writing scenarios

The plan of approach included the writing of a master plan. In order to do this, the project needed a starting point that could further tie all developments and actors together. On the suggestion of Jos, the province Overijssel hired a team of three consultants to design scenarios as the foundation for a master plan. Two consultants worked for the same hydraulic consultancy firm Jos was working for (DHV); the other one worked for a firm specializing in landscape architecture (H+N+S). The scenarios would also be used to start a participation round. The consultants designed five scenarios (see Figure 4.9). The main way the scenarios differ is in the route and layout of the river arm. The scenario's didn't differ much from the scenarios researched by the consultancy firm Royal Haskoning and discussed in the regional advice before Jos was hired. The main difference was that the five scenarios worked out more variations.

Figure 4.9 Scenarios of IJsseldelta South Project

The consultants were hired for their independence to act as a small group of “*creative and independent professionals*” and “*to explore the variety of possibilities from an integrative perspective.*” Jos was concerned that the different government actors would be trapped by their positions and views. The consultants would be better able to generate ideas from an independent position:

“those consultants actually played a role from the start that they, every time on behalf of the project team, from a neutral position brought up ideas for the project group to show; ‘this is how it can be.’”¹⁰

Because they were considered more independent than the public officials, the consultants were thought to be better able to present the “full scope” of possible solutions to the public officials of the government partners participating in the project group. Another reason to let consultants design the scenarios was to make the problem more concrete. The writing of the scenarios was important to create a “common image” among the partners about the possible problem and solutions of the project and to show the partners the urgency of the project.

Public officials and citizens didn’t co-design the scenarios directly, but the scenarios were discussed in the project group in which public officials of the governmental partners took a seat. The scenarios were also discussed and approved in the other collaborative platforms (the Steering Group Network City Zwolle Kampen, Core Group IJsseldelta South and Soundboard Group, see Figure 4.5).

4.3.2 The participation round.

The scenarios were used as input for a “*participation round*” of six weeks, from April 7th until May 14th 2005. During the participation round there were public hearings in the municipalities within the area; there was an exhibition in the library of Kampen at which one of the project members was present three days a week to have individual conversations with citizens; a website was put up;¹¹ and project members gave presentations at meetings with several interest groups. There were “IJsseldelta Lectures” in which parts of the technical background and research behind the project was explained. The consultants hired to design the scenarios were also present at many of these events to provide the public with more information. Finally, there was a questionnaire that citizens could fill in (347 people did) and people sent letters to the project.

¹⁰ Idem.

¹¹ www.ijsseldelta.info.

Figure 4.10 Timeline of the participation round

During this episode citizens living in the area raised fierce protests against the construction of the bypass. The protests of the citizens urged Jos to improvise to maintain support for the project. In doing so, he succeeded in integrating knowledge mobilization, participation, and decision-making in a shared meaning-making process among citizens and government actors. Five defining moments for the development of shared meaning are discussed in this paragraph: 1) the Kamperveen scenario; 2) the end of Noordeinde; 3) the use and necessity; 4) the node; and 5) the municipal council meeting. These moments show how Jos succeeded in achieving democratic legitimacy for the project through facilitating "participation." As we will see, participation in this case doesn't refer to a clearly defined set of procedures or process, but to a period in which democratic legitimacy became "assembled" by acting on the spot on local stages close to citizens, such as community houses, and responding to clues embedded in the dramaturgy of the moment. Figure 4.10 depicts a time line of important events taking place during the participation round.

4.3.3 The Kamperveen Scenario

Several public meetings were organized during the participation round. At the meetings there was a lot of protest against the construction of the bypass by farmers of Kamperveen. In all scenarios, the bypass would go over a large part of the mainly rural grounds of Kamperveen.¹² The

¹² "Uw mening over IJsseldelta Zuid, participatieverslag," Kampen, June 2005, p.21.

farmers’ most recent interactions with government had been negative: the slaughter of livestock in the Foot and Mouth crisis, and the planning for the railway, the Hanzelijn, in which they felt their voices had not been heard. The citizens and farmers saw the bypass as yet another governmental plan trying to disrupt their community. They were skeptical of the invitation to participate in public meetings, because the recent experiences suggested their voices wouldn’t be listened to anyway. They also questioned the necessity of the bypass to prevent flooding and saw their “small village being sacrificed for the interests of the larger group.”¹³

On April 21 2005, another public meeting in the municipal house of Kampen was organized. Around two hundred people were present, among them a large group of farmers from Kamperveen. During the meeting the citizens of Kamperveen again expressed their concerns that the government and the project leaders wouldn’t listen to them anyway. The elected representative of the province then put the team of consultants that designed the scenarios at the disposal of the citizens of Kamperveen to together develop an additional sixth scenario.¹⁴

During the coffee break, the inhabitants of Kamperveen and the consultants of the team joined together and discussed the possibilities of working together to develop a sixth scenario. After the coffee break, a resident of Kamperveen and a member of the farmers’ association in Kampen (LTO) declared to the audience that the farmers of Kamperveen would develop their own scenario with the assistance of the consultants of the project team. A week later, on April 28 2006, the farmers submitted the scenario to the project team (see Figure 4.11). After the delivery of the “Kamperveense scenario,” the scenario was included in the questionnaire.

¹³ Several informal conversations with farmers and project members.

¹⁴ “Uw mening over IJsseldelta Zuid, participatieverslag,” Kampen, 10 juni 2005 p.21 and conversations with project members.

Figure 4.11 The sixth, “Kamperveen” scenario

The sixth scenario of the project, designed by the inhabitants of Kamperveen together with consultants.

Source: *Uw mening over IJsseldelta Zuid, participatieverslag*,” Kampen, 10 juni 2005. Drawn by: H+N+S Landscape architects

Figure 4.12 Information Evening in Municipal House Kampen

The public meeting of Kampen was *staging* a strong distinction between a “passive audience” and “active players.” The “players:” the elective representative, the project members, and the consultants were sitting behind tables at one end of the room. The “audience:” the citizens, were sitting and standing opposite them. The act of the elected representative to put the team of consultants that designed the scenarios at the disposal of the farmers to make their own scenario worked to ensure the cooperation of the farmers because it broke through the expectations embedded in this staging: it made the farmers “active players” and thereby deprived them of the *script* that “they weren’t being listened to.” Until that moment that script had only been confirmed by the policymakers, who tried to explain why they had chosen to start with the scenarios: because there was so little time for the project caused by the deadline for the construction of the railway. By starting with scenarios, the policymakers thought it would be easier for the public to participate because they would have something to start with. They tried to explain that the citizens didn’t have to choose one scenario, but could use them to “*cut and paste*” and create their own scenario. However, by the very act of *explaining*, the project members, Jos and the elected representative were at first instance only reinforcing the staging of an audience “listening” to an explanation. Through the act of the elected representative, putting the team of consultants at the disposal of the farmers, this pattern was changed. This act showed that the elected representative was prepared to listen to the concerns of the farmers.

In the moment described above, consultant-experts and farmers cooperated to write a sixth scenario; as such knowledge mobilization and participation were integrated in developing a policy.

During the participation round, Jos took a more modest role compared to that of the elected representative. During the participation round and afterwards, Jos worked closely with the elected representative. They met every two weeks and had regular contact in between. At these moments the elected representative started to act as an assignment-giver towards Jos. In the meetings I observed between the elected representative and Jos, Jos reported what he had done in the last two weeks and which decisions needed to be made in the coming weeks. Herewith, the “primacy of politics” was strengthened.

4.3.4 End of Noordeinde

Citizens of another village, Noordeinde, protested heavily against the construction of the bypass as well. On May 21, 2005, a regional newspaper headline read: “*Noordeinde buried alive*”- *IJssel water*

*demolishes a whole village.*¹⁵” In this article, inhabitants of Noordeinde claimed that the project leaders had forgotten to inform them about the project. According to the inhabitants of Noordeinde, they found out about the project accidentally three days before the end of the participation round, when one of the inhabitants saw an exhibition in the library of Kampen about the project. The citizens of Noordeinde claimed that in the scenarios their village would be destroyed by the bypass. To symbolize this they used tape to mask off the “Noord” from place name signs, leaving only ‘Einde’ (meaning ‘End’) (see Figure 4.13).

Figure 4.13 The “end” of Noordeinde in broadcast of Netwerk

Place name sign of Noordeinde. Noord is taped off, leaving “einde,” which means “end.” Source: NCRV Netwerk, May 25 2005.

The following week the inhabitants of Noordeinde managed to attract a lot of media attention from local, regional, and national newspapers and television. On May 25 the *Volkscrant*, a distinguished national newspaper, carried the headline: *“Forgotten village fears the worst.”*¹⁶ In this article, the *Volkscrant* reported the sentiments of some angry citizens:

“Do you have a gun with you? Than shoot a hole in them all,” says an angry man on the dike. Noordeinder Jan van Ommen has substantively no good word for the plans as well. “That water is

¹⁵ Roel Kleine, “Noordeinde levend begraven –IJsselwater vaagt heel dorp weg,” *De Stentor*, May 21, 2005.

¹⁶ Rik Nijland, “Vergeten dorp vreest het ergste,” *De Volkscrant*, May 25, 2005.

not that bad, but we are not waiting for recreation and houses. Those who live here don't want entertainment. They are here for rest.”

On the evening of May 25, Noordeinde was an item on three national television programs.¹⁷ Network - an established national news show - opened that evening with:

“The policy makers already knew it for a long time, only, they did forget to inform the citizens. The 200 inhabitants of the Gelderse Noordeinde are mad like devils. The village is being sacrificed for the drastic operation IJsseldelta, which will change the course of the IJssel by Kampen. In [the province] Overijssel is talked about the bypass excessively, but Noordeinde, that lies thus in [the province] Gelderland, was forgotten. Accidentally an inhabitant of Noordeinde saw the plans in the library of Kampen and alarmed everybody. The end of Noordeinde.”

The same evening, Jos organized an information evening in Noordeinde. At this information evening the elected representative of the province Overijssel promised that the bypass would not cross the territory of Gelderland. Also, the end of the participation round was postponed a few days in order to give the citizens of Noordeinde a chance to fill in the questionnaire.¹⁸

Figure 4.14 Public meeting in community house Noordeinde

Source: Movie “The people and the Bypass,” project team IJsseldelta 2005.

¹⁷ Network, 6 in het Land and Hart van Nederland.

¹⁸ Martin Steenbeeke, “Dorpje Noordeinde voelt de grond onder zich verdwijnen,” NRC Handelsblad, May 25, 2005; “Gedeputeerde: Bypass IJssel niet door dorp,” De Telegraaf, May 26, 2006; “Uw mening over IJsseldelta Zuid, participatieverslag,” Kampen, 10 juni, 2005.

The scripting used by the citizens and media in the example of Noordeinde was fierce and passionate: the village would “be buried alive” and the citizens were “mad like devils.” Their script was strengthened by the prop of the tape on the place name signs (see Figure 4.13): it seemed the policy makers had forgotten them and now the End of “Northend” was there. Embedded in such scripting are cues for appropriate behavior for the actors involved. In this case there were strong cues for the elected representative about what would be a *counter script* that would be seen as legitimate by the citizens of Noordeinde. Moreover, scripts can be strengthened or weakened by the staging used. This becomes clear in the broadcast of the national news show *Netwerk*.¹⁹ The broadcast first shows some of the citizens of Noordeinde standing outside, surrounded by the polder landscape of dykes, historical farms, grasslands, and birds (see figure 4.15) The citizens explain how the exhibition of the project in the library of Kampen was accidentally seen by the wife of the schoolteacher. Then the voice-over comes in: “*even their own government knew nothing.*” The broadcast switches to the alderman of the municipality, who is shown standing in the same polder landscape as the citizens of Noordeinde (see figure 4.16). The alderman says that the province Overijssel, didn’t inform him and that only at his instigation was the May 25 public meeting organized. Then the elected representative of the province Overijssel is filmed, not outside, but in his office (see figure 4.19). The elected representative is introduced by shots of the building of the province see figures 4.17 and 4.18). The building of the province is a greystone, dark, modernistic building. The top levels of the building are shown from a downward angle, with the flag of the province at the top. The elected representative of the province Overijssel explains that the citizens of Noordeinde have had more time (the participation round was prolonged by a couple of days) and that they weren’t accidentally informed, but that the exhibition in Kampen was deliberately put up to inform citizens in the region. Furthermore the project team aimed to inform the citizens of Noordeinde through the regional newspaper (the *Stentor*) and television channel. However, Jos didn’t know that the regional newspaper and television channel have different editions in the province Overijssel and in the province of Gelderland (where the village Noordeinde lies). Hence, the edition in Overijssel captured information about the bypass, whereas the edition in Gelderland didn’t.

¹⁹ “Het einde van Noordeinde,” *Netwerk*, 25 mei 2005, zie: http://www.netwerk.tv/archief/10755/1716/Het_einde_van_Noordeinde.html, last visited April 5, 2009.

Jos, the elected representative and the project team did their best to explain that they had not forgotten the citizens of Noordeinde; however, the above staging in the Netwerk broadcast made it very difficult for them to convey this meaning. The image of the elected representative in his office in a modernistic, grey building strengthened the script of him being a bureaucrat sitting behind his desk and forgetting about his citizens. On the other hand, the alderman is staged as a “friend” of the citizens, shown in the same environment as the citizens, with birds and waving grass in the background. Although Jos and the elected official had informed the alderman of Noordeinde a few weeks before the participation round, they decided not to portray this in the media, to prevent an image of fighting politicians. Instead they told the media they forgot about the different newspaper and media editions in Gelderland. However this response was not enough to restore the citizens’ trust. Jos and the elected official needed to follow “cues” in the scripting of the citizens and the media. Jos organized a public meeting in Noordeinde on the same evening all the negative press occurred. At first it seemed that the elected representative would not be able to come because he had already another important meeting; however, on the day itself he did decide to come. If he had not come, the image of him as a “bureaucrat” who had other priorities than his citizens, suggested by the broadcast of Netwerk, would have been reinforced. Coming to the meeting in the community house of Noordeinde removed him from the distant stage of the province house and placed him at the local stage of the community involved, conveying a meaning that he wasn’t a bureaucrat and did care about his citizens.

In the scripting by the citizens of Noordeinde and the media, the border between the province Overijssel and the province Gelderland was enacted as important: the “citizens of Noordeinde weren’t informed, only because they lived in another province” and the “policy makers in *that other province* forgot about them.” This made the provincial border an issue. The promise of the elected representative at the public meeting that the bypass would not cross the provincial border tied into this script. First it appeared that the citizens were let down because they lived on the other side of the border; now they were protected by the same border against the bypass. The public meeting and the promise of the elected representative was successful in restoring some trust among the citizens of Noordeinde. After the meeting, the media didn’t pay much attention anymore. Jos went back to the community several times to talk with the citizens. At a public meeting in Noordeinde a year later,²⁰ the citizens were still not “happy”

²⁰ Noordeinde, 29 May 2006, meeting attended by author.

with the bypass, but the distrustful and strong symbolic language was not uttered anymore.

The events around Noordeinde show how planners need to act and respond on stages outside the government organization they work for and how important it is to meet citizens in their local communities. This contrasts with the idea of the “bureaucratic planner” who works mainly inside the walls of government institutions. They also show the importance of establishing an authoritative meaning among citizens, mediators, public officials and politicians to achieve support for policies.

Figure 4.17 Image of alderman Noordeinde in broadcast Network

Source: NCRV Network, May 25 2005.

Figure 4.16 Images of farmers of Noordeinde in broadcast Network

Source: NCRV Network, May 25 2005.

Figure 4.18 Building of the province Overijssel in broadcast Network

Figure 4.19 Room of the elected representative of the Province Overijssel as shown in broadcast Network

Source: NCRV Network, May 25 2005.

Source: NCRV Network, May 25 2005.

Figure 4.20 Elected representative in broadcast of Network

Source: NCRV Network, May 25 2005.

4.3.5 Use & Necessity

In his presentations to the public and governmental partners, Jos argued that the ministry of Traffic and Water and that the ministry had already investigated other alternatives and had determined that in the long run the bypass would always be necessary. Despite this arguing, the necessity of the bypass was still doubted by the government actors and citizens. To overcome this, Jos installed a taskforce to prove “*the use and necessity*” of the bypass. Consultants and public officials of each government participated jointly in the taskforce. Governments represented were: the municipality Kampen, municipality Zwolle, water board Groot Salland, ministry of Spatial Planning, ministry of Landscape, ministry of Traffic and Water and the province Overijssel. There were also representatives of RIZA, the research and advisory body for the ministry of Traffic and Water. The taskforce hydraulics was chaired by the consultant specialized in hydraulics, who was also involved in designing the scenarios.

The taskforce researched the questions about when between 2015 and 2100 the bypass would be necessary. This was already investigated by the assistant project leader while writing the regional advice in 2004, before the project started. He used a statistical tool, “*the box of blocks*” [blokkendoos] provided by the Ministry of Traffic and Water and adapted it to local circumstances. The calculations in the box of blocks are based on the “*normative water discharge*.” The normative water discharge is the expected maximum amount of water streaming through the river IJssel at the place where it enters the Netherlands. He calculated that the bypass was needed at a normative water drainage of 16.600 m³/sec and that this level would be reached shortly after 2015, instead of the, by the ministry, provisioned 2050-2100. The governmental partners represented in the taskforce Hydraulics verified the calculations performed by the assistant project leader. Among them were representatives of Rijkswaterstaat, the directorate-general of the ministry of Traffic and Water responsible for implementing the Space for the River policy.

After it was calculated and accepted by the governmental partners that the bypass would already be needed by a waterlevel drainage of 16.600 m³/sec and that this level would be reached shortly after 2015, Jos emphasized that this figure was verified by the cooperating governments in his communication to governmental partners, citizens, and interest groups. He also used the figures on which these calculations were based to argue that the bypass would already be needed shortly after 2015, clearly sooner than the original provisioned 2050-2100.

Scientific knowledge can always be disputed and is value laden. It was therefore not obvious that governmental partners and citizens would

accept the necessity of the bypass based on the calculations above. Calculating the figure of 16.600m³/sec required assumptions and political choices and can therefore easily be disputed, as is illustrated by an article in the local newspaper, titled: *“Bypass also unnecessary at a worst case scenario of 18.000m³/sec.”*²¹ The article was written by a former member of the elected council of the province Overijssel and a former member of the water board. The author argues that even with a water level drainage of 18.000m³/sec the bypass would be unnecessary, as either large parts of Germany would already be flooded by then, preventing the water from coming into the Netherlands, or Germany would have taken measures to prevent such a water level, stopping the water from reaching the Netherlands. The counter-storyline that the bypass is unnecessary even at a worst case scenario, presented in the newspaper article, kept being brought forward by citizens and public officials at meetings and in the media. Despite this “popping-up” of the newspaper article, the figure of 16,600 m³/sec received authoritative meaning as the point from which the bypass would be necessary. This shows that in addition to the mobilization of scientific knowledge, other factors were needed to establish a dominant meaning that the bypass was necessary. First, consultants and public officials did verify the calculations together at one stage. Herewith, the “proof” that the bypass was necessary didn’t become identified with the interests of just one of the parties, as can be the case with “advocacy science,” but became more of a process of joint meaning-giving than for example the drawing of the scenarios had been. Second, the knowledge became more “contextualized”: national figures and numbers about the probability of flooding were used in a local situation, and not just accepted. Both factors helped to explain why “the fact that the bypass was already needed shortly after 2015” received authoritative meaning and how the figure of 16.600 m³/sec could be mobilized as a symbol for the necessity of the bypass.

In this episode, the mobilization of knowledge enhanced the democratic legitimacy of the project because it was contested (the governmental partners, citizens and the media disputed the necessity of the bypass) and contextualized (national calculation models were adapted to the local situation). Although the taskforce reached the same outcome as the assistant project leader had, the taskforce made the outcome more robust, shared and authoritative. Moreover, it was connected to claims put forward by the direct participation of citizens (the use and necessity was

²¹ Luc Bomhof, “Bypass ook bij doemscenario 18.000m³ onnodig,” *Sentor*, May 11, 2005.

recalculated as a response to citizen questions) and to processes of decision-making by including public officials in the taskforce hydraulics.

4.3.6 *Node*

In all five scenarios the route of the railway needed to be adapted so that the bypass could cross it. This was a problem because the route of the railway had already been formally decided upon. Jos argued that the route of the railway could still be adapted without delaying the construction of the railway, but the ministry of Traffic and Water disputed this. Besides this juridical problem, there was also a technical problem: where and how the bypass could cross the highway in the safest way. Third, there was the question of who would pay the extra costs for adapting the railway. The ministry of Traffic and Water had already granted the contract of the construction of the railway (to ProRail). The adaptation would exceed the costs foreseen in the contract for the construction. Finally, there was a political problem. As said before, the ministry of Traffic and Water wanted no delay in the construction of the railway, and did prefer not to take any risks in this matter by making adaptations for the bypass.

The problem of adapting the railway to the bypass needed to be solved before the sixth, Kamperveen scenario, could be taken over by the project team in the preferred scenario. In the sixth scenario the bypass crossed the railway, the highway, and the train station at the same point, as is depicted in Figure 4.21. This point became called “*the node*.” It was uncertain whether this crossing would be technically possible. The problem of whether “the node” would be technically possible was again solved in a taskforce by the consultants previously hired to write the scenarios. The technical solution was discussed with actors of the municipality of Kampen, Prorail (the constructing company of the railway) and Rijkswaterstaat.²² They asked another consultancy agency, AKD Prinsen van Wijmen, for a juridical opinion on the question of whether the route of the highway could be changed formally without delaying the construction of the railway in 2008. AKD Prinsen van Wijmen advised that in order not to delay the construction of the railway, a decision about the exact trajectory of the bypass needed to be made before the end of 2005. The financial aspect of the problem was solved just before that, in December 2005: at a meeting where the ministers of Traffic and Water and Spatial Planning were present in person, it was agreed the ministry of Traffic and Water, the ministry of Spatial Planning and the province Overijssel would each pay 10 million euro towards the

²² “Memo inpassing bypass rond knoop def2,” June 7, 2005.

cost of constructing the railway and the highway in such a way that the bypass would be able to cross the node as proposed in the sixth scenario.

Figure 4.21 The “node” in the sixth scenario

figuur 1: Weergave van de knoop

figuur 2: Verticale ligging van Hanselijn en N50

In the sixth scenario the railway, highway and bypass cross each other at one point. Source: Memo inpassing bypass rond knoop def2, DHV, June 7, 2005,

The decision of the two ministries and the province Overijssel to each pay 10 million euro for the construction of the node was the first decision to reserve money for the construction of the bypass. Until that moment money had only been paid for the preparation of the master plan, not for the actual construction of the bypass. The ministries and province showed commitment through their willingness to pay for the node. For Jos, “solving the node” became a symbol that the project was “serious” and “alive”:

“then it is a serious project, when you sit at the table of the minister. Then you really have a project. It was the first investment. Only 30 million, one tenth of the estimated costs of the total project, but a very important signal that all partners were really doing their best.”²³

The symbolic function of solving the “node” was strengthening the dominant meaning that the bypass was needed and would become realized on a short notice. After the sixth scenario received the support of citizens, the necessity of the bypass was again proved, and a technical and juridical solution was found for the node, there was willingness to act among the ministries and provinces. According to Jos, the events during the episode of the participation round had made the problem of the node “fluid.”²⁴ Remarkable is that Jos uses the metaphorical description of “fluid,” implying the image of a river that starts streaming, finding its way. In other words, making the project “fluid” means that positions weren’t fixed anymore and that government actors became willing to change their viewpoints. Solving such a problem as the node isn’t just about researching the technical and juridical possibilities and then making the best decision: it is also about creating room, making the problem “fluid” to consider other solutions, working together and creating the willingness to show commitment, invest, and make a decision, i.e. the dynamics of the meaning making process co-determine how and when something is “solved.”

4.3.7 Municipal Council Meeting

After the participation, a formal decision of the governmental partners was needed. This meant Jos needed to translate the outcomes of the participation into a policy proposal the government partners could decide upon. Together with the project team and consultants, Jos designed a “preferred scenario” (see figure 4.22) and wrote a report explaining how the preferred scenario was derived. In the report, Jos explained that the preferred scenario was a combination of several considerations, of which the most important are discussed below:

1. The sixth scenario of the farmers of Kamperveen only concerned the first part of the bypass (see figure 4.10). After the farmers submitted the scenario on April 28th, the scenario was included in the questionnaire that could be filled in by citizens. Before that date many citizens had already handed in a questionnaire; therefore, it was not possible to know which scenario had the most support among the citizens.

²³ Jos Pierey, May 9, 2009 in conversation with the author.

²⁴ Interview Jos Pierey, September 28, 2006.

Jos distinguished between “before April 28th and after.” Before April 28th, the fourth scenario had received the most votes. After April 28th, the sixth scenario received the most support. Scenario four was designed like a meandering river. Therefore, the trajectory of scenario six with the character of scenario four was chosen as the first part of the preferred scenario. The route of the bypass south of Kampen was lowered a little with respect to the original route in the sixth scenario, because among other reasons Kampen had indicated a desire to build houses south of Kampen.

2. The citizens of Noordeinde were promised that the bypass wouldn’t cross the provincial border. The western trajectory of the bypass was therefore moved somewhat to the north, so that the bypass would totally lie within the borders of the province Overijssel.

3. There was no clear preference of the citizens of Kamperveen for which lake the bypass should mouth into: the lower lake [Drontermeer] or the upper lake [Vossemeer]. The lower lake was the most logical choice because then the bypass would only cross the railway once. However, because the lower lake had a better water quality than the upper lake, it was not certain whether environmental laws and the governments responsible for maintaining the lower lake would allow the bypass to mouth there. Therefore, both options were kept open until environmental research clarified whether mouthing in the lower lake would be allowed.

about the bypass in the past, even though it had approved the proposal of constructing the bypass on a short notice in the regional advice.

Before the voting took place, Jos gave a presentation. At this presentation he explained the reasons for making the choices in the preferred scenario and presented the calculations concerning the use and necessity of the bypass. He also showed a movie about the participation round made by the communication advisor on the project. The movie summarizes the scenarios of the project and the proceedings of the participation round. The movie is titled: *“the people and the bypass”*²⁵ and seems to tell an objective story about the “problem of the bypass.” The voiceover is a neutral female voice, like the ones often hired for informative documentaries. Besides the citizens shown in the movie, no other people are shown. The storyline of the movie is how the project achieved support among the citizens in the area. The movie starts with angry and emotional farmers. Then the plot changes: the same individual farmers who were opposed to the project are interviewed again, but now they talk about how they were involved in the project and how they were listened to. Furthermore, the farmers tell how they designed their own scenario and how a large part of their scenario is now integrated into the preferred scenario. The film concludes with an important message from the individual farmers for the policy makers: act quickly and make good arrangements for the buyout of farmers, and strengthen the community of the local citizens.

4.2 provides a summary of the movie.

After listening to Jos’ presentation, watching the movie and reading the reports about the participation round and the composition of the preferred scenario, the municipal council of Kampen voted in favor of the preferred scenario, with only two votes against. Apparently, the script that the preferred scenario received support of the citizens was successfully conveyed. The movie helped in establishing this script. The movie was shown at an unusual stage: the municipal council meeting of Kampen. This gives the movie extra authority in conveying a counter-script to the scripting of the citizens and the media. It didn’t dispute, but rather incorporated their scripts (“not being listened to,” “forgotten,” “buried alive”) in a script about how in the end the policymakers did listen and a scenario was developed with help of citizens. The municipality of Kampen became convinced that their citizens supported the preferred scenario.

²⁵ “De mensen en de Bypass,” film, projectteam IJsseldelta, 2005.

Table 4.2 Summary of the movie: “The People and the Bypass.”

Time	Summary
0:00:00-0:00:34	The movie starts with images of high waters in the region in 1995 during which the dykes near Kampen almost broke. The movie shows firemen working at night with their ankles under water laying down sandbags to protect the dykes. It also shows a man with his boots underwater in his living room. A voice over tells that water is a threat for the area around Kampen and that a bypass is needed.
0:00:34-0:01:08	The movie proceeds with images of the public meetings in Kamperveen and Kampen, snapshots of citizens expressing anger, and fragments of the negative news coverage regarding Noordeinde.
0:01:08-0:01:49	The five scenarios are explained by the voiceover and the voiceover explains how with the scenario the citizens were asked about how to deal with the “problem of the bypass.”
0:01:49-0:02:37	The movie shows individual farmers standing on their lands explaining that the bypass has a large impact on them. One of them says: <i>“we were here all together, yes, totally surprised, because we thought we have had the N50 [the extension of the national route], we have had the Hanzelijn [the railway], and we actually had thought we have had it and than came the bypass.”</i>
0:02:37-0:03:08	The voiceover explains that the inhabitants of Kamperveen decided to take the initiative to make their own plan. Then another representative of the regional interest association Kamperveen ²⁶ is showed explaining: <i>“then we said to each other, yes, we can obstruct, but if it is dealing with our land we want to cooperate, think with them, and that is what we did by thinking of scenario six.”</i>
0:03:08-0:03:25	The movie shows scenario six and the voiceover explains it.
0:03:25-0:05:30	The movie proceeds to show how students of a school in Kampen used the project for their courses in spatial planning and how other interest groups, like the watersport association of Kampen, were involved.
0:05:30-0:05:38	Proceeding, the voiceover explains that the majority of the people “went for the sixth, Kamperveense scenario.”
0:05:38-0:06:12	The movie proceeds with the same farmers covered before. One of them explains:

²⁶ Streekbelangen Kamperveen

	<i>“on that is reacted pretty positive by the Kampervener people, that we didn’t do that work for nothing, that we have been listened to, that did the people good.”</i>
0:06:12- 0:07:09	The movie tells the story of Noordeinde. The representative of the interest group “Community Noordeinde” explains: <i>“around Queensday [national holiday] it became clear what would happen here, and you could see that a couple of plans went almost over Noordeinde. And you just noticed that the people thought, like what is happening here, and why are we informed so late. Now, later Rietkerk, elected representative Rietkerk came. And I think, at least what you could say is that then the promise came that it wouldn’t go over the grounds of Gelderland, there you just saw, that the people calmed down a little. It became somewhat clearer what would happen. Thus, an sich, the fact that Rietkerk [the elected representative] did come along was a good thing.”</i>
0:07:09- 0:07:19	The voiceover concludes that: <i>“The high amount of reactions led to a clear preferred scenario for the bypass, and with that the people can live.”</i>
0:07:19- 0:09:15	At the end again the individual farmers are shown, one of them says: <i>“That the project group visits the people who live in the future area of the bypass or in the preference scenario, that is experienced as very positive by the people. But the future remains unclear. In the beginning it came as “lightening in a clear sky” to the people living here. Slowly we had the idea that the people were listened to and that many things were taken along. At the same time we still worry a little about the compensation for the farmers in the area. That is, the grounds under the bypass have a different value than the grounds outside the bypass.”</i>

Figure 4.23 Images of the floods around Kampen in 1996 in the movie about the bypass

Source: Movie “The people and the Bypass,” project team IJsseldelta 2005.

4.3.8 Conclusion

The episodes of designing scenarios and the participation round are nice examples of how democratic legitimacy is “assembled” at a variety of stages through a dynamics of contestation and meaning making. The five scenarios developed by the consultant-experts became heavily disputed by citizens and farmers living in the area. The citizens and farmers claimed that they wouldn’t be listened to anyway. This claim was taken away when the roles of “actors” and “players” became reversed, and citizens and consultants co-designed a sixth, alternative scenario. Another moment of contestation was Noordeinde. Here, the project assembled democratic legitimacy by being responsive to the protests of citizens, namely by organizing a public meeting and promising that the bypass would not cross the provincial boarder. Not only were the scenarios disputed, but the framing that the bypass was necessary no matter what became disputed as well. By “*proving*” the use and necessity in a taskforce in which public officials and consultants cooperated, knowledge became more robust and contextualized. In this way, the three dimensions of democratic legitimacy became connected: knowledge was mobilized together with a process of participation (the participation round) and decision-making (making a preferred scenario). Democratic legitimacy was further assembled when the outcome of a shared process of consultant-experts and farmers, i.e., the sixth scenario, was further grounded in knowledge: researching whether the “*node*” was technically and juridically possible. Furthermore, the local informal input of the farmers was connected to national formal

decision-making by the commitment of the ministers to finance the “*node*.” Finally, the outcomes of the informal participation round were translated into a proposal for formal decision-making and presented at a formal, representative stage, i.e., the municipal council of Kampen.

The process of assembling democracy resulted more in a shared meaning-giving process than the episode before. This can partly be explained by the fact that the several actors were more engaged in close contact and disputes than in the episodes before. This didn’t occur in carefully prepared collaborative platforms, but in a wide variety of public arena’s surrounding policy making; public meetings installed last minute, the media, a library, and so on. Through the protests the project became “*alive*.” Hence, the governments needed to respond and the project became “*real*.” This helped dissolving the counter stories that the bypass wouldn’t be built at all. The dominant storyline became that the bypass was needed and that the project had succeeded in turning destructive participation into constructive participation.

Jos’s way of working can be described as “meandering.” Jos tries to establish an authoritative meaning of the project by enacting and acting on a wide variety of *stages*, at which he brings a multiplicity of actors, experts, publics, and policies together. As such, he tries to get the project “*streaming*,” making meaning and positions fluid. Like a meandering river, he does this in an ad-hoc matter, not following a carefully designed path. This is symbolized by his metaphorical description of aiming to make the project “*alive*:” once the project is alive, once the river starts streaming, it will keep going and eventually end somewhere.

Regional policy practice involves many issues, actors, policies, and interests. This episode shows that being able to act on and enact a wide variety of stages helps in creating a dynamics of meaning making and “assembling democracy.” The “prove” that the bypass was already needed by 16.600m³/sec didn’t only receive authoritative meaning by the calculations on which this figure was based. In addition it needed to become enacted at stages outside the provincial organization: verifying it a taskforce of governmental partners, and explaining it to citizens at public meetings. Figure 4.24 depicts Jos’s meandering way of working and the different stages on which the project assembled democratic legitimacy.

At the same time Jos’s way of working can be described as improvisation and ad-hoc. Although Jos finds it important to include and respond to citizens, he didn’t design the direct participation in making the scenarios and contextualization of knowledge upfront. To the contrary, this grew out of improvised responses to challenges of the dominant meaning Jos aimed to establish. Through more careful project design, it

might be possible to achieve more democratic legitimacy, for example farmers could have been invited to design scenarios with the consultants from the start.

Figure 4.24 The meandering process of the episode of the participation round

4.4 Unraveling consensus

4.4.1 *The project group*

The preferred scenario was approved by the politicians of all the twelve governmental “partners” represented in the “core group” and the representatives of interest groups in the soundboard group. The preferred scenario was also formally approved by the elected councils of the province Overijssel, municipality Kampen, and the municipality Zwolle. Jos felt that consensus was almost reached and that only a few choices needed to be made before the masterplan could be finalized. These choices were:

1. Whether the bypass should be *long* or *short*. Long means that the bypass will mouth in the Vosselake with an open connection to the IJssellake; short means that the bypass will mouth in the environmentally protected Drontelake, south of the Vosselake. The Drontelake and Vosselake are separated by a sluice (see Figure 4.25 for both alternatives).
2. Whether the bypass should be *open* or *closed*. Closed means closed by sluices at both sides (IJssellake side and IJsselriver side), allowing the control of waterlevels; open means open at both sides. An open bypass would require higher dykes.

The public officials of the governmental partners joined in a project group to discuss the options above. In the project group, several conflicts started to rise, as described below.

Figure 4.25 The long and short options for the mouthing of the bypass

Top: short, static bypass

Bottom: long, dynamic bypass

Source “Tussenrapportage December 2005, Project IJsseldelta, December 2005

Environmental department province Overijssel. During the summer, the landscape architect consultants of H+N+S translated the still open option in a design of two scenarios and named them “long dynamic” and “short static” (see picture 4.25). This framing placed the public officials with an environmental background in opposition to the public officials with a “water” background. The environmental department of the province Overijssel embraced the “long dynamic” version because it promised dynamics from the IJssellake and IJsselriver causing natural variances in the waterlevel of the bypass. Another reason for the environmentalists to be in favor of the long bypass was that the long bypass would mouth in the ecologically less vulnerable Vosselake, and the short would mouth in the more vulnerable Drontelake. The public officials specialized in hydraulics of the partners were in favor of the short bypass, because with sluices the bypass would be the safest, the easiest to control, and have the lowest risk. Although it was uncertain whether the long one would really be “very dynamic” (due to safety standards some naturally occurring dynamics would need to be controlled anyway) and whether there might not be opportunities to create dynamics in the short version as well, the strong images of “long dynamic” versus “short closed” created by the H+N+S consultants placed the two sectoral domains of environment and water in opposition.

Water board. The public officials of the water board represented in the project group started to doubt the safety of the bypass. The water board hired two consultancy agencies, HKV and Geodelft, to do more research into safety aspects of the bypass. In addition, the water board felt the effects of the bypass on the groundwater level in the surrounding polder landscape should be investigated. Because the water level in the bypass would be higher than the groundwater level in the surrounding lands, the area would become wetter. The water board wanted that the effects of a higher groundwater level and possible measures to overcome these effects were studied before it would approve a “blue” bypass with permanent water in it. The water board also questioned whether the daily consequences of high groundwater levels, and the need to the daily pumping out of water of surrounding lands by technical measures, could be justified by a bypass that was only needed once every 500 years. A “green” bypass (two dikes in the landscape, that would only fill with water when the bypass was needed) didn’t have this problems. Moreover, the water board felt the issue of the bypass was too much approached from a spatial planning perspective instead of a water perspective, while the whole problem was a water problem. The water board missed the involvement of public officials of the Province Overijssel of the water department. In response to the concerns of the water board Jos assigned

the consultants of DHV the task to investigate the effect of the bypass on the groundwater level. However, the water board felt the research of DHV was not thorough enough.

Although the elected representative of the water board did approve the “framework choices” in the informal “core team of representatives” of the project, the public officials of the water board claimed that this wasn’t official and that they were “*all of a sudden confronted*” with the preferred scenario.²⁷ Hence, they prevented the elected board of the water board from making a formal decision. The subject of the preferred scenario was taken off the agenda of the elected board several times in a row. The water board had the feeling that Jos’s focus “was too much on making a nice spatial plan and then afterwards solve possible water issues with technical measures.”²⁸ Jos felt the water board was enacting the “old way of governing” by looking mainly from a water perspective and by asking for detailed research.

Kampen. During the summer a designing group “City & Bypass” (in which the designers of H+N+S, together with designers of Kampen and Waterstudio, and an external architectural company hired by Kampen participated) further developed several scenarios for the housing zone in the preferred scenario. However, after the summer, the aldermen and elected council of Kampen decided they didn’t want the design of the housing zone to be part of the scenario and wanted to design the housing zone themselves, outside the cooperation of project IJsseldelta South. There were several reasons for this. Inhabitants and the elected council of Kampen were divided about whether they wanted to build the new houses at all. The enlargement of Kampen would be used to accommodate the “regional housing need,” meaning that not only citizens from Kampen, but also those from Zwolle and other nearby cities would buy them. This was also the reason that the city of Zwolle participated in the project. Zwolle had no grounds in the project, but as the largest city nearby, it was hoping to create a recreational area for its citizens and fulfill a demand for housing. Citizens of Kampen were afraid that only rich people from other regions would be able to buy the houses. Another issue was that the project IJsseldelta envisioned use of the houses as a “red for green” construction: money raised by selling houses (“the red zones”) would be used to invest in green zones (i.e., nature and parks). Kampen was afraid the profit from their houses would be used by the other governments in the project IJsseldelta South, without any guarantees to help Kampen to pay for extra (non-budgeted) costs of the project. Moreover, new elections

²⁷ Interview Bert Bijkerk, April 5, 2007, by Ruben Seegers.

²⁸ Interview Bert Bijkerk, April 5, 2007, by Ruben Seegers.

were coming up and the sitting aldermen and elected councils didn't want to decide on such a controversial issue during election time. Without being able to include the houses, it wasn't possible for Jos to make an integral design for the area, which Jos felt was one of the most important characteristics of "developmental planning."

At this moment, Jos felt that the aim of the project, to deploy "developmental planning," was at risk. Making an integral plan in which all interests were taken care of seemed unfeasible. Environmental and water interests became opposed, and housing seemed to be left out of the project. Furthermore, the demand for more detailed studies raised the risk of the project slowing down too much and took the orientation away from fast implementation. Jos was afraid the project would become a classical "flight into studies," with a high emphasis on the "technical," hydraulic, and environmental aspects. The position of Jos became somewhat controversial, as well. The public officials of several governments felt he wanted to go too fast and reach a decision too soon.

The conflicts are an example of how inter-governmental decision-making is made more difficult by problems with intra-governmental decision-making, i.e. how reaching consensus among cooperating governments can be hampered by processes within the bureaucratic organization of these governments. Within the province Overijssel, the sectoral departments took firm position; within the water board, public officials prevented formal decision-making by their elected council; and in Kampen, new elections stalled the development of a formal decision. In contrast to other episodes, at this moment Jos wasn't able to solve these conflicts right away.

There is a clear contrast between this episode and the previous one of assembling democracy. Instead of meandering and being played out at different stages, the project becomes located at one stage: the project group. This becomes a stage where hidden conflicts rise to the surface. The conflicts were strengthened by the governmental actors who started to hire consultants to represent their interest better and as a result positions hardened. This also shows the risk of consultants acting as "outside motors," separated from the stages on which policy formulation takes place (see 4.26 for a schematic overview).

Figure 4.26 Unraveling consensus in the project group

4.4.2 Breathing pause

Jos and the elected representative of the province decided to install a “breathing pause” to prevent the conflicts from escalating further. During the breathing pause, Jos wrote a plan of approach for the phase after the breathing pause. In this plan of approach, Jos identified failure and success factors of developmental planning and asked the governmental partners to work more according the success factors. Jos discussed the plan of approach with the public officials in the project group and the politicians in the core group, who after some changes agreed on it.

Table 4.3 list of success and failure factors of developmental planning as defined by Jos.

Success Factors	Failure Factors
<u>Make choices on time</u>	Transition to new councils after elections
<u>Stay on mainlines</u>	Flee in studies; don't chose
Demonstrate progress to keep faith in the project	Non <u>integrative/ sectoral</u> thinking
<u>Integrative thinking</u>	Non compliance agreements to deliver information on time
Show financial commitment	Insufficient political/administrative coordination
Be prepared to hand over responsibilities to one implementing organization	Insufficient <u>administrative/ political consultation</u> in own organization
<u>Be prepared to cooperate based on reciprocity</u>	Too much time pressure, too less consultation as a result
<u>Be prepared to compromise</u>	Insufficient substantive knowledge
<u>Be prepared to hand over or share responsibilities</u>	

Underscores added, source: "Plan van Aanpak IJsseldelta Zuid," voorjaar 2006, 6 februari 2006, p.29 [emphasis added]

The "plan of approach" identified important values of the "old" and the "new" ways of working. First, instead of a "sectoral" way of working – as is a characteristic of technocratic planning - an integrative way of working, crosscutting boundaries, was aimed for. Second, research should only be deployed to decide on mainlines. No detailed research should be sought out. This is a different approach from the norm that "everything should be worked out in detail before anything is started," as is often the norm in the modern, technocratic view of planning. Third, to prevent civil servants acting as gatekeepers – as often happens in bureaucracies - consultation between civil servants and politicians should be regular. Fourth, making choices on time was seen as an important success factor. This means it was seen as important to keep the momentum of the project and make quick, concrete decisions (see Table 4.3 for a translated reproduction of the table included in the plan of approach).

The breathing pause can be interpreted as a struggle to come from more technocratic planning to "developmental planning." We see here how Jos became a kind of vehicle to implement a new way of governing.

He was hired to implement a new way of working; subsequently when this new way was threatened, he tried to establish a common understanding of how the new way of working should look like. One part of this new way of working was to keep all governments on board in the cooperation, therefore the breathing pause was used to solve the conflicts bilaterally, as is explained in the next paragraph.

4.4.3 *Solving the conflicts bilaterally*

First, the conflict between the water board and the project leaders was solved. After the first meeting with politicians of both parties, several meetings took place between the external project leader, a public official of the province Overijssel, and a public official of the water board in October 2005 and November 2005. The public official of the province was a hydraulic expert and had been involved in the project and the taskforces (later on he became chair of the water taskforce). During these meetings they agreed to test the “preferred scenario” on the aspects of hydraulics, geohydraulics, and water quality. To provide a second opinion on these aspects a private research company, HKV, was hired. The water board was the assignment-giver, but the research company was paid by both the province and the water board. HKV also examined the reports that the other consultancy firm, DHV, had published for the project. Finally, an expert audit was organized to examine all research reports. In the expert audit, two professors gave their advice. The experts from the private research companies GeoDelft and HKV were also present at this expert audit. The conflict over the groundwater levels was solved when the Water Board hired the consultancy company TAUW to do research to this aspect. The outcomes of the research of TAUW overlapped with the research of DHV to a large extend.

After the participation round and the positive decision of the municipal council of Kampen about the “preferred scenario,” the public official leading the project on behalf of Kampen moved to another project. Kampen started to organize a project team for the project IJsseldelta within Kampen. Two public officials who were already involved staffed the project team and participated in the project group at the province Overijssel. A consultant was hired in February 2006 to lead the project team of the municipality Kampen. Another reason for Kampen to become more involved was the appointment of a new board [College van B&W] after municipal elections in 2006.²⁹ According to the consultant hired by Kampen to lead the project IJsseldelta South on behalf of Kampen, the problem was that: “Kampen had no vision about what to do with the

²⁹ Interview Nico Butterman, April 5, 2007, by Ruben Seegers.

bypass and about the future of the city.³⁰ The consultant therefore started an internal process in Kampen to create a vision for the project. In addition, Kampen hired a private research company to explore possibilities for the city in a “Start Note.” Kampen then hired another company specializing in landscape and urban design, Bureau de Lijn, to design their own images for the housing in Kampen. The consultant-landscape architect from H+N+S of the project team then contacted Kampen and Bureau de Lijn to join together to make a design for the housing area.

4.4.4 Conclusion

In this episode we saw how consensus started to unravel. Contrary to the episode of “assembling democracy” that took place at many different stages tying consultant-experts, public officials and citizens together, action now predominantly occurred on one stage bringing public officials together: the project group. This stopped the meandering of the process and enabled opposing positions to harden. Second, intra-governmental decision-making started to prohibit inter-governmental decision-making.

Especially remarkable is the role of consultants in the dynamics of conflict. On one side of this dynamic, the consultants became “outside motors”: the governmental partners hired their own consultants to research matters on which they disagreed and they used the outcome of this research to defend their position. On the other side, conflicts were solved by contracting consultants for which the governmental partners acted collectively as assignment-givers. This shows how mobilization of knowledge by consultants can on the one hand result in “advocacy science” if done by parties separately, and on the other hand can help to enact a shared meaning process if done collectively.

When the project seemed to become too much of a technocratic planning project, Jos tried to emphasize the importance of a new way of working and what it should look like. The two main important points of this new way of working were to work more integrally (instead of sectorally) and to “stay on mainlines” (instead of “fleeing in studies”).

4.5 Ripening towards commitment

4.5.1 Mobilizing complexity

After the breathing pause, the last phase to finalize the master plan was started. As before the breathing pause, only two options were still left to decide upon: a short closed bypass, or a long open one. The short open

³⁰ Meeting between Rob Tutert and Jos Piercy, March 14 2006, attended by author.

bypass meant the bypass would mouth in the lower Drontelake and be closed off by sluices at both ends. The long open bypass meant the bypass would mouth in the upper Vosselake and have open connections to the IJsselriver and the Vosselake (see Figure 4.25). During this period, consensus was quickly reached: the final scenario in the master plan would be a semi-open, short bypass. Semi-open meant closed off by sluices or other artifacts, which were opened as much as possible to allow some “dynamics” in the water level of the bypass.

In this period the full complexity of the project became again visible in the wide variety of actors, issues, meetings, organizations, and laws involved. Jos continued his meandering way of working: trying to make positions fluid and maintaining the momentum of the project by keeping it “alive.” Moreover, rather than trying to limit complexity as much as possible, Jos started to mobilize complexity in several ways. First, Jos, having learned from the previous episodes, changed the organization structure somewhat. To prevent that all issues would be disputed at the same time at one stage, like with the project group in the previous episode, Jos installed a variety of stages on which the governmental partners could meet. First of all, several “sectoral” *taskforces* would investigate the still open research questions. There were five taskforces: *water, environment, spatial quality, plan economics, social economic spin off, and covenant and implementation organization*. In the taskforces, public officials of the several governmental partners, specialized in each of the policy domains were represented. Jos expected that in this way disputes could first be sought out among the public officials specialized in the subject, and then be proposed to the other governmental actors. The outcomes of the research performed by the taskforces would be presented in *workshops*. In the workshops, the public officials and the representatives of the interest groups in the *soundboard group* would decide what to do with the outcomes of the taskforces. The chairs of the taskforces would meet in a biweekly “*meeting of the taskforce chairs*.” The research performed in the taskforces and the choices made in the workshop were “checked” by an *expert audit*, in which professors were asked to judge the quality of the research. At these expert audits, public officials of the main important governments were present. Hereafter, the public officials would give approval to the outcomes of the workshop in a *project group*. Finally, the politicians of governments would approve the decisions taken by the public officials in the project group in a “*core team of representatives*.” Indeed, Jos and the consultants succeeded in creating a shared meaning-making process on all the different stages mentioned above. The most important ones are discussed below.

The structure of regular meetings of taskforces, project groups, workshops, core groups, soundboard groups, and expert audits resulted in an enormous number of people and organizations involved in the project. Figure 4.27 shows an overview of the meetings taking place in a period of just four months (from February 2006 until May 2006). During this period, more than 100 people from 34 different organizations met at least once a month. The involvement of 34 different organizations can be explained by the fact that since the start of the project, when 11 governments and 7 interest groups were involved in the project, several other organizations had joined the project. This was partly the result of the way of working of Jos, who started to involve organizations that could help in implementing the project, like Staatsbosbeheer, a public organization managing natural heritage, which might become responsible for maintaining the floodplains of the bypass. Jos described the strategy of involving new actors as “*coupling on*.” Jos tried to involve other organizations with a possible stake in the project by inviting representatives of the organizations to participate in one of the collaborative settings: for example, a representative of the interest group Nature and Environment Overijssel was invited to participate in the Environment taskforce. The “*coupling on*” of stakeholders was further facilitated by “*enlarging*” the spatial borders of the project. As part of being an example project developmental planning, the ministry of Spatial Planning sent a commission³¹ to evaluate the project. This commission advised the inclusion of the governments at the other side of the lakes in which the river arm would mouth, called the “IJssellake area,” which included: the province of Flevoland, Rijkswaterstaat IJssellake,³² the municipality of Dronten, and the water board of Zuiderzeeland. “*Coupling on*” the IJssellake area required a lot of work: finding the right public officials to take seats in the taskforces and workshops; having bilateral meetings to find out the strategic positions; giving presentations to make the new governments fully informed, including another example project development planning (IIVR) that took place right at the other side of the IJssellake; and enlarging the maps and sketches used in the project to include the IJssellake area.

Complexity was also increased by trying to make the construction of the bypass “*inevitable*.” In order to do this, Jos tried to tie even more policies and actors together. For example, he tried to arrange land of farmers over which the bypass would be constructed to be already bought upfront, because he wanted to provide the farmers more security, and

³¹ Commissie Bakker.

³² A regional office of the directorate-general of the ministry of Water and Traffic.

because buying land would already be a step towards implementation. Like the investments to finance the “node,” buying land would make the project more “inevitable.”

“Then you have another thing going. The first thing was the node. Now you have the second thing, than it will become inevitable by itself [to construct the bypass].”³³

As a first step in acquiring the land, Jos asked the municipality of Kampen to enact the “Law Preferential Right Municipalities” [wet voorkeursrecht gemeenten] in the area. This law meant that Kampen would have priority over private developers to buy land if it was sold by farmers. Another strategy was to try to be included in a “Joint Development Collaborative” [Gemeenschappelijk Ontwikkelings Bedrijf] in which all ministries are united in an organization for buying and selling land. The next step was to see if the province Overijssel itself was already willing to buy some land. Via contacts with the farmers, Jos heard that two farmers with land in the bypass might be willing to sell. Jos started to write a policy proposal for the elected board of the province to buy these lands. Now he also needed to find money within the province, since the budgets for that year had already been determined. A possibility was to buy lands with money earmarked to buy grounds for the “Ecological Main Structure.” (Ecologische Hoofdstructuur, EHS). The Ecological Main Structure is a policy of the ministry of Spatial Planning to create a “chain” of connected nature grounds. The province Overijssel had received money from the ministry to acquire lands to create the Ecological Main Structure. Jos followed up on the idea to make the bypass part of the Ecological Main Structure and use money available for the Ecological Main Structure to acquire grounds in the bypass.

Finally, Jos tried to make “many events happen simultaneously.” For example, the taskforces were installed to investigate necessary research questions per policy domain. All the taskforces took place at the same time; hence, investigating technical research questions didn’t take much time. For example, instead of investigating the technical scope of the project first and then the costs, these were done simultaneously in two different taskforces. As with creating urgency in the first episode of the project, making sure many things were happening simultaneously was aimed at keeping the momentum of the project. Participants described the project in terms of “jumping on a running train.” The use of the metaphor of a “running train” enacted a sense that once you joined the project, you couldn’t get “off” anymore and you had to work hard “to keep on track.”

³³ Jos Pierey, April, 26 2006, in conversation with the author.

Figure 4.27 The meetings taking place from February until May 2006.

To summarize: Jos used all his intermediary skills to “couple on” new stakeholders, make the project “inevitable” and make events happen “simultaneously.” These skills included among others talking to new stakeholders, finding money, creating windows to connect policies, and so on.

4.5.2 Taskforce chairs

The consultants that designed the scenarios were also involved in the participation round, participated in taskforces to prove the use and necessity of the bypass, inquired a technical solution for the node, drew the sixth scenario together with the farmers, and helped to solve conflicts during the breathing pause. In the episode, discussed in this episode, the consultants played an important role, as well. First of all, they became the chairs of the taskforces. One of the consultants who used to work for DHV, but was now working for another company (ImpulsPartners), became chair of the “Plan Economics” taskforce, and the designer of H+N+S became chair of the Spatial Quality taskforce. The hydraulic expert from DHV became the assistant of the taskforce water chaired by a public official of the province. An environmental expert from DHV became chair of the environment taskforce. Furthermore, Jos and the consultants met in the biweekly meeting of the taskforce chairs. Third, the consultants presented the outcomes of the research of the taskforces in the workshops, and participants of the workshops could ask them questions. They also gave presentations at the project group and prepared the expert audits (see figure 4.28 for a schematic overview of the involvement of consultants in this episode).

Figure 4.28 Shared meaning giving process in the last episode of IJsseldelta South

C= consultant, Po= public official, Er= elected representative, Sg = member of soundboard group.

The two-weekly meetings of the taskforce chairs became the nerve centre of the project. These meetings were always very informal: they took two to three hours, with lunch, and were non-structured. Jos had a loose agenda most of a time and let the taskforce chairs talk freely. The consultants discussed the proceedings of the project and coordinated the actions within the taskforces. The taskforce chairs discussed the interests of the government and how consensus could be reached. Furthermore, they made the agenda for the taskforces and the workshop.

The practice of the taskforce chairs during these meeting can best be described as trying to grasp the complexity of the project. To give an example of an issue discussed by the taskforce chairs: the bypass would be a “new water body,” for which responsibility needed to be assigned to a government. The responsibility of maintaining the bypass could be taken by either Rijkswaterstaat or the Water Board. But other organizations might also have claimed a responsibility for maintaining the new river arm, such as Staatsbosbeheer (a public organization managing natural

heritage) and the Municipality of Kampen. The consultants discussed which organization might be most appropriate as maintainer and how to facilitate that. Another example was ambiguity about safety standards. The bypass would both fall under the jurisdiction of the water board of Groot Salland, laying predominantly within the Province Overijssel, and the water board Zuiderzeeland, laying predominantly in the province Flevoland. The ministry of Traffic and Water preserved safety standards for the IJsseldelta that allowed a change to one flooding in 2000 years; however, for the province Flevoland, the ministry of Traffic and Water preserved safety standards allowing a change to 1 flooding in 4000 years. The taskforce chairs discussed which standard should be used in calculations about the height of the dykes, technical demands on the sluices, width of the bypass, and so on. In discussing issues like those above, the taskforce chairs tried to get the project to move to “moments of closure” when decisions that could be laid down in the master plan could be made. Textbox 4.3 provides a description of such a discussion.

The consultants were able to “grasp the complexity” of the project because they could more easily look at the project from the perspective of a helicopter view. Because they are not embedded in governmental relations as public officials are it is easier for them to overview the wide variety of problems and possible solutions of the project.

Textbox 4.3 Strategic discussion of the taskforce chairs

On a morning at the end of February 2006,³⁴ the first meeting after the breathing pause of the “taskforce chairs” took place. Present were four consultants, two public officials, and a researcher: Jos, the consultant project leader; the consultant chairing the Plan Economics taskforce; the consultant chairing the Environment taskforce; the public official chairing the Water taskforce; the consultant assisting the Water taskforce; the project assistant employed by the province; and myself. We gathered in a small room at the dependence building of the province Overijssel around a large square table. One by one, they entered the room and talked about the Carnival festivities of the last week. They seemed to know each other very well. They laughed a lot and talked quickly. The sphere was relaxed and informal. At this first meeting the taskforce chairs explored ways to reach consensus between the governments. They did this by discussing what needed to be investigated, what the

³⁴ February 21, 2006.

viewpoints of actors were, which options might be prohibited by law, and so on.

Jos, the consultant project leader, opened the meeting by discussing a phone call he received from a public official of the water board. The water board had researched the minimal width of the bypass (200 or 400 meters). From this research the water board concluded that the safest option was a short bypass with a regulated intake and outlet of the water by sluices with a “polder water level” (a water level at the same height as the surrounding lowlands). Before the breathing pause, the water board had been in favor of a green bypass (no water in the bypass, except during high waters). Jos regretted the research had taken place outside the project, but welcomed the contribution of the water board. The taskforce chairs discussed what this research meant for the progress of the project. If all the governmental partners preferred a blue bypass, must they then leave the option of a green bypass open? They didn’t want to reopen the discussion about whether the bypass should be blue or green; however, they needed to keep the green option open to have something to “fall back upon” in case environmental laws forbade a blue bypass. Another reason that they needed to keep the green option open was that they needed to consider a minimum option with the least environmental impact for the EIS (environmental impact assesment [MER]).

Next, they discussed the agenda for the taskforces taking place right after the meeting. In the taskforces, an agenda would be formulated with points that still required investigation the coming month. Jos wanted the taskforce chairs to formulate if.. then relationships as a basis for the research the taskforces were going to do the coming months. One taskforce chair asked whether next to political choices also uncertainties in the available data would be researched. Another one argued that they should only perform research that would help decide on the still open political choices.

Another taskforce chair suggested that they should already suggest a short bypass, since important partners were against a long bypass (Rijkswaterstaat and the municipality Dronten). However, the taskforce chairs decided to keep the short bypass

open in case barriers later appeared. One such barrier might be that the bypass would decrease the water quality in the lower, Drontelake, too much, so that the bypass would have to mouth in the upper Vosselake. The chair of the Plan Economics taskforce explained that the Drontelake was crucial in if.. then relationships. If the governments responsible for maintaining the Drontelake, the water board of Zuiderzeeland and Rijkswaterstaat IJsselmeergebied, did not want the water quality of the Drontelake to decrease, then a short bypass was not an option, no matter what. He suggested talking directly with these governments, but the taskforce chairs decided to wait until the taskforce environment made clear what the decrease in water quality would be.

During the discussion Jos was drawing something on a notepad. At the end of the discussion, he turned the notepad and showed the taskforce chairs four alternatives:

- A) short, closed, lengthened Vosselake
- B) short, closed, Drontelake
- C) long closed
- D) long open

For alternatives A, B, and C, the water level could be the water level of the lake or polder level. Alternatives A, B, and C could also either be “green,” a little blue (with a stream of water in the middle and swampy area between the water and the dykes), or full blue (almost completely filled with water in between the dykes). Jos asked the taskforce chairs to formulate if... then for each of these variants from the perspective of their taskforce and formulate answers in their taskforce.

Hereafter the meeting was closed and each taskforce chair went to his taskforce to discuss the alternatives.

4.5.3 *Water taskforce*

In the Water taskforce, one of the main issues that still required research were calculations about the height of the dykes along the bypass and what kind of sluices and artifacts were needed on the IJsselriver side. The height of the dykes was an important issue from the viewpoint of “spatial quality.” The higher the dykes, the less attractive the area would be for leisure activities and the fewer possibilities for houses with a view on the water. However, from the viewpoint of nature development, an open bypass with dynamics, and therefore high dykes, was preferable. In the preferred scenario it was agreed to make the dykes “as low as possible.” However, what that meant wasn’t that easy to determine. A sure thing was that in the “open” variants the dykes needed to be higher than in the “closed” variants. But it was difficult to calculate the exact difference. Also, dykes wouldn’t be the same height everywhere along the bypass. It was difficult to calculate the height of the dykes because there were many variables to reckon with. For example, with the “half open variant,” the side at the river IJssel would always be closed (except during high waters on the IJssel, when the bypass needs to be in use to carry water from the IJssel). The side at the Vosselake would be open. However, due to storms causing waves of the IJsselmeer to raise the water level in the Drontelake and hence in the bypass at the side of the Drontelake, the bypass needed to be closed sometimes, as well. If the bypass already closes with small storms, then the dykes don’t need to be that high. However, if the bypass only closes with very large storms, the dykes need to be much higher. In order to calculate the influence of the waves combined with the wind on the increase of the waterlevel in the bypass, more than a thousand complicated calculations would be necessary. In the taskforce it was agreed that the consultants from DHV who had been hired to do hydraulic research, and who were participating in the taskforce themselves, would only calculate four possible situations, and that this would be accepted by the governmental partners. The water taskforce calculated that when storms occur, which happens once in ten years, the bypass would close; then the dykes in the half open variant could be as high as with a closed bypass. Furthermore, how low the dikes could be depended on which safety standards were “chosen.” For example, from 2050, the dykes needed to be 0.5 meters higher than the applicable norms of that moment required. Since the houses would probably stand longer than fifty years, would the future norm already be needed to be taken into account? Another possibility to make the dykes lower was to plant vegetation in the floodshores to make the dykes more robust; however, this was a very experimental measure. Rijkswaterstaat, the actor which had to approve the bypass on aspects of safety before the “exchange decision,” would

probably not approve that, since vegetation wasn’t “robust” (vegetation can easily be cut down). Another option was to lay a lower dyke [berm] against the higher dyke.

The chair of the water taskforce presented the above calculations and conclusions at the several workshops as the viewpoint of the water taskforce. Also, a research report on which all partners present in the taskforce agreed was done. It was very important for the project that the above issues were solved in the water taskforce, since in the past the main conflicts had occurred on water issues. The way of working established in the water taskforce was such a success that at the end of writing the master plan the whole taskforce even went on a boat trip together to celebrate the end of the project.

4.5.4 Taskforce environment

In the Environment taskforce an external research company (Arcadis) was hired to do a “voluntary Environmental Impact Assessment” to foresee where problems might occur with environmental laws. Two external experts from Arcadis participated in the Environment taskforce and the Environment taskforce acted as the “assignment-giver.” Arcadis didn’t just deliver advice, but reported on several occasions during the Environment taskforce, made changes on the indications of the public officials in the taskforce, and participated in the workshops. The main task of Arcadis was to research the consequences of the applicable laws and regulations. The environmental interests were protected by a large number of laws, among other things requiring the planners to “test” several alternatives, to compensate for lost nature, and to develop nature and bird habitats in the bypass. The laws and regulations increased complexity because it was unclear precisely in what way the environmental laws would apply. For example, if the loss of habitat for birds living in meadows caused by digging the bypass in meadow land, was allowed to be compensated or replaced by creating a habitat for birds living in swamps. This appeared juridical impossible because the “meadow-birds” fell under a different law [Provinciaal compensatiebeginsel] than the “swamp-birds” [Natura 2000]. The outcome of the research of Arcadis was that a smaller Drontelake would probably not deliver any juridical problems, as long as the bypass compensated for the loss of nature.

4.5.5 Workshops

During this episode several workshops took place. In the workshops, the public officials of the taskforces and the representatives of the interest groups in the soundboard group participated. Substantively, the workshops weren’t very important: the main issues and conflicts had

already been sorted out during the taskforces. However, the workshops were very important to create commitment and establish a shared meaning about the masterplan. Furthermore the workshops were used to see whether consensus was shared and to raise questions that should be answered in the taskforces. Jos and the consultants designed the agenda of the workshops in such a way that the public officials and representatives of the interest groups were taken along in shaping the outcome of the policy. First, the taskforce chairs presented the outcomes of the taskforces. Next, Jos translated what the outcomes meant for the still open policy issues. He did this by naming “puzzle pieces,” such as: long/short bypass; high/low water level; and location of the houses. Then Jos asked the participants to split up into smaller groups and design their preferred scenarios with the help of the puzzle pieces. The participants representing different interests were dispersed over each subgroup. Each group had a designer assigned to the group who would design the variant on a large flip over. A “group of experts” walked around to give advice and answer questions. The groups of experts were composed of the consultants and public officials with specific knowledge, such as a hydraulic expert of Rijkswaterstaat. At the end of the workshop, the groups explained the choices they made in their scenarios. At the end, all participants received two stickers to vote for the scenario they preferred (see figures 4.29 and 4.30). The scenario with the most stickers was chosen as the scenario for the master plan. Finally, Jos summarized the outcomes of the workshop and the questions that needed to be answered by the taskforces before the next workshop would take place.

Figure 4.29 putting stickers on the preferred scenario

Figure 4.30 The options designed by the small groups in the workshop.

4.5.6 “Social Economic Development- Taskforce” and “Covenant and Implementation Organization- Taskforce”

Chairs still needed to be found for two taskforces: the “Social Economic Spin-off-taskforce” and the “Covenant and Implementation Organization-Taskforce”. The first taskforce was meant to research what kind of social economic benefits would arise as result of the bypass: for example, extra work in the area. The last taskforce was meant to write a covenant among the governmental partners about how to do the implementation phase of the project. Because Jos felt the public officials of the province Overijssel needed to become more involved, he was looking for public officials of the province as taskforce chairs. A chair was found for the Social Economic Spin-off-taskforce; however, he didn’t continue with the taskforce and only met once with the taskforce in two months time, while the other taskforces met every two weeks. He didn’t participate in the meeting of the taskforce chairs or attend the workshops, either. Another public official was found, but he hired an external research company (Ecorus) to research the potential for social economic spin-off of the project. For the second taskforce, the decision was again made to hire a consultant, this time from the consultancy firm AT Osborne. This consultant was also hired to think about how the project should proceed after Jos’s contract expired. After two years working for the project, Jos didn’t want to prolong his work at the project. Furthermore, the consultant was hired to act as the “assignment-giver” on behalf of the province to the projects IJsseldelta South and IJsseldelta North. The department head who used to function as the official assignment-giver moved to another function and her place had not yet been filled.

This shows again a difficulty with getting more public officials of the province Overijssel itself involved in the project. Throughout the thesis this difficulty is referred to as “a mechanism of disconnection” between the consultants and the governmental organization they are working for.

4.5.7 Conclusion: keeping meaning together to reach a moment of closure

In this episode, the project starts meandering again. On multiple stages at different places, participation, knowledge, and decision-making become connected. The importance of this episode was not to generate new ideas, but to together “live through” the existing ideas. Compared with the earlier periods of the project, the episode of writing a master plan helped

to facilitate consensus, because the whole process became a kind of joint fact-finding process, in which a joint meaning-giving and learning process could develop. In the period before, the “stage” had been integral: civil servants with different specialties and from different policy domains were present at the same time. As a result, different policy domains engaged in conflicts and ideas could not fully develop. In the sectoral taskforces, the public officials of all the governments could find agreement on one policy domain. The project groups and workshops were then used to find common ground among the findings of the taskforces. Because solutions were discussed at several stages, they could get ripe and consensus could slowly grow, whereby the public officials had less of a feeling that decisions were taken too hastily. Third, research started to be performed *within* the taskforces. This meant that the public officials of the different governmental partners participating in the taskforces acted as joint assignment-givers. The public officials of the governments together formulated the research questions and the method of research, and selected the consultants to do the research. The consultants hired to do the research were present in the taskforces every two weeks and reported about the proceedings of the research, like the consultants from Arcadis in the Environment- taskforce. The chairs of the taskforces of which most were consultants as well, played an important role in grasping the complexity and translating it in research questions and policy outcomes. They met biweekly in a “meeting of the taskforce chairs.” From a helicopter view, they guarded the coherence of the outcomes of the taskforces, discussed strategic questions, and did interventions when needed: for example, by talking bilaterally to one of the civil servants to clarify his position on certain issues. The consultants were thus acting again as spools, weaving a policy together, but they didn’t become too central as the other actors were connected on and via the different stages.

By bringing different actors together on different stages, a shared meaning-giving process was facilitated. Democratic legitimacy was also enhanced by the mobilization of knowledge together with the articulation of policies. Jos and the other consultants played a large role in staging this process. As such, they succeeded in keeping the dominant meaning shaped in the earlier periods together. The major issues -such as the necessity of the bypass, the trajectory of the bypass, and the question of whether houses needed to be built at all- weren’t disputed in the workshops or project groups. Room for contestation was created in the taskforces. Inevitably, some individual interests were compromised to come to a moment of closure. One example was a farmer who lived at the entrance to the bypass. This farmer claimed he was excluded from drawing the sixth scenario and the soundboard group and continued to

protest in the media against the construction of the bypass. He stood, for example, central in a broadcast of the national television program “Landroof”³⁵ about the bypass. Jos invited him to participate in the soundboard group and workshops, but only if he was representing an interest group. Jos suggested that he would form his own interest group, as other farmers had done. However, this was difficult as the farmer couldn’t get other farmers behind his views, since they were already represented in interest groups and were glad that their sixth scenario had been incorporated.

The fact that some individual interests are compromised doesn’t make policies undemocratic, as each moment of closure entails exclusion. The question is how they were excluded, and if decisions could have been made otherwise? Looking back, the process of developing a policy outcome in the IJsseldelta South project offered sufficient room for deliberation, contestation, inclusion of different voices, and different kinds of knowledge from different perspectives. Also, intra- and inter-governmental stages for decision-making were connected. In that sense, Jos, the consultants, and the other project members succeeded for a large part in achieving democratic legitimacy; however, this all happened rather ad-hoc. Partly this is inherent to the character of contemporary planning projects, as unexpected “things” (laws, citizen protest, media, procedures) will always “pop-up.” Yet there might be ways to better design processes in such a way that room for contestation is created and the quality of deliberation becomes facilitated. Chapter six will further discuss this issue when we discuss the practice of American public mediators.

The IJsseldelta South project shows the complexity of regional planning projects, because interests and positions were not fixed and all organizations and issues involved brought their own standards, habits, and procedures along, which became part of the complexity of the project. Even within organizations’ standards, habits and procedures differed. From their external position, consultants can help actors to grasp this complexity, like the taskforce chairs did, because they have more of a “helicopter view,” as they are not embedded in shifting interests, standards, and procedures themselves.

Anchoring the project within the provincial organization remained troublesome. When two new taskforces became installed, the public official found to chair one of the taskforces didn’t participate in the other stages of the project, such as the taskforce, workshops, and project team. For the other taskforce, no public official could be found and a consultant was hired. In the end a

³⁵ Landroof, September 4, 2008. See www.landroof.nl for broadcast.

consultants was even assigned as the assignment-giver on behalf of the province of Jos, the consultant project leader. One exception to the mechanism of disconnection was the assistant project leader, a public official of the Province Overijssel. The assistant project-leader was involved before Jos got assigned and stayed involved when Jos left after the masterplan was finished. The assistant project-leader tried to guard the continuity of the project.

4.6 Conclusion

4.6.1 *Introduction*

The IJsseldelta South project can be classified as a project to overcome problems of coordination and cooperation between governments. It aims to integrate a variety of separately planned spatial developments: a construction of a bypass, a new railway, the building of houses, the upgrading of a provincial road to a highway, and nature and leisure development. In order to do this more than eleven governments and a variety of societal organizations cooperate, including among others: the ministry of Spatial Planning, the ministry of Traffic and Water, the ministry of Nature and Landscape, the province Overijssel, the province Gelderland, the municipality Kampen, the municipality Zwolle and the water board Groot Salland. The province Overijssel is coordinating the project. Another characteristic of the project is the complexity arising from the fact that so many governments are involved: policies laying conflicting claims on the area (national landscape, example project developmental planning, bypass, railway, houses, and the “planning reservation”); overlapping standards (for example safety standards for flooding can be 1 in 2000 years or 1 in 4000 years); and competing collaborative platforms (i.e., the Network City Zwolle Kampen and the Core Group IJsseldelta). The province Overijssel initiated the project to find a new way of working: it aimed to implement developmental planning and to enact a new role as “area-coordinator” for the province. However, consultants were mainly hired to find this new way of working on behalf of the province. The next paragraphs will discuss the answers to the main research questions of this thesis, starting with what the consultants hired in the IJsseldelta South project actually did.

4.6.2 *What do consultants do in the regional spatial planning practices for which they are hired?*

Episode one: weaving a policy. Consultants were important actors in the articulation of a policy for the IJsseldelta South project. In the first episode of the project we saw how Jos, the consultant-project leader,

talked to all kinds of stakeholders (aldermen, farmers, representatives of interest groups) to “fully grasp” what was going on. Jos found out for himself that a wide variety of developments were being planned without mutual coordination by the governments planning them. Jos framed the project as a problem that various projects were being planned without cooperation and emphasized the urgency of cooperation caused by the deadlines of among others the construction of the railway. In this way he emphasized the necessity to cooperate. Next he used existing plans and studies to write a plan of approach and to install a cooperation structure for the project. He used the regional advice written by public officials of the Province Overijssel that proposed to construct the bypass as a short-term measure against flooding, instead of constructing the bypass as a long-term measure for the period 2050-2100 as was planned by the ministry of Traffic and Water. Furthermore, Jos installed the project under the already existing “Steering Group Network City Zwolle Kampen” under which he created a “Core Group IJsseldelta South” in which elected representatives of the regional partners took seats. The public officials of the partners were represented in a “project group” and representatives of interest groups were invited to participate in a “soundboard group.”

Jos’ way of working in this episode can best be described as “weaving” a project together from a wide variety of existing policies, issues, planned developments, laws, deadlines, organizations, research and platforms. Second, Jos broke through institutional habits. For example, instead of sending written progress reports Jos gave oral presentations about the progress of the project in the elected boards of the governments involved. In this way he could keep all governments involved without formal procedure delaying the project. Finally, Jos acted as an intermediary between governments by making them cooperate to integrate separately planned developments. One way he did this was by talking directly to aldermen of the municipalities to convince them of the necessity to participate in the project. Acting as an intermediary was made easier for Jos because he was a consultant from outside the province. As an outsider he could more easily recognize and break through institutional and cultural barriers of the province. Second, because as a consultant, he was not embedded in prior relationships with the governments involved, it was easier for him to navigate through sensibilities and bring the governments together. In order to be able to break through boundaries and act as an intermediary Jos had to act at a “distance of the provincial organization.” A disadvantage of this approach was that he became somewhat disconnected from the provincial organization. This became symbolized by the location of the project IJsseldelta: in the basement of

the dependence building of the province next to the post office and the smoking room.

Episode two: assembling democratic legitimacy. In the second episode of the project Jos organized a participation round. A team of consultants wrote a set of scenarios that functioned as input for this participation round. The consultants were hired because Jos thought consultants were better able to explore the “full scope of possible solutions:” because the consultants are not connected to one interest of one of the governments they can explore the issue from a more independent position. The scenarios were presented at: information evenings; an exhibition in a local library; local interest groups and schools. The consultants who drew the scenarios were often available at these meetings to answer questions. During the participation round a lot of protest against the bypass was raised by citizens and farmers living in the area. They didn’t believe the outcome of the scenarios was still open and that the project members would actually listen to them. During an information evening in Kampen a group of farmers from Kamperveen protested fiercely. In reaction, the elected representative of the province put the team of consultants that designed the scenarios at the disposal of the farmers. Together with the farmers, the team of consultants designed an alternative, sixth scenario. As such the consultants acted as intermediaries between citizens and governments. Another group of citizens, the inhabitants of Noordeinde, attracted a lot of media attention by claiming that the project members had “forgotten” to inform them and that their village would be “buried alive” by the construction of the bypass. In response to these protests the elected official promised that the bypass would not cross the lands of the province Gelderland in which Noordeinde lays. Furthermore, the citizens, and also some of the governmental partners, doubted whether the bypass should be build at all. Therefore, Jos installed a taskforce to prove the “use and necessity” of the bypass. In this taskforce the consultants and the public officials of the most important governmental partners participated. The taskforce “proved” that they bypass was already necessary shortly after 2015 (when a normative water drainage of 16.600 m³/sec would be reached at Lobith, the place where the IJssel river enter the Netherlands). Because the consultants and public officials had calculated this together, the outcome that the bypass was indeed necessary was accepted by most citizens and governmental partners. Another taskforce was installed to investigate how an infrastructural “node” in the sixth scenario could be technically solved. The infrastructural “node” was the point where the bypass, railway and highway would cross each other. Again, the team of consultants

cooperated with public officials of the governmental partners in a taskforce. By this way of working knowledge mobilization became part of a shared process of meaning making among the consultants and the governmental partners. Second, the views of citizens (the sixth scenario) were connected to technical knowledge (i.e. regarding the use and necessity of the bypass and how to technically solve the infrastructural “node”). By drawing a sixth scenario together with citizens and by mobilizing knowledge together with public officials, the consultants enhanced the democratic legitimacy of the project.

The outcomes of the participation round needed to be translated into formal decision-making. Jos composed a “preferred scenario” based on the participation round and the preferences of the governmental partners. After discussing the preferred scenario in the project group and core group of elected representatives of the project, Jos presented the preferred scenario in the elected councils of some of the important governmental partners, among which the municipality of Kampen. He also showed a movie made by the communication advisor of the project called: “the people and the bypass.” The movie conveyed the meaning that the proposal of the bypass first encountered strong protests by citizens and farmers, but that the project leaders have listened to the citizens and that there is now a preferred scenario that has the support of citizens in the area. By translating the outcomes of the participation round into a proposal for formal decision-making and by facilitating that each governmental partner took a formal decision on the preferred scenario, Jos connected informal collaborative democratic legitimacy with formal representative democratic legitimacy.

The way of working of Jos during the participation round can best be described as enacting a “meandering planning.” He enacted and acted on a wide variety of stages inside and outside the bureaucratic organization of governments. On these stages he connected issues, actors, and policies and tried to change positions of citizens and governments. On some stages he interwove knowledge-mobilization with decision-making: for example, in solving the “node” and during the workshops of the episode. On other stages he connected participation with decision-making, like when he translated the outcomes of the participation round and presented them in the municipal council of Kampen. In this way Jos succeeded in establishing a shared-meaning making process. However, Jos acted very ad-hoc: improvising on moments he felt the project lost support.

Episode three: Unraveling consensus. After the participation round only a few options were left to decide upon: whether the bypass would be long or short and open or closed. When public officials of the governmental partners gathered in one project group to discuss these issues, the consensus reached during the participation round started to unravel. The governmental partners started to hire consultants to do research unilaterally outside the stage of the project group and subsequently used this research to strengthen their own positions on conflicts in the project group. At that moment, the project risked to become captured by “advocacy science.” Jos installed a breathing pause to solve the conflicts. During this breathing pause he wrote a second plan of approach in which he emphasized what he thought a new way of planning required: not fleeing into detailed studies, staying on mainlines and cooperating on the basis of reciprocity. This approach differs from the technocratic way of dealing with knowledge as it turns the survey before plan model around: first decide on mainlines and then perform research where needed. The team of consultants helped in solving the conflicts. The landscape designer of H+N+S, for example, worked together with consultants hired by Kampen to design a vision on the building of the new houses. The water board and the province together hired a consultancy firm (HKV) to provide a second opinion on the hydraulic research performed by consultants of DHV. Subsequently an expert audit was organized in which university professors audited the research performed by the consultants. In this way the consultants acted as a buffer between public officials of the governmental partners and Jos when their relation became too tense.

Episode four: ripening towards commitment. After the breathing pause the last phase to write the master plan began. Still only two options were left open to decide on: whether the bypass should be long or short and open or closed. Learning from the conflicts resulting from having the project taking place at only one stage (the project group), Jos installed multiple stages on which consensus could ripe: taskforces, project group, workshops and expert audits. On these stages consultants and public officials worked closely together and a shared meaning-making process could develop. Next to installing multiple stages Jos deployed several strategies to keep the project together: coupling on new stakeholders, trying to make the building of the bypass inevitable, and making many events happen simultaneously. By this Jos succeeded in creating a meaning of the project as a “running train” of which people felt they had to work hard to stay on it. By this feeling, the cooperation of

more than 100 different people from 34 organizations was kept together and prevented from slowing down.

The other consultants who have been involved from the start were acting as taskforce chairs (except one who was an assistant to a taskforce chair). They represented the outcomes of the taskforces in the project group and workshops. Moreover they gathered together with the project leader on a two-weekly basis in a “meeting of the taskforce chairs.” These meetings became the “nerve centre” of the project as the consultants discussed strategic issues during these meetings: what still needed to be researched, how possible outcomes would influence consensus, were “bottlenecks” to the project could come up and how the positions of the governmental partners could be changed. As such the consultants helped to deal with the complexity of the project. As outsiders, the consultants were not embedded in relationships, policies, and issues that were part of this complexity as much as public officials would have been. Therefore the consultants were better able to maintain an overview of the project.

Throughout the project Jos had close contact with the elected official of the province. They met two-weekly and discussed everything Jos did. Hence the elected official acted as the assignment-giver for Jos. However, Jos wasn’t really embedded in accountability structures of the province. As such the project became somewhat disconnected from the provincial organization. For example, when two additional taskforce chairs needed to be found, a public official of the province was assigned as one of these chairs, but this public official only gathered around once every two months and didn’t attend the workshops or project groups of the project. For the other taskforce no public official was found and a consultant was again hired. Jos hardly had any contact with the administrative assignment-giver (a department head). At the end of the project a consultant was even assigned as the administrative assignment-giver of Jos. Only two public officials were involved in the project on a daily basis: the assistant project-leader and the taskforce chair water. Both helped to connect the project to existing policies of the Province Overijssel. Table 4.3 provides a summary of the activities the consultants in the IJsseldelta South project performed and how their way of working can be described.

Table 4.3 What consultants did in the IJsseldelta South Project

Episode	Consultant*	Activity	Way of working
1.Weaving a policy The start of the IJsseldelta South project.	Project leader (Jos)	<ul style="list-style-type: none"> - Talking to all stakeholders - Defining the project, writing plan of approach - Putting up an organization structure - Starting cooperation 	Weaving a wide variety of existing policies, issues, planned developments, laws, deadlines, organizations, research and platforms together in a policy. Breaking through institutional habits. Acting as intermediary between governments Creating distance towards provincial organization
2.Assembling democratic legitimacy Participation round.	Project leader (Jos)	<ul style="list-style-type: none"> - Organizing the participation of citizens - Translating the outcomes of participation into a proposal for formal decision-making 	Enacting meandering planning by connecting decision-making, knowledge and participation on a variety of stages outside one governmental organization in an improvising matter Strengthening primacy of politics
	Team of consultants	<ul style="list-style-type: none"> - Designing scenarios - Answering questions during information evenings - Designing sixth scenario together with farmers - Taking part in taskforce to solve 	<ul style="list-style-type: none"> - Exploring full scope of possible solutions - Acting as intermediaries between citizens and government

		“the node”	
3.Unraveling consensus Conflicts between governmental partners	Project leader (Jos)	<ul style="list-style-type: none"> - Organizing a project group to discuss last open questions - Installing breathing pause to solve conflicts - Writing a second plan of approach 	Acting on one stage on which conflicts could arise. External research was mobilized outside this stage to support opposing positions Struggle to overcome technocratic planning practices and enact a new way of working
	Team of consultants	<ul style="list-style-type: none"> - Help to solve conflicts with governmental partners 	Acting as a buffer between public officials and project leader
4.Ripening towards commitment Writing the master plan.	Project leader	<ul style="list-style-type: none"> - Organizing the last phase of writing a master plan on a wide variety of stages - Strategy of coupling on stakeholders, making the project inevitable and make many things happen simultaneously. 	Enacting a shared-meaning giving process among more than hundred public officials of more than thirty organizations on a variety of collaborative stages.
	Team of consultants	<ul style="list-style-type: none"> - Chairing taskforces - Two-weekly meeting of taskforce chairs - Giving presentations in workshops and project groups 	Grasping complexity by strategic meetings with team of consultants

* Only consultants with a task in the substantive articulation of policies are listed. Besides the consultants listed, many consultants were hired to do other tasks, like performing research.

4.6.3 *How can we understand the involvement of consultants in light of possible explanatory frames?*

Consultants in the IJsseldelta South case were hired to help find a more collaborative way of working. In that sense the IJsseldelta South case confirmed the observations made in the previous chapter: the hiring of consultant should not be understood in the light of New Public Management. The hiring of consultants in Dutch regional planning practices thus differs from other forms of outsourcing: the consultants were not hired for efficiency gains or to limit the role of the state, but as a response to problems of coordination and cooperation in regional planning practices. In the previous paragraph we have seen that the consultants were able to help the governments to overcome these problems of coordination and cooperation mainly by: taking all kinds of intermediary roles; by braking through institutional boundaries; and by looking to the full scope of the problem, instead from one perspective of the government. The consultants were able to do this because they are *external* to the governments they are hired by. It is thus precisely because consultants are private actors not belonging to governments that they helped facilitating a shared meaning-giving process among governments. This is what distinguishes consultants from public officials, who by definition don't have an external position. The consultants themselves use words like “independent” or “neutral” to describe their position; however, this suggests they don't have a substantial contribution to the articulation of policies. Therefore, I would like to introduce the word *externs*, as this is what consultants are frequently called in Dutch. As *externs* consultants engage in the daily process of policy making, but are not as embedded in existing relationships, habits, procedure and interests as public official are. The suggestion that it doesn't really matter whether planners are private or public because modernist boundaries have been eroded didn't hold in the IJsseldelta Case: it is precisely because they are private, that consultants can have an added value to regional planning practices. This added value consists mostly in helping government to overcome problems of coordination and cooperation. The consultants were hired to find a new way of planning that was more collaborative. This indicates that the province itself didn't really know how to do this, which can be interpreted as a shortage of capacity to deal with complex and collaborative regional planning projects. The connection, however, between the consultants and the provincial organization was weak. As a result learning effects were limited. This may increase the loss of capacity to plan these kinds of projects for the province even further.

4.6.4 In which ways are consultants able to enhance/impede democratic legitimacy of regional spatial planning?

Several mechanisms by which the consultants enhanced democratic legitimacy because they are “*externs*” can be found in the IJsseldelta South case. First of all, they *mediated* between relationships of governments. Because they had an external position to the governments involved, they could act as intermediaries between those governments: for example, when Jos reckoned with sensibilities between the municipalities in the Network City Zwolle Kampen and the province Overijssel. Another example is when the designer-consultant of H+N+S together with the consultants hired by Kampen solved the housing issue. Second, the consultant-project leader developed a way of working to *break through and work across boundaries and institutional practices* impeding cooperation. As an outsider, the project leader had a fresh view and it was more easily accepted if he just did it his way. The project leader broke through several institutional rules of the province, which enabled him to act faster and keep the project moving. The project leader also tried to break with the “survey-before-plan” norm by laying down in the second plan of approach the principle that the partners would not dig too much into detail. Third, again from an unaffiliated position, the consultants were able to write scenarios from a helicopter view, instead from the view of one interest, thereby *enlarging the scope of possible solutions*. A fourth mechanism by which the project leader was able to enhance the democratic legitimacy was by *acting on different stages*. As an external agent, he is less tied to certain stages, unlike, for example, a public official who is tied to administrative platforms of the government he is working for. Jos, however, could give a presentation in the municipal council of Kampen while being hired by the province Overijssel. In this way, he connected informal participation with formal decision-making.

As *externs*, there are also some mechanisms that can make consultants impeding democratic legitimacy. First, they can become too much of a “*central spool*.” The consultant is then the central person formulating policies and connecting issues, but a shared meaning-making process is not facilitated. This happened, for example, when Jos talked to all kinds of stakeholders in the beginning of the project, but the stakeholders didn’t talk to each other about the project. In that way, knowledge mobilization, participation and decision-making become only connected through the person of the consultant, but not with each other. Second, a *mechanism of disconnection* can occur between the project the consultant is leading and the administrative organization for which the consultant is hired. One cause of this mechanism is that a consultant

works at more stages outside the administrative organization. However if only a few public officials take actively part in the project, the interests of the hiring government can become unrepresented, like happened in the “Covenant and Implementation Organization” at the end of the project. Also democratic checks embedded in bureaucratic organizations, like long-term interest and due process can become disconnected of the regional planning project the consultant is working for.

Third, Jos way of working can be described as *working ad-hoc*, especially regarding issues of participation and knowledge. Direct participation, i.e. farmers co-designing scenarios was only facilitated in reaction to protests of citizens. Also knowledge mobilization within a shared-meaning making process, like in the taskforces, was facilitated only after this was of knowledge mobilization appeared to be necessary to create consensus among the governmental partners.

Finally clear relationships of accountability for consultants were lacking. Jos, himself being a consultant, acted as assignment-giver of the team of consultants. The only person from the province Jos was regularly accountable to was the elected official. In that sense, the primacy of politics was not threatened. However, the administrative organization of the province was not very involved. What kind of relationship of accountability this is, will be further explored in the next chapter.

4.6.5 *What can we learn from consultants about the organization of spatial planning in government and the role of public officials?*

The dynamics of the project IJsseldelta South are mainly steered by problems of coordination and cooperation between governments. In that sense it shows how “developmental planning” risks to become too much focused on coordination. However to help overcome these problems of coordination the province turned to consultants. Partly this does make sense, as consultants are better in solving problems of coordination from their external, outsiders’ position, than public officials are from their insider position. Partly, however, this erodes the capacity of provinces to deal with these problems themselves.

Second, Jos has shown that a different kind of planning than the expert, technocratic model is needed to make a complex regional planning project work. A variety of elements need to be “woven” together and a meandering planning via a variety of stages outside one government is needed. This also required a different way of dealing with knowledge. Not “survey-before-plan” but first decide on mainlines and than do the research that is needed. Furthermore, knowledge can best be mobilized at stages together with the articulation of policies and decision-making, as it

happened in the taskforces in the last phase of the project. In the taskforce environment for example the public officials of all governmental partners operated together as assignment-givers to the external research company who was hired to do an Environmental Impact Assessment. This resembles “joint fact finding” process and can be summarized as a collaborative mobilization of knowledge.

5. Consultants and “governance- light” in the City Region Arnhem Nijmegen

5.1 Introduction

In this chapter we will discuss a period of transition of a regional government: the City Region Arnhem Nijmegen (hence City Region), and the role consultants had in this transition. The City Region went through a reorganization period a year before I started my ethnographic research. The reorganization was designed to find a new way of governing: performing policies together with other public and private actors. During the period I did research, the City Region tried to put the new governing vision into practice, mainly through project-based initiatives. Consultants were mainly hired to lead these projects, and hence became the vehicles through which the new way of governing needed to be implemented. However, the high involvement of consultants also limited the learning of the organization itself and eroded the coherence between projects. Towards the end of my stay, this changed as the organization moved to a new building, assigned ten new public officials, and started to create internal policy coherence.

The projects in which the new way of governing was tried out provide insights into what contemporary “policy puzzles” for the City Region look like. As such, they are manifestations of the search for a new kind of planning in the Netherlands discussed in chapter three. The City Region doesn’t perform example projects developmental planning, but aims at a similar kind of regional planning. This makes the period of transition of the City Region a very interesting period to research. We can learn what kinds of challenges and struggles contemporary regional policy problems pose, and what might be sensible and democratically legitimate responses. Second, we can learn why consultants are hired to overcome these problems: what in their position as “externals” causes them to be hired for these kinds of projects? Third, we can learn from the consultants’ way of working what consultants, and more generally, planners can do in response to these problems.

This chapter will first introduce the City Region Arnhem Nijmegen, the developments in which the continuation of the City Region

became disputed, and how that led to the formulation of a new way of working. Then it will discuss five projects designed to implement the new way of working: Air Quality, Regiorail, a master plan for public transport, and the Network Analysis. For each project the “policy puzzle” is described, followed by a discussion of what the consultant hired for this project did, making use of “practitioner profiles.” Practitioner profiles are practice stories about how practitioners deal with challenges in their day-to-day work (Forester 1999). In this chapter we will not follow one consultant as in the IJsseldelta, but several consultants and the organization in which they operate. Words used by the practitioners themselves are put in quotation marks and italics.

I worked three days a week at the City Region for four months, from September 2006 until December 2006. I didn’t have just one desk, but sat in several places in several departments, lunched with the employees, and sometimes sat at a free desk with the secretary at the front desk in the main hall of the office. In this way, I had regular contact and informal talks with employees working at the City Region. I participated actively in one project: “Air Quality” and followed the consultant-project manager of this project. I attended meetings of other projects in which a lot of consultants were involved and I interviewed consultants and employees. I attended public meetings of the city region council. Furthermore, I was allowed to sit in and tape record the weekly management team meetings. I followed the president on several days, accompanying him to his meetings from morning to evening, for example to a meeting with several mayors or with the board of the City Region. I had several meetings with the director, in which he answered my questions. Finally, I attended important “reflective meetings,” such as an evaluation meeting about the reorganization with the consultant leading the reorganization and a “general brainstorming” session about the future workings of the City Region. As in the previous chapter, I refer to written sources as much as possible to validate my ethnographic observations. For the practitioner profiles, I used tape recorded interviews. The final version of this chapter is read and approved by the president, the director, the consultants who were interviewed and the employees of the City Region who were quoted.

5.2 The City Region Arnhem Nijmegen

The City Region Arnhem Nijmegen is a regional government. The region is situated between two large rivers in the east of the Netherlands (the Rijn and the Waal) and lies within the borders of the province Gelderland. It is

a semi-urbanized region with two larger cities (Arnhem and Nijmegen) and twenty smaller villages. Economically, it is less important than the Dutch Randstad (the urbanized region in the western part of the country), but the City Region is situated near the German border and is an important economic region for the position of the Netherlands in Europe. A lot of traffic to Middle and Eastern Europe goes through the region, either by car (over the highway), boat (over the two rivers), or train (there is a high speed railway for passengers, and rail cargo traffic). This makes “mobility” one of the important policy issues for the region. Another issue is finding a balance between further urbanization and protecting the landscape. The landscape has special values, from a typical “Dutch river landscape” to light hilly areas as a result of the last glacier. The semi-urbanized region attracts many new residents. Arnhem and Nijmegen are attractive cities with historical centers, universities, and cultural podia. The river landscape and the hills surrounding the cities provide nice places to live or to enjoy the landscape.

Figure 5.1 The location of the City Region Arnhem Nijmegen

Table 5.1 The City Region Arnhem Nijmegen in numbers

Size	1000 km2
Popular density	~ 700/km ¹ (the Netherlands ~400km ²) ²
Municipalities	22
Largest Cities	Arnhem (~141,000 inhabitants) Nijmegen (~160,000 inhabitants) ³
Smallest village	1,540 inhabitants ⁴

Figure 5.2 Organization of the City Region Arnhem Nijmegen.

¹ www.destadsregio.nl, last visited, April 27, 2009.

² www.ruimtemonitor.nl, last visited, April 27, 2009.

³ See www.arnhem.nl and www.nijmegen.nl, last visited, January 29, 2007.

⁴ See www.stadsregioarnhemnijmegen.nl, last visited: January 29, 2007.

The City Region Arnhem Nijmegen isn't directly elected, but represents the interests of twenty municipalities when “intra-municipal issues” are at stake. The municipalities are represented in the *City Region Council*. From each municipality a mayor, alderman, or a member of the municipal council takes a seat in the *City Region Council*. Under the City Region Council, there is an *Executive Board* [College van Bestuur] of five members. The head of the executive board, the *president* [voorzitter] of the City Region, is appointed from outside the City Region Council by the City Region Council. The other members are chosen from and by the City Region Council. The executive board meets every week. The City Region has its own organization, run by a *director* and a *management team*. At the time of my research, the City Region employed twenty three public officials (see Figure 5.2 for an overview of the organization).⁵

5.3 From policy paper producing government to “light governance”

5.3.1 Urban networks

The City Region Arnhem Nijmegen (hence City Region) was founded in 1995 as the “Urban Node Arnhem Nijmegen [KAN, Knooppunt Arnhem Nijmegen].” The urban nodes were enacted in the Fourth National Plan Spatial Planning. Urban Nodes were cooperations among governments aimed to solve issues resulting from a network society. Right from its founding, the City Region was thus embedded in a narrative of a network society and what kind of (regional) governance would fit in such a society. As the aim of the City Region clarifies:

*“The aim of the City Region is to develop the economic potential of the region around the two cities Arnhem and Nijmegen. These two cities and the surrounding villages have gradually grown towards each other in such a way that they have become intermingled. Since cities and villages in the region have reached a close spatial and functional interconnectivity it is argued that issues regarding mobility, environmental quality and economic development are best governed for the region as a whole.”*⁶

The formal structure of the City Region was arranged in a temporary law.⁷ In this temporary law, municipalities were enabled to install a “joint –arrangement [gemeenschappelijke regeling],” providing

⁵ “Sterk in Samenwerking,” Jaarverslag 2005, Stadsregio Arnhem Nijmegen.

⁶ “Regionaal Structuur Plan,” Knooppunt Arnhem Nijmegen 1995-2015.

⁷ Gemeenschappelijke Regelingen in Kaderwet Bestuur in Verandering.

them with a governing body with formal legal status through which they could operate on a voluntary basis.

5.3.2 *New law*

From 2000 until 2005, the position of the newly formed regional governments became disputed. Whereas the original idea was that the city regions would come to replace the provinces, now the question was raised of whether the Netherlands needed regional governments at all, and if so, how far the jurisdiction of the regional governments should reach. The minister and parliament appeared to be very reluctant to let the city regions continue. They were afraid the city regions would become a “fourth layer” within the “main structure” of national government, provinces, and municipalities. This would increase the “administrative pressure” and would decrease the transparency of government. City regions are only meant to be “help structures” within the “main structure.” Furthermore, because the city regions are intra-municipal arrangements - and their boards and councils aren’t directly elected by citizens - they are assumed to have an inherent “democratic deficit”:

“Limited role for help structures:

*Administrative help structures are not allowed to develop into a de facto extra government layer. Their democratic legitimacy is more limited than that of municipalities and provinces, which have directly-chosen representative bodies. Also, the help structures don’t contribute to the recognizability and clarity of the administrative organization.”*⁸

Despite the above, the national government did replace the temporary law with a permanent law: the “Law Joint Arrangements-Plus” [WGR-plus, Wet Gemeenschappelijke Regelingen- Plus], which was enacted on January 1, 2006. The significance of this new law was the assignment of seven “plus-regions,” of which the City Region Arnhem Nijmegen is one. In the seven “plus- regions,” cooperation of municipalities is not voluntary anymore, but required by national law. Hereby, the regional governments became permanent.⁹

⁸ “De toekomst van het decentrale bestuur, het decentrale bestuur van de toekomst,” een verkenning van de minister van Binnenlandse Zaken en Koninkrijksrelaties, October 2006, p.10.

⁹ With the new law, the City Region Arnhem Nijmegen changed its name: from KAN (Urban Node Arnhem Nijmegen, Knooppunt Arnhem Nijmegen) to City Region Arnhem Nijmegen, herewith emphasizing its new status and the fact that it is one of the seven city regions.

According to the new law the city regions are to be seen as “extended local government” [verlengd lokaal bestuur], which means their basis of legitimacy is the municipalities joint in the City Region. The reason that, despite the compelling reasons of the minister to not continue the regional governments, the minister did strengthen the position of the city regions, is that the minister became convinced of the “added value” of the city regions. After discussions with all the joint arrangements, municipalities, and the provinces, the minister concluded that:

“(...) the cooperation structures functioning on the basis of the “Framework Law Administration in Change” have proven their right of existence in the administrative relationships materially, and security about their preexistence is desired.”¹⁰

In the discussion about the new law, the city regions are framed as “help structures” and “non-democratic” by definition. Hence, city regions are by definition lacking legitimacy and need to work extra hard to prove their “added value.” A competitive relationship between the provinces and regional governments is created: contrary to the other governments, the city region should not become a “traditional government.” In a “period of reflection” the City Region itself started to formulate a view on what their added value should be. The framing of not becoming a “traditional government” and the narrative of network society suggested a particular direction for this added value, as we will see in the next paragraph.

5.3.3 Period of reflection and reorganization

During the discussions about the new law, the City Region Arnhem Nijmegen itself was challenged to prove the “necessity of her existence” to be included again in the new law as regional government. During the same period, the City Region was also challenged by the City Region Council and the municipalities within the City Region to reflect on questions regarding the costs, democratic legitimacy, and “added value” of the City Region. A new president was appointed, who became one of the thriving forces behind the development of a vision on how the City Region should govern. Furthermore, a reorganization took place.

In reflecting on the added value of the City Region and in the reorganization, the president, the directors, and consultants (hired to reflect on the added value and reorganize the city region) enacted policy theories of new public management, governance theory, and collaborative

¹⁰ “Wijziging van de Wet Gemeenschappelijke Regelingen en enkele andere wetten met het oog op de instelling van plusregio’s” (Wijzigingswet Wgr-plus), Tweede Kamer, 29532, Nr. 4, p.3.

planning. They translated these into a new planning style, which they contrasted with the old way of working of the City Region. In doing this they developed a view on what kind of planners were needed for the new way of working, as well. Table 5.2 shows the “old style” and the desired “new style” of planning and the way planners work. In the old planning style, we can recognize the “survey before plan model” of planning. In the old type of planner, we can recognize the expert planner. In the new planning style, we can recognize the emphasis on involving other parties and “getting things done.” The new kind of planner is to be “a broker” who can “bend along” and “mobilize implementation force.”

Table 5.2 The old way of working in the City Region and the new way of working as described by the practitioners of the City Region themselves

Old Style: “Like a province”	New Style: “Involving outside ward”
<p>Planning style:</p> <ul style="list-style-type: none">- “traditional government layer, like province”- “substantive policy development”- “sectoral”- “first analyzing the issue then develop instruments”- “optimal concept according to experts” <p>Type of planners:</p> <ul style="list-style-type: none">- “specialized, experienced professionals”- “analytical skills”- “substantive expertise”	<p>Planning style:</p> <ul style="list-style-type: none">- “governance”- “interaction with society”- “involving outside ward”- “creating regional articulation among municipalities”- “winning coalitions of public and private parties”- “getting things done” <p>Type of planners:</p> <ul style="list-style-type: none">- “brokers”- “sensitive for outside world”- “bend along/ “judo” behavior”- “project-process management”- “mobilizing implementation force”

Source: composed from policy documents and interviews with people working in the City Region mentioned in above paragraphs. “descriptions” are written down in the language used by the City Region itself.

The remaining of this paragraphs discusses how the old style and the new style depicted in Table 5.2 are derived at, and how the added value became defined and the reorganization implemented.

The first report dealing with the “added value” issue was about what would be the right scale of the City Region. This report was written by the consultancy firm Berenschot. Until that moment there was a dispute between the province and the City Region about the right scale of the City Region, i.e., how many municipalities should be exactly

represented by the City Region. The province wanted a small City Region, only consisting of the more urbanized villages, and the City Region wanted to include the more rural villages in the area, as well (Boogers, 1997). To overcome everlasting discussions about the right scale in the future, the consultancy firm Berenschot moved away from the “structural scale discussion.” Instead the consultants argued that:

“Effective regional governance it is not a matter of right scale, but a matter of capacity to collaborate with the right governmental and private partners to solve policy problems. There, shouldn’t be a fixed amount of parties always involved. Instead effective regional government is to collaborate with only those parties really needed to solve a particular issue.”¹¹

Rather than the scale, the content of the issues should determine which municipalities are to be included in collaborative projects. In this quote, a struggle between a bureaucratic style of planning, emphasizing institutional arrangements, and a more informal collaborative style of planning is enacted.

In the report “What can the region do?” [Wat KAN de regio?] the board framed the “added value” of the City Region in two ways. First of all, with the new law they were “*real extended local government*” [verlengd lokaal bestuur]. Herewith, they meant that the municipalities should decide what the City Region should do. Since with the implementation of the new law, the cooperation of municipalities within the City Region isn’t voluntary anymore, the municipalities are able “to bind themselves” in developing a common policy. The City Region thus defined its democratic legitimacy foremost as being responsive and transparent towards the municipalities.

The second way the board framed the added value of the City Region isn’t so much in terms of the existence of a regional governmental body *an sich*, but in the way this governmental body governs. The City Region can be an added value if it’s enacting a “*shift from government to governance*.” The real added value of the City Region is when it is solving problems together with other parties: “*to realize desirable societal developments it is necessary that involved parties cooperate on the scale of the problem.*”¹² Enacting a new way of planning was this seen as crucial for establishing an added value of the City Region.

In the discussion above, we can see how several theories on planning become translated to the specific situation of the City Region, and how a view of what the City Region is and should be is emerging. The

¹¹ Prof.dr.Theo Camps, “Synergy and scale,” June 4, 2004, Tilburg.

¹² “Wat Kan de regio?,” Stadsregio Arnhem Nijmegen, May 30, 2005, p. 7.

City Region should not be a “traditional” government and should have a specific “added value.” This “added value” can be achieved by solving policy problems “on the scale of the problem” by “flexible coalitions of public and private actors.” Democratic legitimacy is described by the notion of “extended local government,” which means that the City Region is accountable to its municipalities, who are seen as “assignment-givers.” We can see a mixture of governance theories (network governance, flexible scale), collaborative planning (together with public and private actors), and New Public Management (“added value,” “assignment-givers.”) Finally, we see how a consultant agency formulated the added value of the City Region in terms of collaborative planning.

The City Region Arnhem Nijmegen hired the consultancy agency Berenschot again to reorganize the culture of the organization. According to Berenschot the organization should move from “substantively organized” to “outcome oriented” based on cooperation with strategic partners:

*“In the contemporary organization we see that the City Region Arnhem Nijmegen still has a strong focus on the development of policies. The substantive policy skill is strongly developed at the City Region Arnhem Nijmegen: much substantive expertise and strong analytical capacity. However, the City Region Arnhem Nijmegen delivers its ‘societal products’ mainly in projects and complex processes. Products with impact in the region that will be realized, are never from the City Region Arnhem Nijmegen alone, but are able to rest on support from a ‘winning coalition’ of parties, public, and sometimes private as well. The merits of a plan like the RSP [Regional Structure Plan] or RMP [Regional Mobility Plan] is regional articulation between municipalities, rather than the development of the optimal concept according to experts.”*¹³

A different kind of planning is needed according to the consultants: a shift from a strong focus on the “*development of policies*” towards a “*winning coalition*” of public and private parties, and from the development “*of the optimal concept according experts*” to “*regional articulation.*” The consultants thus aimed a shift from bureaucratic and expert planning practices to a planning practice in which multiple public and private parties cooperate. After the period of reflection and the assignment of a new president in 2002, it was felt that the City Region had become too much of a *traditional government*. The new president called the City

¹³ F. Beemer and Th. Camps, “Verbindend Bestuur, Verbonden Organisatie, Besturings-en organisatieconcept, KAN vernieuwt!,” April 1, 2005 Utrecht.

Region the “*Scientific Council [WRR] of the region*,” implying that the focus was too much on developing knowledge. Also the view of the president reflected an aim to move away from expert planning practices.

In the view of the consultancy agency and the directors of the City Region, the new way of planning also required a different kind of planner: the typical expert and bureaucratic planner with well developed skills within his specialization should be replaced by a new kind of planner who is mainly skilled in facilitating cooperation between actors. As one of the managers of the City Region described the “old kind of planners”:

*“A small club high professionals, senior project leaders, who were all very experienced on their own domain.”*¹⁴

The new kind of planner should be more of a policy broker between actors. As the president of the City Region described the kind of planner he was looking for:

*“Of the people here this demands to work more out of bound, to be more of a broker, to bend along, more judo behavior, developing more feeling for what is going on outside, instead of being occupied with the internal agenda all the time.”*¹⁵

To be able to facilitate cooperation among governments, planners should be sensitive to developments outside their own organization and develop a way of working as “policy brokers.”

Following the suggestion of the consultants, the City Region was reorganized into two teams: “project and process” and “policy and governance.” The “project and process” team received the task of developing projects in cooperation with the “*outside ward*.” They were the ones who were expected to implement the “new culture.” The “governance and policy” team got the more “*traditional policy tasks*” of analyzing policies and doing procedural tasks (such as accommodating subsidies). The project and process team became *symbol* for the “new way of working” and the “governance and process team” for the “old way of working,” as is visible in the physical layout of the City Region office. The building in which the City Region was situated had the shape of a V. Each of the teams was situated in “*the other wing*” – as the City Region people called it themselves. Through windows, the employees could “watch” the other wing, but they could only walk to each other via the down point of the V, where the entrance and reception desk were located. The meeting rooms were located in the wing where the “project and

¹⁴ Interview Jos van Loon, November 8, 2006.

¹⁵ Interview Jaap Modder, December 11, 2007.

process” team also had offices; because visitors walked by their office the members of the “project and process” team had more easy contact with the outside world.

5.3.4 *A year after: “light governance”*

When I joined the City Region a year after the reorganization had taken place, the diverse number of projects performed by the “project and process” team caught my eye. The planners of the City Region were performing a wide variety of projects that were overlapping, but no coordination took place to create coherence among these projects. Most of the projects had consultants as project leaders.

Table 5.3 shows the activities of the city region and the involvement of consultants in that period. Five of these projects performed by the team project and process are discussed later in this chapter: Investing in the Region, Air Quality, Regiorail, Master Plan for Public Transport and Network Analysis.

I had several conversations about this observation with the director. According to the director, the City Region had entered a period of “*generating output*”¹⁶: making sure projects were implemented. As a catch phrase for the kind of planning in this period, the director of the City Region had introduced the idea of “*governance-light*” [licht bestuur]. The metaphor of “*governance-light*” refers to governance without all the institutional “weight” of rules, procedures, administrative thickness, and inflexibility of other governments. Instead, only projects that generate enough “*implementation force*” among the partners were to be performed. An example of a project that fits within the idea of governance-light was “Investing in the region.”

“Investing in the Region” was a project initiated by the president. The president saw the project as an experiment [“*vingeroefening*”] to involve the “*outside ward*” [buitenwacht].¹⁷ The goal of the project was to try to form coalitions with governments, civic organizations, interest groups, and private companies to do pilot projects around promising and innovative ideas.¹⁸ Another goal was to improve the capacity for self-governance of public and private actors in the region.¹⁹ The idea was to find “*warm energy*” among partners to invest in and realize projects.²⁰

¹⁶ Interview Carol van Eert, July 4, 2007, MT meetings.

¹⁷ Conversation with Jaap Modder, September 5, 2006.

¹⁸ Idem.

¹⁹ “Investeren in de regio Arnhem Nijmegen, Impulsprogramma voor publiek-privaat ondernemen,” Eindrapport, Stadsregio Arnhem Nijmegen, Provincie Gelderland, Ministerie van VROM, Royal Haskoning, June 2007.

²⁰ Carol van Eert during evaluation meeting, November 28, 2007.

The president hired a team of four consultants from Royal Haskoning, a hydraulic and engineering consultancy company with its main office in Nijmegen, to lead the project.

The project started with a “*delphi round*”: the consultants asked three questions via e-mail about needed innovations in the region, which issues were the most important, and whether they had ideas for new projects or knew of promising projects. The e-mail was sent to around thirty to forty representatives of businesses, governments, societal organizations, and interest groups who had shown earlier involvement with the City Region. These individuals were seen as “*initiative*,” “*cooperative*,” able to “*generate investments*,” and had the mandate within their organization to do something. During the process, participants were free to invite new actors and to form “*alliances*” with them. In total, around sixty representatives of forty public and private organizations participated.²¹ After the Delphi-round, an initial start-up meeting was organized, where ideas for projects were formed. After this, the consultants phoned with the participants who had shown “*ownerships of ideas*” and helped them to start to work out their ideas. Around these projects, “*meetings of alliances*” were organized. The consultants of Royal Haskoning acted as facilitators during these meetings, helped with formulizing goals, and often chaired the meetings. Three more general meetings were organized, where the projects and ideas were presented. In the end, it appeared that five projects were promising, in the sense that alliances of partners formed around them. These projects were: a Regional Greenfunds (a fund created by gifts of private and public actors. From the interests investments in landscape and nature will be financed and maintained); Waalweelde (combining measures to enlarge river bed with investments to enlarge spatial quality); IBA Park Lingezeegen (New park of 1200 hectares and initiative to site the IBA (Internationale Bau Ausstellung); Investing in a Public Transport Network (Public-private investments in public transport); and Branding (developing a profile and imago of the region). Governments, real estate companies, interest groups, knowledge institutes, and the university were involved in these projects. During the period of reflection and the reorganization the City Region defined democratic legitimacy not just as representative democracy, but as wider support for its policies among societal parties, as well. Performing projects with “*warm energy*” among other partners was a way to achieve societal support. The partners in the alliances were chosen on basis of

²¹ “Investeren in de regio Arnhem Nijmegen, Impulsprogramma voor publiek-privaat ondernemen,” Eindrapport, Stadsregio Arnhem Nijmegen, Provincie Gelderland, Ministerie van VROM, Royal Haskoning, June 2007.

their enthusiasm and ability to invest in the projects. In this way, the City Region tried to enact “*governance-light*” and succeeded in performing a wide variety of effective project together with other stakeholders. At the other side however, by only performing projects with “*winners*,” weaker interests risked to be excluded.

Another disadvantage of “*governance-light*” was that coherence, and cooperation among the wide variety of projects as depicted in figure 5.3 was lacking. “Governance-light” ran the risk of becoming too light: becoming just about coordinating projects, and generating outcomes without any policy coherence or substantive articulation. This suggested the new planning style had become too much about “getting things done” and “mobilizing implementation force.” Second, as depicted in figure 5.3, consultants were mainly hired to enact the new way of planning. Were the consultants the new kind of planners the City Region was looking for? And if so, what kind of planning practice did they develop?

Figure 5.3 Projects of the City Region on the domains of mobility and spatial planning

Projects	Project leader		Description
	Internal	Consultant	
1. Air Quality *		X	Improving air quality, including diversity of projects, i.e. mobility projects
2. Regiorail *		X	Creating a regional rail network
3. Network Analysis *	X	Support	Analysis of mobility, in assignment of ministry Traffic and Water
4. Master plan for public transport*		X	Improving public transport
5. Investing in the region		X	Finding alliances of public-private parties to initiate innovative projects
6. Bicycle path network	X		Creating a network of bicycle paths
7. Regional implementation plan	X		Request of the province to list mobility projects to receive subsidy

Projects in the team project and process during time of research (September 2006-December 2006).

* projects discussed in this chapter.

5.3.5 Ending a transition period?

Near the end of my stay at the City Region, the director and president started to realize that maybe they were too much oriented at generating output, and not enough at how the public officials and their own organization could learn. In the words of the director himself:

*“Actually in the period you [JG] were here, we did nothing more than generating a lot of output. As management team we did nothing more than working at the projects to make sure that the workflow led to outcomes and projects.”*²²

In February 2007, two months after I ended my research period, the City Region moved to a new building. Around the same time, ten new employees started to work at the City Region. Both events demarcated a turning point in the organization. We leave the story of the City Region at the moment an approach is starting to develop to overcome the disadvantages of light governance without enacting a “traditional government” of writing policy papers and administrative thickness of endless meetings, deliberations, steering groups, roundtables, and so on. Instead, on a programmatic level coherence between projects should be created. The outcome of this change is outside the scope of this study; however, we were lucky to just “catch” the City Region in a period of transition, during which practices were opened up, and during which we got a glance at how important issues were arranged. It was in this transition period when consultants played a large role in finding a new way of governing. We can therefore learn why consultants are hired in these situations, to what kind of problems they are a response, what the risks of hiring consultants are, and how they might enhance or impede democratic and legitimate planning.

The next paragraphs will discuss five specific projects in which the new way of working was tried out.

5.4 Erik: Air Quality

5.4.1 Introduction: Policy puzzle

Air quality is a project to overcome problems of air pollution. Since 2004 there has been increasing attention to the problem of air pollution as a result of particle matter or fine dust (very tiny polluting parts in the air) and nitrogen dioxide (NO₂). In May 2005, the Environmental and Nature Planning Bureau [MNP] published the warning that annually around 18,000 people died ten years earlier than they normally would as a

²² Interview Carol van Eert, July 4, 2007.

consequence of fine dust.²³ Furthermore, a large number of scheduled new buildings, like houses and schools, were prohibited by the Dutch Highest Court because European norms for fine dust would be overstepped at those places. The Secretary of State [staatssecretaris] even was afraid of a “building stop” meaning that the Netherlands would be “locked down for improving housing, labour and infrastructure.”²⁴ In addition, the European Union was planning stricter norms, which would have to be met by the Member States in 2012. The ministry of Spatial Planning was therefore installing a project to design a new law: the National Cooperation Program Air Quality [Nationaal Samenwerkingsprogramma Luchtkwaliteit- NSL]. The National Cooperation Program Air Quality is to become part of a new national law regarding air quality. The basic idea behind the program is to design a new law and measures to improve air quality in *cooperation* with all governments – national, provincial, and municipal. The National Cooperation Program was coordinated by the ministry of Spatial Planning. The idea was to first make a list of places in which norms were overstepped currently and combine this list with future planned developments that would have effect on air quality. On basis of this data, it would be possible to calculate where overstepping of the European norms would occur in the future. Next, the governments would negotiate which measures they would take and how they would pay for these measures. Provinces should host deliberations with the governments in their region to make agreements about measures to improve air quality. The City Region participated in the provincial deliberations of the province Gelderland on behalf of the municipalities in the region.

The City Region Council asked the City Region not only to participate in the deliberations over the new national law, but also to develop its own policy on the issue. To start “doing something with Air Quality” the City Region hired a consultant: Erik. Erik was hired because there was no public official of the City Region with enough time available at that moment, and because nobody at the City Region had specific knowledge regarding air quality.²⁵ As with Jos of the IJsseldelta South project, accountability was not enacted by giving a defined assignment or closing a contract. The consultant was given room to formulate his own assignment: the director invited Erik for a meeting in which he asked him to write a project proposal. During the weekend, Erik wrote a project proposal that would become his assignment. In the project proposal, he defined the aim of the project as writing an “Air Quality plan.” This plan

²³ “Milieubalans 2005,” Milieu- en Natuurplanbureau.

²⁴ Gert Jan van Teeffelen, “Van Geel: Nederland gaat op slot: onrust over uitspraken Raad van State,” *De Volkskrant*, October 1, 2004.

²⁵ Interview Jaap Modder, June 26, 2007.

would make clear how the City Region would comply with the European norms for fine dust.²⁶

In this section, we will follow Erik as he *navigates* to create an Air Quality project. Figure 5.3 is a schematic picture of what he did. It shows that Erik navigated at four different *stages*: the *provincial deliberations* to design the new law, *working groups* Erik installed to co-design a policy with municipalities, the *organization of the City Region* itself and, not strictly “a stage,” but for reasons of parsimony of analysis called one: his *personal network*. How and why Erik navigated through these settings is explained below in chronological order.

When I started my work at the City Region in September 2006, Erik had already been with the project for a couple of months. I asked Erik if it would be possible to assist him. I went with him to the deliberations at the province, the meetings he had with representatives of the municipalities, and had regular lunches with him. Erik was really open with me about how he did his job: he explained to me after meetings what he thought had happened and why he said and did certain things. This helped me write the account of his practice below. Furthermore, I discussed this account several times with him and he read both a draft version and a final version to check whether he could recognize his way of working in the account.

Figure 5.3 Navigating to formulate the policy Air Quality

²⁶ “Projectplan Lucht (5) met wijzigingen H5,” Erik Zweers.

5.4.2 *Getting the data straight*

At the instigation of the ministry, the provincial deliberations had to deliver a policy document consisting of: all known data about the existing air quality in the region; all future planned projects that might decrease the air quality; where future “bottlenecks” that would overstep European norms were expected; and possible measures to solve them. Also, an estimation of the costs of the measures was included. The data for this needed to be delivered by the municipalities. In the first months of his assignment, the main thing Erik did was to help the municipalities to gather this data. I attended the meetings in the months following the finalization of the draft report. During these months the meetings at the province didn’t seem to make much progress or to discuss new issues. The meetings focused on “*getting the data straight*”²⁷: filling in the few blank points left open in the report. The most time was used discussing the many uncertainties regarding the policy. Examples of uncertainties discussed are: when the ministry would make the list available of possible measures they themselves were going to implement; when the faults the municipalities found in the software would be corrected; what would happen if the national government didn’t implement their measurements and the norms were overstepped; and when the new European norms would be implemented (see Textbox 5.1 for a more extensive discussion of these points).

At first, Erik was dragged into this line and had a large part in activating it. At the provincial deliberations, he posed critical questions regarding the uncertainties and politics behind those uncertainties. Furthermore, he spent a couple of months trying to alter the strategy of the ministry regarding “projects of significant importance.” The ministry only wanted to include projects with a significant impact on the air quality in the calculations. The disadvantage of only including projects of significant importance was, according to Erik, that smaller projects weren’t included, even when many small projects were located near each other and as a whole had basically the same effect as larger projects. Erik therefore included *clusters* of smaller projects in the list of measurements he had to hand in to the province. The province and the ministry then asked Erik to write a proposal arguing for why clusters should be included. In this proposal he included a calculation sheet with complicated formulas for measuring whether an accumulation of developments could be regarded as a cluster. Clusters could exist of just houses, but could also include industry and offices (so called “mixed clusters”). The calculation sheet worked as follows (see Table 5.4). First, the industry and office locations

²⁷ Provincial deliberations, NSL overleg, October 13, 2006.

needed to be converted to housing equivalents. Next, is calculated whether the total housing equivalents were comparable to a housing project of significant importance. With his attempt to include the clusters, Erik strengthened the focus on technical solutions.

Table 5.4: Calculation sheet for the clusters

Housing location				
Sum amount houses	Houses/ha bruto)	Surface (bruto)	Factor diameter	Diameter searching area
2.000	25	80 hectare	$2.000 \cdot 0,636$	1.272 m
x	25	$x/25$	$x \cdot 0,636$	y m

Industry location			
Bruto surface	Netto surface *	Trips/netto ha. ¹⁾	Housing equivalent
15 hectare	10,8 hectare	213	107 houses
x	$x \cdot 0,72 = y$	$y \cdot z$	$z/2^*$

1) Dependent of kind of industry location

Type of industry	Trips cargo	Trips cars	Trips total
Heavy industry	110	25	135
Distribution area	16	60	76
High tensile industry	148	96	244
Mixed industry	176	37	213

Office space location		
m² office space	Ritten/100 m² office space 2)	Housing equivalent
40.000	1.328	664
x	$x/100 \cdot y = z$	$z/2^*$
2) Location office space ($y = \text{trips}/100 \text{ m}^2$ on a certain location)*		
Location	Trips/100 m ² office space	
Centrum	3,32**	
Periphery	5,5**	
Remaining area	6,44**	

** Average of offices with and without desk function.

Cluster			
Function	Number of houses/housing equivalents		
Housing			
Industry			
Office space			
		Factor diameter	Diameter searching area
Total amount of houses	X	$x \cdot 0,636 = y$	y

Along the way, Erik started to feel that the proceedings at the provincial deliberations were not going anywhere. Moreover, when Erik presented the proceedings at the provincial deliberations to the board and the

president, they were afraid that the City Region was just playing a “facilitating” role regarding the province and the ministry: that the City Region was just “*a collector of data to give from the municipalities to the province.*” The board was afraid that the whole project became too “technical,” too much about getting the data straight and too little about “*really doing something.*” They decided the City Region should mainly focus on developing and implementing its own policy for air quality.²⁸

Textbox 5.1 Uncertainties surrounding the National Cooperation Program Air Quality²⁹

Many uncertainties about the National Cooperation Program made it difficult to get to the point where governments could start the negotiations about which government would take which measure to prevent air pollution. These uncertainties are discussed below. As we will see, a lot of these uncertainties were intensified by the actions of the governments themselves.

1. Interdependency among governments. The Cooperation Program will consist of agreements among governments about which anti-pollution projects to build, which measures to take to improve air quality, how to pay for them, and when to implement them. These agreements will become an integral part of the new national law concerning Air Quality. This means that all governments will juridically bind themselves to take the measures provisioned in the Cooperation Program. There is uncertainty about what will happen, both in practice and in law, when governments don’t fulfill their agreements or when the measures don’t have the estimated effect and additional measures have to be taken.

2. Are the basic mechanisms of the law aimed to avoid the building prohibitions allowed at all? To avoid a strict implementation of European rules, the ministry based the

²⁸ Management Team, October 20, 2006.

²⁹ Sources used for this section are: www.vrom.nl/luchtkwaliteit, last visited May 14, 2007; “Regeling van de Staatssecretaris van Volkshuisvesting, Ruimtelijke Ordening en Milieubeheer,” March 11, 2006; LMV 2006241187, (Regeling Saldering luchtkwaliteit 2005); “Wijziging van de Wet milieubeheer (luchtkwaliteitseisen),” “Wetvoorstel Luchtkwaliteit,” March 17, 2006; “Memorie van Toelichting, Wetvoorstel Luchtkwaliteit,” March 17, 2006; “Tweede Kamer akkoord met voorstel Wet Luchtkwaliteit,” Nieuwsbericht, Ministerie van VROM, October 24, 2006

workings of the new law on the principles of *balancing* and *flexible implementation*. In the old law on air quality, when a new building led to an overstepping of European norms, it could not be built. In the new law, the overstepping of norms by new buildings could be balanced by reducing air pollution on another spot within a range of 1 square kilometer. This is called “*balancing*” [salderen].

In the new law, all governments together will make appointments about measures and deadlines for these measures. These appointments will become part of the law. In the Dutch judiciary system, the administrative court is not allowed to judge national laws. The Dutch Administrative Court will only be allowed to judge whether the agreements *within* the law are met. If the package of measures is part of a national law, the administrative courts cannot judge anymore whether all individual measurements and projects individually comply with the European norms, as they were able to before, but only whether they comply with the agreements in the Dutch law. Thus, governments can agree that in a certain grid of one square meter, the norms will be met in 2011, whereas in other parts the norms will be met in 2014. The Administrative court is then only able to judge whether in those particular grids the norms are indeed met in respectively 2011 or 2014. Hence, the courts would be able to prohibit individual projects less easily. This is called “*flexible implementation*. ”

With the mechanisms of balancing and flexible implementation it will still be possible that the European norms will be overstepped in certain places. The European Commission and the Dutch Highest Administrative Court (Raad van State) have always stated that the European norms require that the European norms should be met at all places and that balancing isn't allowed.

3. Working software. Another problem is the software programs designed to calculate the (future) bottlenecks: the “balancing tool” (salderingstool) and the “saneringstool.” The ministry of Spatial Planning hired consultant experts (from DHV and Goudappel Coffeng) to design the software of the calculation tools; to enter the data about the amounts of fine dust, planned projects and planned measurements; and to

estimate the future bottlenecks. However, the consultant experts of DHV and Goudappel entered data other than that which the municipalities had provided as requested by the ministry. In addition, there were mistakes in the data entry. The final version of the calculation tool was delayed time after time. The provincial consultations had to wait to further develop a policy until the software was working.

4. Uncertainty about standards. The ministry decided to only include projects of “significant importance” in the calculation tool. A project of “significant importance” is a project that would produce a significant amount of air pollution. The criteria for when a project would count as a project of “significant importance” weren’t set on time by the ministry. The ministry did assign some preliminary demands, but they weren’t definite, and a mistake was made regarding the demands for industrial areas: first, areas of 40 hectares needed to be included, later the ministry discovered they miscalculated and decided that it should be 15 hectares. This mistake was made after the municipalities had already listed the “projects of significant importance” in their areas. Later, it was again decided that all new industrial areas would count as projects of significant importance, and the deadline of completing the list of projects of significant importance was postponed with more than four months. Also, other standards provided by the ministry shifted continuously: for example, the distance to buildings where the amount of Nitrogen (NOx) would be measured. First, this distance was 0 meters; later, it was 10 meters away. Shifting these standards had a large effect; it resulted, for example, in the disappearance of almost all bottlenecks with Nitrogen in the City Region. The other governments had to adapt the measures included in the provincial policy document each time the ministry shifted standards.

5. Changing legal environment. Another problem in the estimation of future bottlenecks is that the European Union is making a new Framework Law, with new norms for the maximum amount of fine dust. The European Union might even include new “forms” of fine dust, such as PM 2,5 (all fine dust particulars with a maximum diameter of 2,5 μm). Until now, only regulations for PM 10 (fine dust particles with a

diameter of 10 µm) were included in the regulations. Because PM 2,5 is a “new kind” of fine dust there is hardly any data about the amount of PM 2,5 and its health consequences in the Netherlands.³⁰ Furthermore, the software program that calculated the “future bottlenecks” was solely based on the existing regulations.

6. Optimistic estimation of policy outcomes. The ministry decided to only include a “Policy Rich Scenario [Beleidsrijk scenario]” in the software program. The Policy Rich scenario is the most optimistic scenario possible. The Policy Rich Scenario worked on the assumption that all planned national and local policies *and* all plans of the European Union for the improvement of air quality would be implemented in the coming twenty years and would have the planned effect. This Policy Rich Scenario also included policies of the ministry, which were not yet approved by parliament. An important measure in this scenario is “paying to drive” [rekeningrijden]. Paying to drive is a system to charge car owners driving during rush hours. The idea is that if paying to drive was implemented, car owners would drive less during rush hours, which would result in the disappearance of *each* overstepping of the European norms of fine dust along the highways. However, the notion that people will indeed drive less is hardly a given. Furthermore, whether paying to drive will be implemented at all is still uncertain, since there is no majority for it in the parliament, and previous governments have been trying to get it approved for more than ten years.

7. Political uncertainty. The parliament still needed to approve the new law for Air Quality and the National Cooperation Program Air Quality. The parliament was very critical about the National Cooperation Program. According to members of parliament, the new law was “haggling with norms” [marchanderen met feiten]³¹, a “monster” [gedrocht]³², “an ugly duck” [lelijk eendje]³³, and a “black box, still to be

³⁰ Lecture Prof. de. CH.W. Backes, Hoogleraar Milieurecht Universiteit Utrecht and lecture ir.R.A.W.Albers of the RIVM, Nationaal Debat Luchtkwaliteit 2006, October 30, 2006, Kasteel de Wittenburg, Wassenaar.

³¹ Samson, Pvda

³² Van der Velzen, SP and Duyvendak, GroenLinks

³³ Spies, CDA

opened”³⁴. The members of parliament thought the law was too much about avoiding the European norms and a “building stop,” and not about actually improving the air quality.³⁵

The above uncertainties are in large part caused by interdependencies among governments: in designing the new law, the ministry is dependent on the interpretation of European rules by the Dutch Highest Administrative court; the standards the lower governments have to reckon with are frequently changed by the ministry; and the legal environment is insecure, as the EU is continually developing new standards. On top of this, the ministry has designed a law in which all governments become even more interdependent: for the new law to work, all governments have to agree on a package of measurements: if one government falls short of implementing the measurements, or if the effect of measurements appears to be lower than expected, all governments are juridically responsible.

In designing the policy, the ministry deferred to technical solutions: measurements like “balancing,” “flexible implementation,” software programs for calculations (“the balancing tool”), and standards for “projects of significant importance.” However, this resulted in more uncertainties, rather than reducing them: for example, whether balancing would be allowed juridically, which projects were to be seen as projects of significant importance, and whether the software tool was working properly.

5.4.3 Trying to create a bottom-up policy

To design the policy the City Region had requested, Erik started with a brainstorm session attended by municipal public officials. In this brainstorm session a list of possible measures was defined. The measures were divided into working groups, consisting of: public officials of several municipalities, business people and knowledge institutes. The working groups would write working plans. As in the provincial plan, the working plans of the working groups focussed mainly on technical issues and uncertainties. The working groups were thematically ordered by

³⁴ Huizinga-Heringa, ChristenUnie

³⁵ Verslag van debat Tweede Kamer inzake het wetsvoorstel Wijziging van de Wet milieubeheer (luchtkwaliteitseisen) (30489), October 18, 2006.

categories of measures that might improve the air quality (green, natural gas, pollution from local sources, traffic management, freight traffic, and regional measurement strategy). Erik aimed to create “a bottom-up” process, in which the municipal public officials would design the policies and measures for each of these working groups. Creating a bottom-up approach in which the municipalities co-developed the measures was difficult. One difficulty was that air quality cuts across sectoral domains – it has something to do with traffic, and something to do with industry and nature (as planting trees might prevent air pollution). Furthermore, there were only a few public officials with specialist knowledge of the subject. The smaller municipalities in particular didn’t always have a public official available to take part in a working group.

The working groups were expected to write a “working plan.” In the working plans there was a strong emphasis on doing more research and on a “traditional policy cycle” of first gathering data, then making an interim report, and then designing measures and making agreements with an “end product of the working plan” as the final report. Also, the language was formal. For example, the aim of the working plan traffic management was:

“Researching in collaboration with transport intensive companies if by means of transportation savings, logistic efficiency, bundling and/or the usage of cleaner transportation, a substantial improvement of the air quality in the city region can be delivered in general, and solving the current bottlenecks and preventing future bottlenecks in the air quality in particular.”³⁶

At this point, Erik had a dilemma: given the aim of the City Region as a network organisation, it wouldn’t be appropriate to write a “classical policy document” with a lot of text and technical knowledge as the basis for the choices, which was what the working plans seemed to become. But Erik wasn’t sure yet what could be an alternative working practice.

Another thing Erik did was to try to get more complete knowledge of the subject. Because the public officials of the City Region and the cooperating municipalities had limited knowledge, Erik had several meetings with people in his own network who could help him to gather new knowledge. He met, for example, with somebody working for Alterra, a research institute connected to the Wageningen University, about the possible effect on air quality of “green measures,” like planting trees along a road. At that moment, hardly anything was known about the effect of such measures, and there were even theories that trees might

³⁶ “Plan van aanpak vervoersmanagment, versie 1,” September 14, 2006.

actually hamper the dissolution of fine dust, as small particles could stick in the leaves. Erik also met with a colleague working at another consultancy company specializing in advice for issues of mobility.³⁷ He discussed with him the way mobility and environmental measures might be positively related. Thus, to gather knowledge Erik indeed acted as “a broker,” which was how the City Region provisioned the new kind of planners, mobilizing knowledge from his own network.

5.4.4 Lubricant oil between relations

Despite the decision of the daily board of the City Region to develop its own policy in addition to that developed in the provincial deliberations, Erik continued to cooperate with the province as much as possible. He created room to maneuver to both conform to the wishes of his assignment-giver and to those of the province. He did this because he felt that an important added value of him as a consultant lay there: to look for the boundaries in the relationships with his assignment-giver and other parties in order to be able to mediate between several governments to create better solutions. Because he was external, Erik was less of a “threat” to other governments than a public official of the City Region would be; therefore, he was able to hear more from different sides. He then “stored” what he heard, until there was an opportunity to combine what he knew from different parties in a “very diplomatic and subtle way.”

You hear things from different sides and you make sure you are not a threat yourself. That both the province is content about your role as that you build credit with the City Region. As a consultant you can better seek the boundaries in this. A consultant is per definition not a threat for people [of different parties], but a consultant does store what he hears and at the moment there is a chance for a win-win situation, he can combine that in a very diplomatic and subtle way.”³⁸

On one hand Eric was accountable to his assignment-givers: he had frequent conversations with the director and president of the City Region and he tried to develop a policy according to the new way of planning the director and president were trying to implement. On the other hand he created room to facilitate a good relationship between the City Region and the province, and tried to find better policy solutions in the long run than he would have found if he had just conformed to his assignment-giver as

³⁷ Buck consultants

³⁸ Conversation Erik Sweers, December 14, 2006.

much as possible, and followed up at the instigation of the assignment-givers to not invest too much time in the provincial deliberations. The relationship of accountability between Erik and the director and president of the City Region thus allowed Erik to create room to maneuver according to what he thought best, without losing close contact with his assignment-givers.

Also, within the City Region itself Erik acted as “lubricant oil” [vaseline] between relations. A difficulty for Erik was that in the City Region there was a large number of diverse projects going on sideways having to do with air quality, mainly on the subject of mobility and public transport. For example, a public official was responsible for signing a contract with the providers of public transport. Through these contracts, it would be possible to put demands on how environmentally friendly public transport should be: for example, by imposing the obligation to let city busses run on natural gas. Erik wanted the air quality project to connect to these projects, and at the same time not interfere with them by proposing measures having to do with their tasks and projects. Erik therefore made appointments with several public officials of the City Region early on. Another problem Erik encountered was that the public officials working on mobility weren’t already cooperating. Erik needed them to cooperate in order to make the air quality policy a success. Finding a red thread

While building and maintaining the relationships with the province, the municipalities, and the public officials of the City Region itself, Erik was still looking for another way to formulate the policy than in the “technical” way enacted in the provincial and municipal deliberations. Erik started to look for a “*red thread*,” which would give the policy a frame that could integrate the different themes and making the policy appealing for policy makers. Again, Erik looked outside the governments involved for inspiration and feedback on finding a *red thread*. He organized a brainstorming session with a writer friend, who he valued for his “free thinking,” to help him find a red thread, or policy frame (see Figure 5.4). I was also present at this meeting. During this meeting, we went looking for themes to unite the different policy domains and subjects of the municipal working plans. One of the ideas that came up in this meeting was to use the issue of mobility to frame the Air Quality policy.

Figure 5.4 Erik during brainstorm session.

When my research period at the City Region ended, Erik was still looking for a red thread. Shortly after I left, Erik finalized the report representing the policy for Air Quality. The end report is called “Eureka!,” which suggests that the solution for a difficult problem was found. Contrary to the working plans that came out of the working groups, the final report “Eureka!” did present a “red threat.” Eureka thus also symbolizes the “Eureka moment” when Erik himself found a way to frame the project. Eureka! sounds like the Dutch word for smell: “geur,” connecting the title of the policy with the picture on the front page: a head of garlic (see Figure 5.5). The garlic is referring to the smelly side of bad air quality *and* the “composite” character of the policy issue, as a head of garlic consists of different parts. Erik felt the policy issue was “composite” because in order to be able to prevent air pollution, measures on different policy domains needed to be taken together. “Eureka” is a word of Greek origin. The report consists of five different programs, which all have the name of Greek gods whose names refer to the content of the programs: Terra, Hydra, Flora, Eolus, and Argus. Terra stands for more efficient transport, Hydra stands for use of natural fuels, Flora for green measurements, Eolus for limiting local emissions of industrial companies, and Argus for the measurement program to “watch” the effects of the other programs. Because all of the chapters are named after

Greek gods, they suggest coherence among the measures on different policy domains.

Figure 5.5 Front-page of the end report of the project Air Quality, called ‘Eureka.’

Translation of the title: The ABC of the Good Life. Air & Climate in the City Region.

Also, the technical language of the working plans is replaced by language stressing implementation and “doing something.” For example, the goal of the subprogram traffic management, now called “terra,” changed into:

*“Terra wants to realize that governments and business work together for a sustainable economical growth and an efficient use of means and infrastructure.”*³⁹

The report also shows how Erik found a way to relate to the existing policies within the City Region, not by opposing them, but by integrating them in a central theme. The title of the report is “The ABC’s of the Good Life: Air and Climate in the City Region.” The “ABC’s of the good life” refers to the central mission of the City Region: the region should be Attractive (Aantrekkelijk), Accessible (Bereikbaar) and Competing (Concurrerend). In the report this general vision leads to another general theme: mobility. Erik introduced the idea of using mobility as a “lever.”

³⁹ “Terra,” Stadsregio Arnhem Nijmegen, June 2007.

By better “gearing” mobility, the “attractiveness of the region” *and* the air quality in the region would improve. By the way he wrote the Eureka! Report, Erik provided a frame of meaning to place and adhere to the policy rather than just focus on designing technical means to an end.

5.4.5 Conclusion: Erik as navigator

Air quality as a policy issue requires the cooperation of several governments, the crossing of sectoral borders, and assembling knowledge from different settings. Erik started with a working practice of collecting data and designing technical means to reduce air pollution. This only seemed to emphasize the many uncertainties involved in the project and slowed the project down as a result. The president and the board of the City Region urged Erik not to go along with the “just getting the data straight” approach of the province and instead stimulated him to “getting things done.” Hence, Erik went looking for a different way of working to formulate a policy that would better fit the policy puzzle of air quality: he started looking for a frame of meaning (in his own words: “*a red thread*”), which could integrate and connect the different governments, public officials, and policy issues. As did Jos in the IJsseldelta South project, Erik struggled to not get too involved in a technical approach to solving the policy problem.

Erik’s way of working can be described as *navigating* between different stages. This is different from the bureaucratic planner, who is supposed to work mainly within his own organization. It is also different from weaving a policy, as Jos did in the first episode of IJsseldelta South, because Erik didn’t assemble a wide variety of elements into a policy; rather, he navigated from stage to stage and collected elements from each stage to make the policy work. He gathered different kinds of knowledge from each stage: for example, at the working groups, he collected local knowledge from the municipalities; at the provincial consultations, he assembled general knowledge; and when he didn’t have sufficient knowledge, he mobilized his own network for new information.

Like Jos, Erik was well aware of his public responsibility as a consultant working for a government. He felt responsible towards his assignment-giver and explained his actions to him, but defined his task and “added value” beyond just doing what his assignment-giver wanted. The president and the board acted as assignment-givers. They provided much room for Erik to formulate the policy: for example, by letting him write his own assignment, but kept close contact during the assignment. Hence, a cooperative relationship of accountability was enacted.

Erik enhanced the democratic legitimacy and quality of planning by mobilizing knowledge from different stages and from different

governmental organizations; however, he didn't bring knowledge holders into contact with each other and didn't facilitate a contestation of knowledge claims. Erik became the central spool in navigating through the different stages, like Jos became in the first episode of the IJsseldelta case (weaving a policy together): for example, public officials of the City Region didn't accompany him to meetings, and there was no direct participation of stakeholders and citizens. He thus didn't enact a shared meaning-giving process among public officials and stakeholders.

5.5 Pieter: Regiorail

5.5.1 Policy puzzle

Regiorail is a project to create a regional rail network in the City Region Arnhem Nijmegen. There is a national train line stopping at the cities Arnhem and Nijmegen and a few other municipalities, but the City Region wanted to connect the smaller municipalities and a few urban districts to the rail network, as well. The basic idea, therefore, was to build a set of new stations for the existing railroads, to have more regional trains running on the existing railroads, and to have those trains stop regularly at the new stations. To be able to run more regional trains, infrastructure improvements to the railroad, like extra switches or turning points, are needed in addition to new stations. Figure 5.6 depicts the plan for the regional railway. Creating a regional rail network, however, is not just a matter of building new stations and making extra switches. In 2004, the railway sector was partly decentralized and partly privatized. The result is a complex policy context, in which many governments and actors are needed to build a regional rail network. Textbox 5.2 provides an overview of this complex policy environment.

The City Region had already started to work on the Regiorail network in 2000; however, in a period of six years only a wide variety of studies about which stations to include had been performed. In 2006, after a public official was re-assigned to another project, the City Region hired a consultant, Pieter, to take over the Regiorail project. Pieter was hired from the engineering consultancy company DHV. Pieter worked as an interim program-manager for the project Regiorail from the summer to fall 2008. I didn't follow Pieter around like I did with Erik, but I interviewed him about the project to make a "practitioner profile." I used this interview and the several documents Pieter wrote to write the excerpt below.

Text box 5.2: policy landscape of making a regional rail network⁴⁰

In 2004, the Dutch railway sector became partly decentralized and privatized. The result is a very complex railway sector, in which various actors are highly interdependent. In short, there are three kinds of actors: the awarding authority, train operator, and infrastructure maintainer. The awarding authority enters into contracts with the train operator about how many trains will stop where and how often, and with infrastructure maintainer about maintaining the rail infrastructure. In order to realize a regional railway network, the City Region has to make agreements with all three kinds of actors. The national government still owns all the Dutch railways. For the national railways (see the blue lines in picture X), the ministry of Traffic and Water is the awarding authority for the train operator. The ministry has given the contract for all the national railways to one train operator: the NS (the former state owned train service company). The regional trains of the Regiorail will partly run on the national rail network. The City Region will have to convince the train operator, the NS, and the awarding authority, the ministry, to let national trains stop more often and to let them stop at the new stations. If, for example, NS decides only to stop at the new station Nijmegen Goffert one time every hour, the new station would not generate enough passengers to be profitable.

In 2004, the ministry divided parts of the national network into regional networks. The regional networks are still owned by the ministry, but the awarding authority for the train operators are the provinces and the city regions together, which means that both the province and the City Region need to approve the contracts with the train operators. Since the regional networks as determined by the ministry cross provincial borders, for the regional railway in the City Region to become reality, the province Gelderland, the province Noord-Brabant, and the province Limburg all have to act together with the City Region as an awarding authority. They have signed a contract with two train operators: Syntus and Veolia. As with the national train operator (the NS), the City Region will have to cooperate with

⁴⁰ “Stadsregiorail, meer treinen, meer stations, meer reizigers,” February 2007, Stadsregio Arnhem Nijmegen.

Syntus and Veolia to make sure trains will stop (often enough) at regional stations. Because it is an awarding authority, it can force Syntus and Veolia to do this by contract; however, the three provinces have to agree to the contract, as well. The City Region *must* therefore cooperate with the provinces.

As said previously, the Ministry still owns the regional railways, and therefore acts as an awarding authority for the network maintainer for both the national and the regional rail infrastructure. The Ministry has given the maintenance contract for both the national and regional networks to ProRail (part of the formerly state owned train service company, NS). The City Region thus has to make contractual agreements with ProRail about infrastructural improvements to the railway. All new railway projects need approval from the Ministry. Before giving approval, the Ministry demands that all projects be studied by ProRail on issues of security, functionality, and feasibility.

Besides the awarding authority, train operators and infrastructure maintainer, there are other important partners with whom the City Region needs to cooperate. The building of the new stations has to fit in with the area plans of the municipalities; therefore, the municipalities need to agree to build new stations. Furthermore, the municipalities need to finance adaptations to make the new stations accessible, such as a forecourt, parking spaces and access roads. Furthermore, in order to make a working “network of public transport” it is important that bus schedules connect with train schedules. The City Region is the awarding authority for the regional bus services, which are provided again by two other companies: Novio and Connexxion. Thus, the City Region needs to negotiate with the bus companies to adapt the bus schedules, as well.⁴¹

⁴¹ Idem

Figure 5.6 Map of the planned Regiorail

Source: “Stadsregiorail, meer treinen, meer stations, meer reizigers,” February 2007, City Region Arnhem Nijmegen.

5.5.2 Talking to municipalities

When Pieter was hired, he started to talk with public officials of the municipalities. Pieter wanted to talk to all stakeholders to listen to their story so that he later could “manage” their expectations. Pieter discovered that the municipal public officials had “heard of the Regiorail,” but were only partly informed and had hardly any insight in the consequences of the project for their municipalities. Also the public officials of the City Region had incomplete insight in the project:

“they were forgetting you need trains to stop there, and that rails need to be maintained and in order to get trains to stop there you need the cooperation of the train operator.”⁴²

In this quote Pieter is referring to the complex institutional landscape of the public rail network in the Netherlands as a result of privatization and deregulation (see the textbox 5.2 for explanation). The above shows how internal policy preparation (doing studies) will not lead to a solution for the policy puzzle. Instead cooperation with a variety of actors outside the organization of the City Region was needed. Pieter realized the municipalities and the people of the City Region didn’t have a clear picture of the actors involved or their relationships in building a regional network. Pieter then wrote a leaflet with a “state of affairs” in which he explained the complex institutional relations of carriers, contractors, network maintainers, and several governments having decision making authority.

5.5.3 Involving NS and Prorail

From his conversations with the municipalities, Pieter concluded that, although there had been some substantive studies about the project, there was insufficient contact with the NS (the train operator for the national network) or Prorail (the infrastructure maintainer of the national and regional networks), and the municipalities, despite the fact that the City Region was highly dependent on those organizations to implement the Regiorail, as outlined in textbox 5.2. Pieter started to meet with representatives of the NS and Prorail to make agreements about how often the trains would stop and where, and about the feasibility of needed changes to the railway network itself. Furthermore he intensified the cooperation with the municipalities.

Right at the beginning of his involvement, Pieter thus did three crucial things: first, he explored for himself what was going on by going to talk with the public officials of the municipalities; second, he clarified

⁴² Interview Pieter Onderwater, December 7, 2006.

and mapped the complex institutional landscape and blind spots of the public officials of the City Region and municipalities working on the project before; third, he involved more intensively those actors on which the City Region was highly dependent, but who weren’t involved sufficiently (Prorail, the NS, and the municipalities). Pieter thus started to mainly focus on and involve “*the outside ward.*” In this way he helped to implement the new way of working that the City Region wanted.

5.5.4 Working from the substance

How did Pieter succeed in getting cooperation from the train operator (NS) and the infrastructure maintainer (Prorail)? The only way to reach agreement with the NS and Prorail was, according to Pieter, to really discuss the substantive matter of the issues at hand with them, and then from the substance look for alternatives (rather than using strategic or political arguments, like “this is a priority of the minister”). When I asked Pieter to give an example of how he did this, he gave me the example of the new station Westervoort. The City Region wanted the station to be running in 2008. According to the NS, this station wouldn’t fit into its timetable until 2012. The consultant then started to first manage the expectations within the City Region, preparing the president and the board that it would be 2009, rather than 2008, before the station would be running. Then he started to calculate himself whether it might not actually fit into the timetable before 2012. Since he had worked for twenty years in the railway sector, he knew how to do this. He found out that it would indeed be possible to run the station earlier. Then he went back to the NS. He didn’t tell them right away “you are wrong, I have calculated that it is possible to run the station earlier.” Instead, he asked the NS to recalculate once more and gave subtle suggestions about how it might work in an alternative way. He then together with the representatives of the NS recalculated the time schedule and they together came to the conclusion that it would indeed be possible to run the station in 2009.

One reason that Pieter was able to cooperate with NS and Prorail so well, according to Pieter, is that he is an expert on public transport himself: he has a lot of experience with building large rail projects and stations and is able to “meet the representatives of Prorail and the NS on the substance-matter.” He always tries to meet people on the work floor on the substance:

“First you have to agree about the content on the work floor, about what is the image for the future. I think you can create that mainly by

building a good relation and I noticed that in building a relation on the work floor the content needs to stand central.”⁴³

On the other hand, because he has worked for both governments and consultancy agencies, he has learned the “process” behind the substance matter as well. As an example, he names the station Molenhoek: purely from the substance (calculations about use and costs), this isn’t the station that is most needed, but it is wanted by both the board of the City Region and the politicians of the municipality Molenhoek. To his surprise, the consultant found out that the NS was in favor of the station as well, although the station might not be profitable. The consultant then looked for reasons that this might be, and found out that the NS needed waiting time somewhere in their train schedule, because otherwise the station of Nijmegen would become too full; by stopping at the station in Molenhoek, they would have “waiting time,” which could be used productively.

But it is not only being able to connect substance and process that makes Pieter good at his work. He also noticed that:

“when I talk with public officials of municipalities I am able to connect with them as well, because I myself once worked as a public official with a municipality, so I know their language as well.”

Because he has worked as a public official of a municipality and as a consultant for several assignment-givers, he is able to speak different “languages.” In this way consultants differ from public officials: consultants have more often worked for a wide variety of assignment-givers, and hence can be better in acting as a “go-between” between different organizations.

5.5.5 Getting sub projects started

After initiating cooperation with all the important actors, Pieter formulated subprojects, such as the building of a new station or adapting infrastructure. In this way, the Regiorail was split into some smaller and some larger projects. Each project had its own phases, decision-making trajectory, and cooperating actors. Pieter remained project leader for three of the new stations. Other projects were led by the municipalities, but Pieter still helped and participated. An example was the Station Lent, which is at the moment a temporary station for which the permit will end soon. The municipality Nijmegen should have asked for a new permit, but it wasn’t really acting to get one. Pieter and the president of the City Region kept pushing the municipality of Nijmegen to organize a meeting with interested parties and the NS to convince the NS that the station

⁴³ Interview Pieter Onderwater, December 7, 2006.

should remain open and to get the permit approved. Another example was that the consultant warned some of the municipalities of the large amount of work involved in getting the permits for the station and making sure that they would have enough capacity. They would either have to do this work themselves or hire consultants to do it. In that sense, the consultant acted as an advisor towards the municipalities as well. The consultant told me how much the municipalities appreciated the way he was handling things: the municipal council of Mook had delivered a motion that the City Region should continue to hire him for the RegioRail project.

After all sub-projects were started, the main problem became to get public officials of the City Region itself to participate in the projects. Since the consultant was only temporarily working at the city region, he planned for each project to have a project leader from the City Region. In that way, the expertise about how to run such a project would remain at the City Region. Also, the consultant wanted to help train the public officials of the City Region in how to run such a project, because it was the first time the City Region had performed such a project, and it had a new role as awarding authority. Therefore he took a junior planner with him to his meetings. Apart from the junior planner, however no other City Region public officials were involved and able to take over the project of Pieter at that moment. This lack of involvement was partly caused by the fact that the City Region was busy hiring ten new people, from which a few would be working on the area of public transport. At the same time, the connection of the consultant with the president and the board of the City Region was close; they had regular meetings and the consultant wrote several memos about Regiorail and presented them to the board. In this way, the involvement of politicians was secured. Thus, as with Erik and the consultants in the IJsseldelta, the relationship with the public officials of the organization hiring the consultant was problematic, mainly because there weren't enough public officials available although the relationship with politicians (and thus the “primacy of politics”) was good.

5.5.6 Conclusion: go-between

The Regiorail project is a nice example of how governing has become much more complicated, rather than simplified, through privatization and decentralization. National, regional, and local governments, private entities, and semi-private entities all need each other to be able to make a regional train line run at all. Pieter, a consultant, was hired to replace a public official with a working practice that consisted mainly of doing studies. However, as a policy issue “building a regional railroad” called for an alternative approach to just doing the right studies and then

choosing the right location. In this case, cooperation and agreement among multiple stakeholders was crucial. Therefore, Pieter acted mainly on stages outside the government that had hired him. As such, he enacted the kind of planning the City Region was looking for.

Again, we saw a consultant being sensitive to these interdependencies and we saw him as a hub in a spoke, talking with other organizations and involving organizations that had not previously been connected. We saw him act as a go-between among the different “languages” of, for example, municipal public officials and technical railway experts. In this sense, he helped to make planning effective. This also tells us something about his personal style as a consultant. Pieter actively invests in relationships with people on the “work –floor” and tries to reach agreement and create commitment from substantive positions.

Pieter was accountable to his assignment-givers: the president and the board. However, we see also the risk of the public officials of the City Region itself becoming disconnected from the project. Pieter didn’t cooperate with public officials of the City Region. Instead, he went looking for public officials to train them to take over his work. This was especially important because it was the first time the City Region had done a project like Regiorail; however, no public official could be found. Democratic legitimacy for the Regiorail is mainly built by smoothing the inter-coordinational problems between governments and other organizations: for example, by solving the conflicts between the viewpoints of the City Region and the carrier. Pieter mainly mobilized his own knowledge to inform the public officials of the municipalities. Furthermore, he developed knowledge in close cooperation with the carrier. Direct participation of citizens didn’t take place.

5.6 Ellen: Public Transport Master Plan

5.6.1 Policy puzzle

Since 1998, the City Region had published a large number of policy documents relating to “mobility” (see Table 5.5 for an overview).

Table 5.5 Policy papers on the issue of mobility published in 2006 and 2007 by the City Region Arnhem Nijmegen

Year	Policy document	Content
2006	Regional Plan 2005-2012	General goals for the region, including those for mobility and infrastructure
2007	Regional Plan Mobility	Making the regional plan concrete for mobility issues
2007	Network Analysis	Researching and designing solutions for bottlenecks for road traffic
2007	Vision Master Plan	Preparation for the Public Transport Master Plan
2007	Public Transport Master Plan	Integrated vision for Public Transport

These policy documents pointed to a large problem for the region regarding mobility in the future. Many traffic jams on the highway near Arnhem, and on the main roads in the cities of Arnhem and Nijmegen were predicted. From 2003-2006 the traffic jams increased by 130% (average in the Netherlands: 75%).⁴⁴ The City Region had already started a lot of projects to solve problems of mobility; however, the policy plans all treated traffic and public transport separately. Furthermore, to really solve bottlenecks the president, management, and board of the City Region were aware that they needed to cooperate with other governments, since public transport doesn't stop at regional borders. There was a public official already writing a vision for public transport to overcome this problem; however, he was mainly cooperating with other public officials and the public transport companies and was trying to do even more studies. When the public official got reassigned the City Region hired a consultant, Ellen, to further write the master plan for Public Transport. Rather than writing yet another policy paper, her assignment was to go talk to the politicians of the other governments to find agreement on common starting points.

Ellen indeed facilitated cooperation between the governments; however, Ellen also did something else. She observed that mobility issues were discussed rather separately in the City Region, and that the public officials working on the many projects weren't cooperating. She then started to organize a process within the City Region to facilitate an integrative framework for mobility. In the practitioner profile of Ellen below, she explains how she did these two things.

⁴⁴ “Openbaar vervoer in een nieuw perspectief,” Masterplan Openbaar Vervoer 2008-2020, Stadsregio Arnhem Nijmegen, March 2009.

5.6.2 *Being a diplomat*

Ellen went to talk individually to the politicians of the governments surrounding the City Region: the elected representatives of: the provinces of Gelderland, Limburg, and Noord-Brabant; the cities Arnhem and Nijmegen; and the City Region Brabant. It was easier for Ellen to build consensus among these politicians because she could represent herself as “independent.”

“But I am also independent. Thus people can say to me: I actually don’t like Pietje or Marietje. Then they take you into confidence and then they say: “this is actually my real problem. I would like to, but than he should start acting normal.” Thus for me the assignment was also very much aimed at being able to gear between the relations of those people.”⁴⁵

It is important that Ellen has a degree of independence from her assignment-giver. She can do her work because politicians confide in her about what their “real problem” is. Part of her job is thus being able to mediate, “to gear,” between relationships of politicians.

In answer to my question about whether it makes a difference that she is a consultant Ellen answers:

“Yes, first that has to do with the fact that you are not directly identified with the interest of one party. I come on behalf of the City Region, but I explore for the City Region the possibilities for collaboration with others. Thus that gives a whole different dimension. I try to let the other tell what his opinion is, and what he feels, and what he thinks about that and try to hear from that what the agenda might be. (...) The skill as an intermediary is that you try to make the connection between sending and receiving.”

Because Ellen was a consultant, it was easier for her to build trust and act as an intermediary between the politicians. Because she had just been hired by the City Region and was not working there, she could work with a certain degree of independence. She worked on “behalf of the City Region,” but explored the “possibilities for collaboration.” As such she also get to know the “feelings, thoughts, and agenda” of the other parties to be able to build connections between what they wanted (“sending”) and what they could do to collaborate (“receiving”).

But why is being trusted and being regarded as independent so important? First of all, to mediate the *relationships* of the several parties involved:

⁴⁵ Interview Ellen Lastdrager, June 29, 2007.

“You have to know the things you need to keep your mouth shut about. I know things that concern nobody else. But people tell me things to organize the process in such a way that they are able to get over a barrier. I do that by inviting participants and setting the agenda in a certain way. Thus people have to absolutely trust me that I am sealed about what concerns them the most and about that with which they have the most problems. I also know the president of the City Region isn’t bothered with these confidential things because he didn’t hire me to walk around as a kind of tattler, but to make sure the process goes smoothly and if that means that I know things he doesn’t, he doesn’t care, as long as the process is running.”

Thus, her job was to make the process go “smoothly.” In order to be able to do that, she needed to understand the concerns of several parties, which were told to her in confidence. She would keep “her mouth shut” about these things, but would use them in setting an “agenda” and “inviting participants” to get actors over a “barrier.” A consultant can improve the relational sphere between politicians and governments, because he or she isn’t embedded in conflicts as much as public officials are, and is not identified with one of the parties. A consultant is “external” to the relationships involved; therefore, she is better able to change positions, as was Jos in the IJsseldelta project.

As said above, a degree of independence from the contractor is necessary to be able to mediate between the relational aspects of the process. However, this independence is also important for substantive reasons: to be better able to define the problem, to solve the problem, and to cross boundaries.

The contrast between the working practice of Ellen and the working practice of the public official who first managed the project is mainly defined by turning the classical “survey before plan” model around. According to the manager at the City Region who hired Ellen:

“And I have chosen Ellen for a strategy aimed at a high political level. To get a real agenda setting of the issue.

JG: why have you chosen for that approach?

Because I saw a real danger in further developing the vision, together with public officials, mobility experts or public transport enterprises. I was afraid we would sink into details even further, while the large story that comes first, namely that together with other governments, the provinces surrounding us, and the city regions in our area, we have to make agreements first about what we want to do.”⁴⁶

⁴⁶ Interview Jos van Loon, November 8, 2006.

Thus, the manager of the City Region saw that in order to make an effective master plan for Public Transport, he needed the cooperation and support of other politicians in the region. Before getting into “details,” the “large story” needed to come first: the “governments needed to decide what they wanted to do.” Here, the manager tried to twist around the classical “survey before plan” model by hiring a consultant to involve politicians to first make strategic choices and then work policies out. Indeed, this was seen as the contrast between the way the consultant was working as a project leader and the way the public official had been working as a project leader before, as one of the public officials of the City Region explained:

“It was really different, a complete different setting. Now we were talking about strategy and support and this kind of general terms. Under the lead of [the first project leader] we talked about: “how do we fill in public transport in Nijmegen.” We were filling in maps. We had mainly substantive discussions. So that is completely different from how it was now done.”⁴⁷

Thus, instead of public officials of the City Region trying to determine what public transport should look like at a substantive detailed level, defining a strategy and generating support had now become more important.

Another difference was that Ellen was hired to act as a “diplomat.” Ellen was hired because of her known ability to talk directly with politicians and to get politicians on one page:

“such a Ellen is thus not a public official, but more a representative, more a representative acting on the behalf of, like you see them in diplomatic services.”⁴⁸

Herewith, the president says that Ellen wasn’t hired as a “public official,” but more as a “diplomat.” By this he means a public official works as a direct extension of the organization he is working for. In contrast, a diplomat works on behalf of the organization he is working for, but at the same time has room to maneuver, to create consensus. Moreover, a diplomat is engaged in the political game, while public officials are expected to confine themselves to developing policies. Ellen thus helped in strengthening the primacy of politics.

⁴⁷ Interview Cor Hartogs, December 1, 2006.

⁴⁸ Interview Jaap Modder, December 11, 2006.

5.6.3 Creating coherence within the City Region

Ellen was confronted with a problem early on with the internal organization of the City Region. Ellen found that there were many projects regarding mobility, without any coherence or cooperation among these projects. Furthermore, the two teams, “project and process” and “governance and policy,” weren’t cooperating sufficiently. Ellen then organized, together with the director, several internal team meetings to improve this situation. During these meetings, she worked with the public officials of the City Region on a general framework to fit each project:

“The professional cooperation here went really very well, I established an internal team meeting with public officials of several disciplines, thus with public officials from the project and process team, but also with public officials from the governance and policy team. I very soon noticed, that these people weren’t used to talk with each other, but bringing them together went very well.”

Ellen thus helped the City Region to achieve more coherence and integration among the mobility projects, and also to stimulate better cooperation within the City Region.

5.6.4 Conclusion: independent intermediary

To summarize, what Ellen did in the Master Plan project was threefold: first, she enabled political cooperation between the City Region and the surrounding provinces; then, she mediated the personal relationships of the politicians, which needed to be improved to promote cooperation. She was able to do that because as a non-public official she wasn’t drawn into past struggles between the politicians. Furthermore, as an consultant hired by an organization, she was regarded as more independent than public officials of the same organization. She also created room to maneuver independently of her assignment- giver to a certain extent. She needed this room to be able to hear the real issues of the several parties. She respected the confidentiality of all parties, but used what they told her to set an agenda, to pick subjects, and to invite people to participate. Second, she helped the City Region to define the problem and their own internal agenda: why they needed the other parties and what they expected of them. Third, she helped the City Region with the status quo of working regarding mobility. She integrated the several mobility projects into programs and enabled cooperation between several teams and a diversity of disciplines of the public officials working at the City Region

Of course, she didn’t do this alone. The president, the director, and the managers at the City Region also saw the need to look beyond their own borders, and to cooperate with the provinces. However, they

recognized the fact that they could use the consultant as a diplomat to attain these goals. They didn't give a strictly defined assignment, and didn't place her under strict supervision, but rather gave her the room she needed to fulfill her role as best she could. In this way, they learned from the consultant. For example, the work she did to enable cooperation within the City Region between the public officials wasn't part of a formal assignment at all, but when the consultant recognized this as a problem, she had the freedom from the director to organize an internal process to achieve integral program management. This shows us how important it is for consultants to be able to act independently to generate an "added value." The other side of this is that the consultant acts so independently that there isn't a relationship of accountability anymore. There is thus a tension between consultants acting independently and the ability to hold them accountable. This tension will be further discussed in the next paragraph.

Again, the consultant enhanced legitimacy by facilitating cooperation among governments and by dealing in another way with knowledge: by turning the survey before plan model into a plan before survey model: first, make strategic decisions, and then do research. She also strengthened the involvement of politicians, enhancing the "primacy of politics." However, as in the other examples discussed in this chapter, other forms of enhancing democratic legitimacy were lacking.

5.7 Joost: Network Analysis

5.7.1 Policy puzzle

Joost, a consultant working for Twynstra Gudde, had been assisting the City Region in various projects. One of these projects was the Network Analysis described in Textbox 5.3. The network analysis aimed to gather information about bottlenecks with mobility and possible solutions to solve them. The Network Analysis was an initiative of the ministry of Traffic and Water that had asked eight regions to do a new kind of mobility analysis fitting within a network society. The eight regions were assisted by an expert commission and a national platform. The involvement of consultants in the national initiative to make a network analysis was large (see Figure 5.7 for an overview). Consultants participated in the national Expert Commission and performed most of the regional Network Analyses. This shows the involvement of consultants isn't only a regional involvement, but takes place at the national level as well. Again we see how governments react reflexive to ideas of the network society, but subsequently hire consultants to work these ideas out.

The City Region hired Joost to assist with organizing the Network Analysis project. The consultancy firm Goudappel Coffeng was hired to do the actual substantial analysis. Unfortunately, when I started at the City Region the network analysis was already finished. I took part in the “final” stage of the project, when the network analysis was presented in the City Region Council, and I went to the final meeting of the national deliberations. During this final round I noticed how close Joost, the project manager, the president, and the director were with each other. I had several conversations with Joost in which I interviewed him about his role and position within the City Region. I wanted to learn more about what he did, what his importance was, how he was accountable, and to whom he was accountable. The remainder of this section will discuss his response to these questions.

Textbox 5.2 hiring consultants to find new ways of gathering knowledge for mobility

The Network Analysis project addressed the question of what kind of knowledge is needed for policies that try to find a new “area-oriented” or “developmental” policy. In September 2004, the ministry of Traffic and Water published the Mobility Policy Paper [nota Mobiliteit].⁴⁹ In this policy paper, the ministry aimed for a new approach to mobility. Until now, attempts to solve problems with mobility focused too much on locations, providing problems, called “bottlenecks.” In solving bottlenecks, each government often acted alone. Also, the problems were solved sectorally: separate administrative services were solving bottlenecks for infrastructure, public transport, and cars. The new approach was to be a “network approach.” The networks of mobility used by citizens were to be central in improving mobility. This was called the “door-to-door” approach. Citizens should be able to reach destinations from their homes without too much delay by either using cars, bicycles, public transport, or a combination. Furthermore, governments should join forces to solve problems with mobility as causes and solution of problems might cross juridical borders. For example, combustion in a city, the responsibility of that city, can be avoided if an extra exit on a highway is built (a responsibility of the ministry) at the edge of

⁴⁹ “Nota Mobiliteit, naar een betrouwbare en voorspelbare reistijd,” Ministerie van VenW, Ministerie van VROM, September 30, 2004.

the city, so that less traffic has to run through the city centre. Third, the “network approach” should be integral. All policy domains should be looked at in relation to each other, and solutions should also be developed across sectoral borders. Also, spatial developments should be better integrated in decisions about mobility. Problems with mobility in a given area should be solved without regard to territorial, juridical, or sectoral borders.

The ministry decided that in order to reach a more area-oriented approach, the analysis and the gathering of data about mobility problems should also be done in a different way than before. The ministry asked the seven city regions to do a Network Analysis as an experiment. A “National Deliberations Platform Concerning Mobility [Nationaal Beraad Mobiliteit],” and an Expert Commission were installed to assist the regions and to co-develop an approach. In additions and several studies were performed to provide background information to the regions.

The overall number of consultants at these stages is remarkable. In the expert commission, five out of nine members were consultants. One of those was also connected to a university. The other four were scientists working for a university. One of them can also be hired as a consultant. Two background studies were performed by two consultancy teams. Of the eight regional network analyses, six were done by consultancy firms.

This example shows that the involvement of consultants can be pretty high, not only at the regional level, but also at the national level. Furthermore, it tells us something about the reasons consultants are hired. Again, we see an example of governments being very reflexive about changes in society and what kinds of changes in governing these societal changes require. Society has become more of a network society; hence, knowledge about how people move in these networks is needed to be able to govern these networks. But, for the question how to really do this, the governments seem to turn to consultants to a large extend.

Figure 5.7 Consultants involved in setting up a way to do a Network Analysis.

Note: Consultants are in bold

Figure 5.8 Photo of the strategic meeting discussing mobility issues

5.7.2 Joost as a mirror and connector

The main reason for me to interview Joost was a meeting with him, the president of the region, the director, and the team manager of the project department in the office of the director I attended.⁵⁰ The purpose of the meeting was to strategically discuss how to integrate the many projects that had something to do with mobility. The meeting was very informal. It started with the president handing out pastry he had received from the

⁵⁰ Meeting Joost Voerman, Jaap Modder, Carol van Eert, December 11, 2006, attended by author.

minister that morning when they signed an important agreement to lengthen the highway in the region: the A15. The director showed us a piece of cardboard standing on the table. The cardboard depicted the summary of the project called “network analysis” (see figure 5.8 for a photo of the meeting). The meeting made clear to me that Joost was an important person for the people of the City Region, who clearly trusted him and valued his opinion on strategic issues, like his vision on how to integrate the many separately planned mobility projects. This was confirmed by a meeting of the City Region Council of the City Region a few days later. During this City Region Council, the network analysis was presented. Joost was again present and sat next to the team manager at the head of the table to support the team manager in supporting the president in defending the network analysis. In my four month period of research I saw none of the public officials being involved in that way.

During the meeting described above, Joost advocated the idea of having a “BOM” (an acronym of Bestuurlijk Overleg Mobiliteit, meaning “Political Consultations Mobility”): a platform on which the involved politicians of the region (elected representatives of the provinces Noord-Brabant, Limburg, and Gelderland, aldermen of the larger cities, and the president and representatives of the board of the City Region) would have regular contact about major infrastructure and mobility issues. Since mobility issues didn’t stop at governmental borders, these governments were interdependent and needed to make decisions together. Joost had implemented such an approach in the City Region Rotterdam. Another idea Joost brought in was to have “tables” rather than “steering groups” and “working groups.” Since steering groups and working groups tend to have a permanent character, tables sounded more flexible, and participants would accept that tables would be canceled or changed if a project ended or changed. Joost brought an article along to the meeting, he himself wrote about the use of these kind of mobility tables in another city (Rotterdam) as an example of how this could work.

For the president and the director, the goal of this meeting was to learn about a different way to deal with these issues and to be able brainstorm freely about them. Indeed, Joost himself saw his main value for the City Region in acting as a “mirror”:

“In this kind of regional collaborative structures the role of an external consultant offers the possibility to “mirror.” “Windows” and “mirrors” are my most important instruments, by showing people, especially concerning the assignment giver, that “do you know that because you take this position, because you remain hinging on, that that is the reason that this is happening,” that is

something you can say from the independent position as consultant.”

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The consultant tells us something here about the way he works. His most important instruments are “windows” and “mirrors”. He feels that that is a role he couldn’t play as effectively if he belonged to the organization itself. Because he is independent, he can offer a mirror towards people. Joost finds it especially important to act as a mirror towards the assignment-giver:

*“For me it is just one of the main points, when I can’t say freely to the president of the City Region or any other assignment giver: “I see this and according to me it is going wrong this way,” than I have also lost my added value. Thus if we can’t communicate with each other in this way anymore, than our paths depart, than I can’t play my role the way I want. At that moment I become just extra hands and than you might as well hire someone else.”*⁵²

If he can’t say freely to his contractor what he thinks, he feels he loses his added value, and then he just becomes “extra hands”. This also tells us something about his personal style. While Pieter, the consultant doing the Regiorail project, tries to connect to people on the work floor through the substance-matter, and Ellen is acting as a diplomat, Joost sees himself as a “mirror” to his assignment-giver. It is Joost’s position as an external consultant that enables him to take a role as a “mirror.” Another mechanism enabling Joost to “mirror” is that he has worked for different governments and assignment-givers:

“JG: is it just that independency which makes that you can work in that way, or is there something else as well?

Joost: It is something else as well. I became the advisor who I am because I worked for: the City Region; and worked for the city of Rotterdam; and worked for the city of Utrecht; and worked for the ministry. I have been around all those parties, so I know their perspective very well. Thus in a project I can just make connections between those [organizations] [emphasis added].”

Because Joost has worked for different assignment-givers, he can put himself in the places of other actors and interests in collaborative projects and make connections between them. An example of how Joost makes connections is the implementation of the measures in the Network Analysis. Independent of the Network Analysis, the ministry of Traffic

⁵¹ Interview Joost Voerman, December 11, 2006.

⁵² Idem.

and Water had organized a contest among their employees to come up with original, easy to implement measures to improve mobility. The ministry hired Joost to help them start this process. Winners of the contest were measures like a temporal train station, longer entrance lanes on the highway, and temporal bicycle lanes. These kinds of measures were also proposed in the Network Analysis. The consultant saw an opportunity for the City Region to apply at the ministry to perform some of these measures in the City Region to solve some problems shown by the Network Analysis. It was also an opportunity for the ministry, because they were still looking for good sites for their ideas. The consultant then brought the manager of the City Region and the project leader of the ministry in contact with each other and a meeting between them (without the consultant) was set up to discuss possibilities.

Because he has worked for multiple assignment-givers, Joost is familiar with politicians who often need to work together:

“The president of the City Region knows that I work for the elected representative of the province Gelderland, that I meet her in a workshop, and that I work here. Everybody knows that. And both for the elected representative of the province Gelderland and the president of the City Region I am a comfortable conversation partner.”

Unlike public officials working for one government, he can be a “conversation partner” to several assignment-givers and politicians at the same time. Like Jos, we see a consultant as a kind of central figure between governments, knowing things from all sides and connecting them. In this way, Joost can become a central policy actor with a lot of intimate knowledge other policy actors don’t have. This makes him powerful, and the question becomes whether he can still be held accountable in an effective way. Therefore, I asked Joost questions about how and to whom he feels accountable. In response to my questions, Joost provided me with three ways in which he feels accountable.

First, in the end he has to do what his assignment-giver wants; if his contractor wants him to “make sandwiches” he has to do that:

“I believe that the City Region has to install a “Broad Political Platform Mobility” and that you have to make a broad agenda of cooperation. But that is my conviction, I would tell passionate about it, but when the president of the City Region thereafter says, but “I don’t want that,” (...) then I stop. I will always take the room in conversations to try to make clear what from my point of view is the best advice. I think, as a consultant, I go pretty far with that. But in handing suggestions to the assignment-giver I am just and advisor.

The assignment-giver is free to do with my advice whatever he wants. And if he says "no, I still want a memo," then I will write that memo."⁵³

As a consultant, Joost will always create "room" for his assignment-giver to convince him, but if the assignment-giver wants to do something else even after he has tried to convince him, his role ends as an advisor, and he will do what his assignment-giver wants. Note that here again for the consultant it is important to create "room" in the relationship with the assignment-giver to be able to act with a degree of independence towards the assignment-giver, like it was important for Jos (IJsseldelta South), Erik, and Ellen.

The second limit is his personal integrity:

"Because I have information about other parties I am an interesting conversation partner to parties, because that is the continuous area of tension you are talking about, of how far do you go with that, what is still ok, what is the norm, what is integer, what is crossing the line. And, that's also why I dared you to look that line up, because it is indeed very difficult, and in the end it is for me something in yourself, where you make the norm, despite all kind of organizations in which one operates, but what I want to be, a person who in his work as advisor stands really close to the person he himself is, that means for me thus that in my work of advisor that line is something what is in me."

Thus, in the end an advisor has to determine for himself where to draw the line, and which norms to apply in his work.

Third, his limit is determined by respecting the integrity of the people he is working with and by keeping things confidential:

"When something is told me in confident, explicitly or not, I will always handle that in such a way. But at the same time I use that notion, in the mirrors I will show to others. I will first internalize it and then give it back to people, like "I can imagine that other parties at the table this and that." Advisory work is people work, thus you have to work with the integrity of people. For me the greatest attack is an attack on my integrity, because then I am of no value anymore in the business of advising."

⁵³ Idem

Thus, his integrity is one of the most important things in his work. If people dispute his integrity, he can't do his work. This is because he respects people and wants to try to get the best out of people. If people tell him something in confidence, even if they didn't tell him explicitly that it was in confidence, he will treat that information confidentially. At the same time, he uses what he hears and knows to get things done. He will “internalize” what he hears in confidence, and without betraying that confidence, use that to act as a mirror to the other parties. Thus having integrity is not just something he does to be a good human-being, but also something which enables his added value as a connector or intermediary in collaborative planning.

5.7.3 Conclusion: connector

Several mechanisms inherent in his position as a consultant enabled Joost to act as a mirror and connector. First, like Ellen, Joost could create “room” to his assignment-giver to provide him a mirror about his policies. This was possible because he had no hierarchical relationship of accountability towards his assignment-giver, like a public official has. Second, because he has worked at a wide variety of places as a consultant, he can provide a mirror on the basis of what he learned at these other places. The consultant has a wider perspective than public officials. Third, Joost could act as a “connector” between actors and policy substance. Because he worked for different parties and was trusted by different parties, he could create policy windows between governments. When Joost acted as a mirror, he could enhance the reflexivity of governments and government officials. As a “connector,” he enhanced the quality of planning decisions by finding opportunities within governments.

The metaphors of “mirror” and “connector” imply that Joost is just neutral, reflecting the way of working of his assignment-giver and just channeling between governments without “adding” substance of his own. However, by acting as a connector he acts as a central spool and can become a powerful policy actor. The danger is that he is not bounded by relationships of accountability when he acts like a connector; as he says himself, he “internalizes” what he hears from policy actors, connects, and then gives something back without an assignment-giver knowing what the consultant heard from the other actors. This is also how Joost defines his own “added value:” as a consultant who is more than “just extra hands.” When does Joost become an “outside motor,” acting and articulating policies without being accountable to anyone but himself?

The above shows an inherent tension between being “independent” and being accountable. To be legitimate, the consultants need to be accountable towards their assignment-givers, but in order to be

effective, they need to operate independently from the assignment-giver at the same time. The consultants and political assignment-givers seem to resolve this tension by having close contact with the politicians and develop a relationship of trust with them. This relation is symbolized by the informal brainstorm meeting about mobility with Joost and the president, director and a manager from the City Region. This relationship gives Joost the mandate to act independent and offer a mirror to his assignment-givers. This resembles a cooperative relationship of accountability. From this it can be concluded that the best way to prevent the consultants from becoming “outside motors” is by the development of a cooperative relation of accountability between the assignment-giver and consultants. In that way the consultant and assignment giver develop an equal, trustworthy relationship that enables the consultants to act independent and offer a mirror to the assignment-giver. At the same time the assignment giver is sufficiently involved to be able to control the consultant.

In addition to the relationship with the assignment-giver, Joost discusses another mechanism that makes him accountable. He needs the trust of many different parties to be able to do the work the way he is doing. He is limited in his actions because he must not betray this trust. Once he has lost his integrity for potential assignment-givers, he has lost his good reputation as a consultant. This is a competitive relationship of accountability: Joost does his work well because he needs to maintain his reputation in a market.

5.8 Conclusion

5.8.1 Introduction

The City Region Arnhem Nijmegen is a regional government founded in 1994.⁵⁴ It was founded not as “an extra layer” of government in between provinces and municipalities, but as a “functional government” that would only perform tasks that required inter-municipal coordination. After ten years the president and the board of the City Region felt the City Region had become too much of a “classical government” focusing on developing substantive knowledge about the region, analyzing developments and writing policy plans. The president and board of the City Region started to try to shift from “government to governance”: from a “policy developing” organization to “interaction with society,” “getting things done,” and mobilizing “winning coalitions of public and private parties.” Also

⁵⁴ At that time it was called KAN (Knooppunt Arnhem Nijmegen, Urban Node Arnhem Nijmegen).

another way of working was expected from the planners working at the City Region. The expert planner and bureaucratic kind of planner needed to be replaced by a new kind of planner. Instead of having “substantive expertise,” planners needed to become “sensitive to the outside world” and “brokers” between parties. The organization was reorganized into two teams: “project and process” and “policy and governance.” The “policy and governance” team would keep performing the classical policy functions of doing analysis, developing policies and some procedural tasks. The “project and process” team would try out the new approach and focus on doing projects together with other governmental and societal actors. The City Region entered into a period of “governance-light,” focusing on “getting things done” and “mobilizing implementation force.” The project and process team started to perform a wide variety of projects to implement the new approach. However, for these projects consultants were mainly hired to act as project leaders. The next paragraph discusses what these consultants did in the projects for which they were hired.

5.8.2 *What do consultants do in the regional spatial planning practices for which they are hired?*

Erik: Air Quality. The first project for which a consultant was hired discussed in this chapter was improving the air quality in the region. Improving the air quality required cooperation among governments across juridical borders. Furthermore, as a policy issue air quality is surrounded by uncertainties regarding standards, available knowledge, and applicable regulations. The ministry of Spatial Planning organized the National Consultations Airy Quality to design a new law to improve the air quality and to conform to European norms. The new law should be made in a collaborative way: all governments together should make appointments about how to improve the air quality. These appointments should be made at deliberations at the provincial level. Erik, a consultant was hired to take part in the provincial deliberations on the behalf of the City Region Arnhem Nijmegen. However, due to a large amount of uncertainties about the gathering of data, mainly caused by bad process management of the ministry, the actual making of appointments about how to improve the air quality between governments was postponed time after time. Therefore the president and board of the City Region asked Erik to write an own policy for the City Region to improve air quality. In doing so Erik aimed for a bottom-up approach: he installed working groups in which he tried together with public officials of the municipalities to write working plans per category of possible measures to reduce air pollution: green, natural gas, pollution from local sources, traffic management, freight traffic, and a

regional measurement strategy. In the provincial deliberations and the municipal working groups, however, developed mainly a technocratic way of working of “getting the data” straight. A result of this technocratic way of working was that the policy making process became too much focused on all the uncertainties surrounding the policy issue of air quality, which prevented the policy actors from designing measures and take action. To bend this technocratic approach around, Erik went looking for a “red thread” that could provide the policy with a coherent frame of meaning that would make it easier to design policies. In doing so he met with people from his own network to brainstorm and to exchange knowledge, for example, Erik brain stormed together with a befriended writer about “mobility” as a red thread for measures to improve the air quality.

Erik’s way of working can best be described as navigating through different stages at which he assembled knowledge. These stages included: the provincial deliberations, the municipal working groups, the City Region itself and his own network (technically not a stage, but for reasons of parsimony called one). Second, as discussed above, he tried to turn a technocratic way of working into a way of working aimed at finding a frame of meaning. Third, Erik acted as lubricant oil: when the board of the City Region didn’t want to continue the cooperation with the province at the Provincial Deliberations, Erik did try to keep a good relation between the City Region and the province by trying to develop an own policy for the City Region and by keep taking part in the provincial deliberations.

Erik shows how a one government can’t behold all relevant information about a policy issue and that knowledge needs to be mobilized from different stages. However Erik didn’t bring these stages together, but was the “central spool” connecting these stages. As such he failed to create a shared-meaning making process among the involved actors.

Pieter: Regiorail. The policy puzzle for Pieter, the consultant hired for Regiorail project, was to create a network of regional trains and stations. Rather than doing studies to find out what the best locations for trains and timetables were as the public official first performing the project had done, the crux of making a regional train network was to involve actors on which the City Region was highly depended in making a regional train network work: the train operator NS and the railway maintainer ProRail. Pieter found agreement with the NS and ProRail by working together with people on the “work floor” on the substance, for example by together calculating how an extra station would fit in timetables of the trains. In this way Pieter operated as a go-between the railway undertakings on one

hand and the City Region and its municipalities at the other hand. Second, Pieter assisted the municipalities in putting up projects for the adaptation of the new station areas, like designing parking lots. Pieter did have close contact with the president and board of the City Region. Like Jos and Erik a political kind of personal accountability of the consultant was enacted. However, the connection between the Regiorail project and the administrative organization of the City Region was weak. No public officials of the City Region participated in the project, despite the fact that Pieter has asked the president and director several times to assign public officials to participate in the project.

Ellen: Master Plan Public Transport. To write a Master Plan for Public Transport, the City Region needed to solve conflicts with the neighboring governments and hired a consultant, Ellen, to talk directly to politicians of the surrounding provinces. Ellen went to talk to the politicians to “explore the possibilities for cooperation.” As such, Ellen acted as a diplomat to restore relationships between politicians of different governments. The public official responsible for writing the Master Plan Public Transport before Ellen was hired had been mainly doing studies, talking to the railway undertakings and trying to fill in the substantive part of a policy public transport by literally filling in maps. In contrast, Ellen first facilitated the making of appointments between politicians at a strategic level. Herewith she broke through the “survey- before-plan” approach of the public official she replaced.

In order to work as a diplomat Ellen needed to be able to act independent from her assignment-giver to a certain degree. This is what we saw the other consultants discussed in this thesis do as well. By acting independently consultants are able to fulfill intermediary roles between governments. At the same time, however, this creates a tension between acting independent and being accountable to an assignment-giver. When does a consultant create too much “room to maneuver” with the effect that an assignment-giver lacks the information to be able to hold consultants accountable?

Ellen noticed the uncoordinated and dispersed approach of the City Region towards mobility issues. This was partly caused because the public officials of the “project and process” team engaged in mobility issues didn’t cooperate with public officials of the “policy and governance” team engaged in mobility issues. To overcome this Ellen initiated and facilitated a meeting with the public officials to see how the City Region could create coherence among mobility projects. Herewith she broke through a non-functioning part of the culture at the City Region.

Joost: Network analysis. Joost, another consultant, assisted the manager of the City Region with writing a network analysis. The network analysis was a project initiated by the Ministry of Traffic and Water by which several regional governments were asked to do an analysis of mobility issues from the point of view of a network society: “from door-to-door” and integrating all possible modes of transport. In finding a way of doing such a new kind of analysis, however, the ministry and regional governments turned for a large part to consultants. Consultants of Twynstra & Gudde, Grontmij, Ecorys, Berenschot and Goudappel Coffeng were hired to take part in the expert commission advising the city regions, to do several studies as background information for the network analysis, and to do six out of eight network analysis performed by the regional governments.

Over the years Joost had developed a close relationship with the managers of the City Region Arnhem Nijmegen. As such Joost saw his main value in providing a mirror towards his assignment-giver. He did this, for example, by suggesting to create a regional “Deliberations Mobility” in which politicians in the region discussed how to coordinate mobility issues. Another way of working of Joost can be described as creating windows of opportunity for policies by connecting substantive issues of different governments. Joost is able to act as a mirror and connector from his external, independent position. Like with the other consultants discussed in the thesis there is a tension for Joost between acting independent and being accountable. Joost solves this by engaging in a cooperative, relationship of accountability. By building a relationship of trust with the president and managers of the City Region he receives the freedom to act independent to a certain degree, but because the president and manager are closely involved, they can still hold Joost accountable. A second mechanism of accountability is a competitive relation: because Joost has to behold his reputation in the market he would not betray the trust of his assignment-givers. Table 5.6 provides a summary of what the consultants did.

Table 5.6 : What consultants did in the City Region Arnhem Nijmegen

Consultant:	Activity	Way of working
1.Erik: Air Quality	<ul style="list-style-type: none"> - Participating in National Cooperation Program Air Quality on behalf of City Region - Designing new policy - Initiating and chairing municipal working groups 	<p>Navigating on a variety of stages to assemble knowledge to formulate a policy</p> <p>Turning a technocratic way of working into a way of working aimed at finding a frame of meaning</p> <p>Acting as lubricant oil</p>
2.Pieter: Regiorail	<ul style="list-style-type: none"> - Making appointments with NS (train operator) and Prorail (railway maintainer). - Assist municipalities in designing new station areas. 	<p>Involving interdependent actors</p> <p>Being a go-between railway undertakings and City Region</p> <p>Facilitating consensus by first finding agreement on substantive issues with the people at the “work floor.”</p>
3.Ellen: Master Plan Public Transport	<ul style="list-style-type: none"> - Talking with politicians of surrounding provinces - Initiate and facilitate meetings with public officials of the City Region to create coherence among mobility projects 	<p>Acting as a diplomat between relationships of politicians of different governments.</p> <p>Break through survey-before-plan model</p> <p>Breaking through historical habits at the City Region.</p>
4.Joost: Network Analysis	<ul style="list-style-type: none"> - Assisting in the writing of a network analysis - Providing the City Region suggestions on how to deal with mobility 	<p>Offering a mirror towards assignment-giver.</p> <p>Connecting substantive issues of different governments by “internalizing,” sometimes confidential, information of different assignment-givers and looking for policy windows to connect them.</p>

5.8.3 *How can we understand the involvement of consultants in light of possible explanatory frames?*

The City Region Arnhem Nijmegen shows how planning and policy theories like NPM, governance-theory and collaborative planning are drawn upon by practitioners to change their practices. However it shows that the attempts to implement these policies mainly result in an increased interdependency between governments. As a result of decentralization and privatization in the railway sector for example, national and regional governments, several train operators, train maintainers and bus operators all *have* to work together to make a regional rail network. A project like the National Program Air Quality increased the interdependency of governments as well: governments together had to make appointments about how to deal with air quality and these appointments were to be integrated parts of the new law. By the emphasis on the cooperation of governments, problems of coordination are enlarged. Despite the observation that governments stimulate this development themselves, governments seem to turn to consultants to help solve problems of coordination and cooperation. As in the previous chapter, consultants were thus mainly hired to enact collaborative forms of planning and to overcome problems of coordination and cooperation. Like the consultants of the IJsseldelta, the consultants in the City Region were good at this from their *external position*.

The involvement of consultants in Dutch regional spatial planning practices should thus be understood from the increasing collective character of regional spatial planning and problems of cooperation and coordination arising from this. Consultants do have an inherent added value to regional spatial planning arising from this collective character: from their external position they are better able to act as intermediaries and deal with complexity than public officials are from their internal position. However, the emphasis of both governments and consultants on coordination may lead to a narrowing down of spatial planning practices: ways to mobilize knowledge and facilitate citizen participation become seen less as integral part of the profession of spatial planning.

5.8.4 *Which ways are consultants able to impede/enhance democratic legitimacy of regional spatial planning?*

First, like Jos, the consultants hired by the City Region were able to mediate between relationships of governments, for example Ellen who acted as a diplomat between politicians. Also, Eric saw himself as “lubricant oil” between actors. A second mechanism by which the consultants enhanced democratic legitimacy was by connecting issues, ideas, policies, and means. Consultants work for a wide variety of

assignment-givers, and as such they are able to find windows of opportunity between them. Furthermore, as consultants are less embedded in the internal bureaucracy of governments, they are sooner inclined to act on and create a wider variety of stages outside government. This enhances democratic legitimacy because acting on several stages within and outside government is needed to create a shared meaning process and to be able to connect knowledge mobilization and participation as we have seen in the IJsseldelta South case. Furthermore, consultants can enhance the reflexivity of governments, as Joost did when he acted as a “mirror” towards his assignment giver. As externs are from outside an organization, they have a fresh eye for the habits and culture of the organizations they are working for. Also, they can share experience they have had at other governments. For these reasons, consultants can also help to break through boundaries and institutional habits, as Ellen, for example, tried to create more coherence and cooperation within the organization of the City Region.

In the descriptions of their ways of working, consultants themselves mainly focus on the coordinative role they can have. They seem to regard themselves mainly as skilled in organizing cooperation among governments. In that sense, consultants mainly enhance democratic legitimacy by facilitating intra- and inter-governmental decision-making. Direct participation of citizens wasn’t facilitated in any of the projects discussed in this chapter. Knowledge was only mobilized by the consultants themselves: they didn’t facilitate the mobilization of knowledge from other actors in settings of policy articulation and decision-making. In this sense, the City Region is a counter case to the IJsseldelta South project. It was very dependent on the context and consultants involved, whether or not knowledge mobilization and direct participation were part of the working practice of the consultants. The next chapter will show how knowledge mobilization and direct participation might become a more integral part of the practice of consultants facilitating collaborative forms of planning.

Some mechanisms by which consultants can impede democratic legitimacy are found as well. Consultants didn’t seem to think upfront about ways to mobilize knowledge and facilitate direct participation. Also the assignment-giver seemed not very considerate of these dimensions of democratic legitimacy. This means that, in the end, it depends on the personal style and integrity of the consultant and/or assignment giver how it is dealt with issues of knowledge and participation. The hiring of consultants thus introduces a mechanism of inconsistency into public planning. The next chapter will explore ways to reduce the ad-hoc

character of the way of working and the inconsistency introduced by the hiring of consultants.

Another disadvantage was the disconnection mechanism. When consultants are hired, the public officials of the organization can become disconnected from the project. This is not because consultants don't try to involve public officials, but rather because consultants act on stages outside governments. For some public officials, it might seem less logical to attend these stages. This hampers the learning of public officials, particularly when consultants are hired to find a new way of working.

In order to create added value as *externs* through the mechanisms described above, consultants need to create independence, "room to maneuver," from their assignment-givers. However, at the same time consultants need to be accountable to their assignment-givers. In order to have enough information to hold a consultant accountable the assignment-giver needs to be involved in what consultants are doing. Thus, the relationship between the consultant and the assignment-giver needs to leave room for both the continual involvement of the assignment-giver with what the consultant is doing *and* the independence of the consultant towards the assignment-giver. This can best be realized by a cooperative relationship of accountability.

5.8.5 What can we learn from consultants about the organization of spatial planning in government and the role of public officials?

The City Region hired consultants to find a new way of governing. Herewith, the formulation of policies was taking place largely outside the organization of the City Region itself. We can ask ourselves whether the City Region didn't become too much of an empty government. If governments only go for "winners" and easy to implement projects, who is then going to take care of less easy to solve problems or less powerful groups?

6. Learning from American Public Policy Mediators

6.1 Introduction

The previous two chapters have shown that consultants can enhance the quality and democratic legitimacy of collaborative planning from their external position. However, it also shows that the Dutch consultants are inconsistent in their way of working regarding the mobilization of knowledge and the participation of stakeholders. This chapter explores a contrasting practice to that of the Dutch consultants to learn about ways by which the democratic legitimacy of the hiring of consultants for regional spatial planning practices can be strengthened: the practice of American Public Policy Mediators. The public policy mediators are a professional group that developed from the 1970's onwards to facilitate consensus building in public controversies (Bingham 1986, Singer 1990, O'Leary and Raines 2001, Laws and Forester 2007). Public policy mediation and consensus building provide alternative ways of deciding public policy controversies than the hierarchical command-and-control approach of government agencies or litigation. The essence of public policy mediation is face-to-face interaction among stakeholders and government officials to reach consensus (Susskind and Ozawa 1985, Rabe 1988, Margerum 2002). The practice of American Public Policy Mediators is sufficiently comparable to the Dutch consultants as they are committed to collaborative forms of planning. At the same time their practice is rooted in different historical, political and societal context. This would help to "open-up" taking for granted and implicit elements of the Dutch practice and critically reflect upon it. Furthermore, Unlike the Dutch consultants, the American public policy mediators present a more internally coherent professional community: practice is shared and discussed in books, journals, conferences, organizations, associations, and standards. Because their practice is more articulate, it offers consultants and planners in general (Forester, 2009) insights into possible ways to respond to the challenges of democratic legitimacy identified in this thesis: those of participation, knowledge, and decision-making. As a

professional *community*, American public policy mediators are engaged in ongoing disputes over ethics, norms, and other standards of practice. This provides the opportunity to learn not only from standards in the field, but also from the discussions that have led to these standards.

In this chapter, I will mobilize the practice of the American public policy mediators as a mirror to reflect on the practices of the Dutch consultants. The chapter starts by exploring similarities between Dutch consultants and American Public Policy Mediators. Next, four mirrors will be discussed: 1) professionalization; 2) processes designed to enhance substantive quality; 3) a collaborative way of dealing with knowledge; and 4) issues of accountability and responsibility.

For this chapter, eleven American public policy mediators were interviewed about their way of working. The same method of interviewing is used as in the previous chapter: developing a practitioner's profile. I asked each interviewee to discuss one case with me. During the interviews I focused on a few themes, such as positions of politicians, representation, neutrality, and responsibilities. Appendix A provides a complete list of the interviews and an explanation of the selection of the interviewees. The two textboxes in this chapter elaborate on the practice of one public policy mediator, Susan Podziba, to provide a more detailed description of an example of the way of working of Public Policy Mediators.

6.2 Exploring similarities of Dutch consultants and American public policy mediators.

In Susan's way of working described in Textbox 6.1 below we can recognize many features of the Dutch consultants' practices discussed throughout this thesis. Susan is hired for the same kinds of jobs in the same kind of projects as the Dutch consultants: to facilitate consensus projects among governments and stakeholders and to help overcome problems with cooperation and coordination between these actors. She helps governments to resolve internal conflicts; she helps to set up a cooperation structure in which multiple governments participate; and she facilitates cooperation between, for example, governments and citizens. A second similarity is that both Susan and the consultants are independent persons who are hired by public entities to help articulate, develop, and/or implement public policies. Third, they seem to be engaged in similar kinds of processes. The process in the Casco Bay Area project resembles the process of the IJsseldelta South case after the "breathing pause": setting priorities together, defining criteria, inviting experts when needed, and then applying the several viewpoints of the experts to the policy

proposals. Fourth, both the Dutch consultants and Susan are trying to add value to the public policy process from an external position.

Textbox 6.1 Meeting Susan: and American public policy mediator

Susan Podziba is a *public policy mediator* living just outside of Boston, MA in the United States, where I visited her in September 2007 to do an interview. As a public policy mediator, Susan is hired as a nonpartisan assistant to help actors reach consensus in public planning projects. On her résumé Susan describes being a public policy mediator as:

“[to] provide mediation, consensus building, conflict assessment, facilitation, and workshop services to enable government to engage with stakeholders to address complex public policy questions and conflicts. Solutions may take the form of written policies, plans, regulations, or governance structures.”¹

Among other things, Susan has facilitated the development of crane safety standards together with stakeholders; she assessed internal conflicts about a new strategic plan within the Friends of the Earth International Network, an organization consisting of seventy national member groups; and she mediated the process of creating a governance document for a transportation planning organization composed of seventeen government agencies for the greater Boston area.

In 1992 Susan, introduced above, was hired by the federal Environmental Planning Agency (hence EPA) to overcome an impasse in the Casco Bay Estuary Project in Maine.² The Casco Estuary Bay Project is a cooperative project of the EPA, the State Department of Environmental Protection, the State Office of Comprehensive Planning, municipal officials, scientists, citizens, and interest groups. The project was installed to protect, preserve, and remediate the estuary and watershed of Casco Bay, a delta area in which several rivers feed into the Atlantic Ocean near the city of Portland (~ 64,000

¹ www.podziba.com, last visited February 19, 2009

² www.podziba.com/cascobaycase.html, last visited February 19, 2009.

inhabitants). Forty other smaller municipalities are also part of the delta region. In addition to restoring and enhancing the ecological system, the project also tried to enhance the local economy, recreation, and tourism.³ When Susan was called in, the parties, who were united in a management committee, were in the midst of an eighteen month impasse over how to select priorities.⁴ Initially, Susan was hired to facilitate a priority-setting workshop to overcome this impasse. Susan assessed the situation as one in which:

*“all the stakeholders were present, but didn’t have enough process expertise. They spent 18 months talking and they needed a focus, because there might be hundred different issues that they could choose to work on. Some of those were very important, but too costly for the project to address and some less critical, but solvable. The participants were all very frustrated: the State of Maine Department of Environmental Protection, the U.S. Federal Environmental Protection Agency, the local governments, plus committees and environmentalists and all the different industries and scientists. They were all frustrated.”*⁵

Thus, all relevant stakeholders seemed to be at the table to decide on priorities for the project, but the stakeholders didn’t know *how* to collectively decide on these priorities.

As preparation for the priority-setting meeting, Susan started to translate and summarize the issues and available knowledge into accessible and readable documents: *“each person had thick technical reports on the issues and they were lay people.”* Susan, with the help of an environmental expert, made a bullet list of the issues and explained each issue to the group:

“so instead of 600 pages we had 6 pages for all of that information. You could just flip through the 6 pages while

³ www.cascobay.usm.maine.edu/index.html, last visited February 19, 2009.

⁴ www.podizba.com/cascobaycase.html, last visited February 19, 2009.

⁵ Interview Susan Podziba, September 12, 2007, also the other quotes of Susan in this chapter are from this interview.

talking about an issue to remind you what that issue really involved.”

Next Susan “*created a structure that enabled them to make a decision.*” In the priority-setting workshop, Susan developed a set of criteria together with the parties. Susan then made a matrix with the issues on one axis and the criteria on the other axis, and she divided the parties in two groups. Each group scored each issue on the criteria. The issues scoring the highest in both groups were made priority issues. As a next step, the parties decided to broaden the consultation to other stakeholders in the region. They organized a public forum to ask citizens living in the area whether they felt these were the right priorities.

The parties decided to extend Susan’s involvement to help them to move from identifying the priorities to implementing measures. Susan helped the group develop goals and objectives for each priority issue. At this point the parties “*looked around the table and said “now we don’t know how to achieve these.”*” Susan proposed bringing in a group of technical experts to help the group with the problem they had defined. The parties asked the group of experts to “*generate the universe of options*” to realize the goals for each priority issue. The parties could then choose from “this universe of options” as they developed draft action plans.

Summarizing the above, we can say that Susan helped the actors to grasp complexity: she helped the actors to come from a seemingly endless number of issues and viewpoints to a policy outcome using a step by step process.

After the parties had negotiated the draft action plans, they discussed the plans in focus groups consisting of the groups of people who actually had to work with plans, such as home owners, fishermen, farmers, and foresters. These people made amendments to the action plans so that they could work with them:

“we did focus groups and went to, for example, farmers and said: “these are the actions we would like you to take, can you take them?” And so the farmers said: “we can do it this way,

but we can't do it that way." The farmers made all kind of changes. If the project had said this is what we want farmers to do, the farmers would have looked at the list and said: "we can't do that" - and they wouldn't do it. But if the farmers can get their feedback integrated into the action plans and if they can create solutions that fit their actual day-to-day experience, then when you put the action plans out, the farmers say: "ok, I can do that."

Helping the farmers to understand and adapt the action plans ensured that the plans would conform to the farmers' day-to-day experience.

The external position enables the Dutch consultants to act, among other things, as intermediaries between governments to create windows of opportunity for policies and to enhance the reflexivity of governments. Susan's external position is also crucial in facilitating these processes. Because she is independent and new to a situation she can, for example, recognize the mind boxes parties engaged in a project or conflict have implicitly drawn for themselves:

"people have sort of draw a box in their minds about what the other side wants and don't go any further in the details of what they actually want. And my job is to open-up these conflicts, or blockages, that's what I do, to try to gain a better understanding of what's actually being blocked."

One way Susan "opens" these boxes is by "*asking questions to understand better what the actual concern is.*" Herewith she resembles Ellen's way of working, like when Ellen tried to get parties to step over "barriers" by getting to know what "really bothers parties."

Finally, Susan and the Dutch consultants seem to make use of several overlapping tools and functions. For example, Susan will interview all parties individually before the first collaborative meeting:

"So for example before I bring a group together, I will interview all the parties beforehand, because I need to understand one on one what their concerns are, what their issues are and what their fears are. Then when I bring them into the room I can help manage those relationships and steer away from sensitivities and know who is likely to need to speak more about a particular issue."

Ellen described a similar way of working in the previous chapter, when she explained how what she hears from people helps her to prepare a meeting and set an agenda. Also, Jos, in the IJsseldelta South case, used what he heard from each individual party to design an organizational structure that would reckon with existing sensitivities. Pieter first talked to the municipalities to find out what their issues were, as well.

Another working practice shared by both types of consultants is provided by Doug, another public policy mediator I interviewed. Doug is a mediator who used to work for the Environmental Protection Agency, first as a substantive staff member, and later as part of an internal team of the EPA that helped set up alternative dispute resolution and collaborative consensus processes. Now he is working for a private public policy mediation firm. As a mediator, he can explain to other parties why certain parties take certain positions and advise them on strategies that prevent these issues from getting in the way of the real issues at stake. Because he used to work for the government, he feels he can understand the governmental culture and help translate between different organizational cultures:

“In an enforcement setting, parties want to raise constitutional defenses and those kinds of things. These defenses just go nowhere with the government: they don’t know what do with it, what to say about it. As a mediator I can help translate that. So I could say to the government before a meeting takes place: “we are going through a period and the other party just needs to say a few things, they are going to say a few harsh things. Just try to be receptive of it, try to let it go by and then [if the other party has said what he needed to say] we can get down to business.” So you need that translation between sort of cultures a little bit.”⁶

This resembles the story of Pieter during the Regiorail project in the previous chapter, who sees himself as able to speak the different languages of organizations and hence able to enhance collective decision-making.

Another comparative value public policy mediators can bring to collaborative processes is that of enhancing the reflexivity of partners: for example, by “reality checking.” Jen, another public policy mediator, explains that when she feels one party is interpreting a situation wrongly she stimulates reflexive thinking of the party by raising questions. For example, if she feels a group is excluding a party:

⁶ Interview Doug Thompson, September 10, 2007.

I think for instance if they were clearly trying to exclude a group, or if they were really only thinking about their own perspective and not about other's perspectives, I think I would just ask questions. It is not a judgment, but basically I would say: "what outcome do you want: do you want people to learn about different ideas? Do you want people to buy into a particular idea? Strategically what is the best way for you to get that outcome? If you just tell people something, will that do the job? If you involve people in the decision more would that bring the outcome to you? If you involve a group of allies? If you build a coalition will that help you? And are you interested in that kind of process?" So it is just what do you want out of it and who do you think who needs to be involved to help you to get that outcome.⁷

This public mediator tells us that she first establishes a desired outcome with the parties. Based on this outcome, she asks questions about how to achieve the outcome. Subsequently, she raises questions if she feels a party or several parties are not acting in a way that will help them reach this outcome.

Like the Dutch consultants, the American Public Mediators point to a need for intermediaries in collective regional planning. Like the Dutch consultants, the American Public Mediators have certain values to offer from their external position towards the actors involved in collective planning processes. This confirms the conclusion drawn in the previous chapters that there is an inherent value for consultants and other private outsiders in public planning, especially regarding policies for which a multiplicity of actors and issues are involved in the articulation process. However, there are also important differences between they way of working of the Dutch consultants discussed in this thesis and the way of working of American Public Mediators. The remaining of this chapter will discuss ways in which the Dutch practice of hiring consultants can be improved by learning from the American Public Mediators in four ways: developing a professional community; designing processes to enhance substantive quality; developing a collaborative way of dealing with knowledge and questioning the amount of public responsibilities that can be conferred to consultants.

⁷ Interview Jen Peyser, September 14, 2007.

6.3 Mirror one: developing a professional community

Public policy mediators have many different ways to name themselves and describe what they are doing (Laws and Forester 2007, Dukes, 1996). Jen, a public policy mediator working in Washington, described the many different “roles” public policy mediators can have:

“we can play a lot of different roles. We can coach other people to be more collaborative. So we can be coaching and mentoring collaboration, so that more and more people learn the skills that we have. We can facilitate every meeting, and we can learn people to be more collaborative. At the same time we could be a consultant to companies about how to be more collaborative and this is how it would benefit you if you would be more collaborative. So it could be consultants. Sometimes we are more like strategists that way, a collaborative strategy. If you just work with just one person or a group of people. Most of the work that I do and what most of the people do is not mere mediation. So as soon as you call yourself mediator, people always think there is a conflict and many times it is pro-active. I usually don’t use that word [mediator] myself, but I might use it more descriptive. Like we work with different people with different perspectives and we try to get them agree on, for example, where to locate the bus stop.”⁸

Despite the variety of roles public policy mediators can play, in the US one can say there is an identifiable professional community of “public policy mediators” (Dukes 1996, Laws and Forester 2007). The professional field of public policy mediation started to develop in the early 1970’s when in the fields of labor relations, collective bargaining and divorce settlement, mediation started to develop as an alternative to going to court (Singer 1994).⁹ Mediation also started to develop in community racial disputes. In the early 1970’s there were around a dozen organizations to mediate or to research community racial disputes, such as the Racial Negotiations Project (Dukes 1996). Around the same time there was a growing discontent with the way conflicts were handled in public planning: mainly through litigation. Many public disputes ended up in court. Scholars and practitioners started to advocate for more collaborative approaches to planning (Margerun 2002) and for a more substantive role

⁸ Interview Jen Peyser September 14, 2007

⁹ Interview Howard Bellman, September 17, 2007.

for the public in planning (see Godschalk and Mills 1966 and the participation ladder of Arnstein 1969). Social activism was another root of public policy mediation and collaborative consensus building. Community builders started to empower citizens to get involved in policy issues having an effect on their communities (Dukes 1996). These developments inspired the field of environmental dispute resolution. In the environmental field, four out of five new regulations of stage agencies were litigated in court at that time (Rabe 1988). A pioneering case in environmental dispute resolution was the mediation of a dispute over the construction of a dam in the Snoqualmie River. The involved state's governor and public officials of the municipalities were opposed to the dam for environmental reasons. However, farmers were protesting fiercely to get the dam build. The state's governor decided to hire two mediators to help him search for a solution (Bingham 1986, Dukes 1996). This pioneering case was a mixed success: the mediators achieved in crafting a consensus, but implementation became stalled as the planned zoning changes required action by two counties and fifteen towns. The representatives of these governments, who had not been involved in the negotiations, were delaying changing the zoning plans (Golann and Van Loon, 1999). Another early example was the National Coal Policy Project in the 1970's, which was the first effort to bring together opposing groups, in this case business and environmental leaders, to attempt to reach consensus on issues of national policy. The project involved 105 participants in plenary sessions and task-force meetings, discussing more than 200 issues (Bingham 1986).

The development of a professional field of public policy mediation in environmental issues was stimulated by the involvement of large private funds, corporations, and university-based institutions, which employed mediators or offered financial assistance on a case-by-case basis, like the Ford Foundation, the William and Flora Hewlett Foundation, The Rockefeller Foundation, the Atlantic Richfield corporation, Texas Utilities, Exxon, and the Office of Environmental Mediation at the University of Wisconsin (Dukes 1996). The Ford Foundation, for example, sponsored the use of mediation in the Snoqualmie River dam with the aim of expanding the range of applications of dispute resolution procedures from the area of labor-management to the area of neighborhood and community conflicts (Dukes 1996). A practice to solve public disputes instead of just private disputes started to develop. This practice borrowed methods of mediation, but also started to develop own methods to do right to the public character of environmental conflicts. An example of differences between mediation

and public mediation is that public mediation usually involves more parties (citizens, interest groups, businesses, governments) and takes place in the open.

During the 1980's and 1990's the field of public policy mediation in environmental issues started to become further institutionalized. A second generation of practitioners, many of whom received their training within the field, started to work (Dukes 1996: 32). A variety of universities started to provide conflict resolution services, including practice, research, theory, and education. Examples are the MIT-Harvard Public Disputes Program, the University of Michigan School of Natural Resources, and the Institute for Environmental Negotiation at the University of Virginia (Dukes 1996). Also, a wide variety of private firms offering non-profit and for-profit public policy mediation services started to grow, such as Resolve¹⁰ and the Meridian Institute,¹¹ both founded more than twenty five years ago. The practices of collaborative consensus building and alternative dispute resolution were also institutionalized through governmental organizations. States created internal offices of dispute resolution (Dukes 1996).

Federal agencies like the Environmental Protection Agency (EPA), the Occupational Safety and Health Administration, and the Federal Aviation Agency have used public policy mediation. In 1988, the EPA spent around 1 million dollars to hire third-party nonpartisan services (including facilitators, conveners, and mediators). In 1999, it spent 41 million dollars (O' Leary and Summers Raines 2001). The federal agencies started to use public policy mediation in two ways. First, they used "regulatory negotiations (reg negs)." Regulatory negotiation means that new rules of a federal agency are developed through a negotiated rule-making process, in which affected parties try to reach consensus on the rules (Rabe 1988). Regulatory negotiations differ from the traditional way of making regulations, "a command and control" approach, in which governments make the rules internally. Susan mediated an example of a negotiated rule-making process: the development of worker safety standards for cranes. In eleven meetings over the course of a year, Susan facilitated the writing of a regulatory text by the Occupational Safety and Health Administration and affected stakeholder groups including: crane manufacturers and suppliers, lessors and maintenance companies, users, employers, labor organizations, crane operators, government/public

¹⁰ www.resolve.org, last visited August 15, 2009.

¹¹ www.merid.org, last visited August 15, 2009.

entities, training and operator testing organizations, power line owners, and the insurance industry.

Second, state agencies started to use public mediation for enforcement activities, in which state agencies enforce particular laws (Bordeaux et al. 2001). The best known examples of these are the Superfund clean-up cases by the EPA. In 1980, the Superfund laws¹² were enacted to address the clean-up of land contaminated with hazardous waste. The laws allowed the EPA to sue polluters retroactively for the costs of clean-up, making polluters liable even if they had fully complied with the pre-existing laws for waste disposal, or if they had only generated the waste and not dumped it themselves. For most hazardous waste sites there was a variety of “potentially responsible parties,” including governments and private and non-private organizations. Although the EPA does have the formal power to force parties to pay for clean up, to avoid lengthy and costly litigation processes, EPA stimulates a collaborative consensus approach, in which the potentially responsible parties together negotiate an agreement about the clean-up of the site, who pays what and with which methods. These kinds of collectively negotiated agreements were used for more than three quarters of the waste sites that were cleaned up under the Superfund laws (Bromm and Lofton 2002). Attempts to formalize the public policy mediation practices in procedures and laws haven’t always been successful though and did not result in consensus or implementation of the consensus (Wheeler 1994). One explanation for this is that participation is often required instead of voluntary (Susskind and Cruikshank 1987).

A final characteristic of the development of public policy mediation as a professional field is an increased reflection upon the meaning of practice (Dukes 1996, Laws and Forester 1997) and discussions about how public policy mediators can work in a democratic and effective way. This reflection occurred through discussions in journals, conferences, and handbooks (like the Consensus Building Handbook of Susskind et al. 1999) and academic reflection (see Laws and Forester 2007, Forester 2009, Cobb 1993), and interaction between academia and practice (see, for example, the Consensus Building Institute).¹³

¹² Official name of the law is the “Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

¹³ See www.cbbuilding.org

To sum up, the field of public policy mediation in the United States can be regarded as a professional field with its own journals, education, institutions, laws, enterprises, networks, and so on. It is aimed at moving away from addressing complex public policy issues through government centered action and litigation to more collaborative forms of policy making. It arose out of dissatisfaction with the way conflicts were handled and started to design processes to facilitate contestation and the involvement of stakeholders in a more cooperative and constructive way. In this way, public policy mediation is grounded in the same approach to democratic legitimacy as the orientation in this thesis. Like the Dutch practices in the previous chapters, the American public policy mediators practice is aimed at establishing more collaborative ways of decision-making. Because the practice is more articulated in a professional identity than the Dutch consultants, we can use the practice of public policy mediators to reflect on and learn about the practice of Dutch consultants. This is not to say that the American practices are better or more ideal. There have also been numerous critiques on the American public policy mediation practices: for instance, that the agreements reached are not always implemented (Dukes 1996); that although state agencies install collaborative consensus-building processes, the public officials working for those state agencies aren't always very receptive to using the approach themselves (Susskind and Cruikshank 1987); and that the seemingly wide use of the method does not imply that all actors are really committed to work following the high standards (Innes 1994). Another set of critiques is that these practices too often reflect the existing power structures in society and do not do enough to empower weaker groups. These critiques do not remove the usefulness of an articulated practice as a learning and reflecting tool for consultants. On the contrary, they enhance the degree of reflection because the American Public Policy mediators were forced to improve their practice in response to these critiques. The development of a professional identity doesn't only function as a learning tool, but also enhances the *accountability of the practitioners* working in the field, since there are trainings they can follow, they can learn from peers, and they are criticized by peers. Users or assignment-givers of public policy mediation can better know what they can expect and can "pick and choose" among competing firms and mediators. As the overall "quality of the market" increases, professional development enables a competitive relationship of accountability. One way for Dutch consultants to enhance the legitimacy of their work is thus to start developing a professional community by engaging in discussions about their practice.

6.3 Mirror two: Processes designed to enhance substantive quality

Textbox 6.2 depicted below describes how Susan deals with process design by making use of “*process maps*.” What the example of the process map clarifies is that Susan throughout her practice has developed a way about to think about how process design functions - and thus matters - in not only creating consensus, but also in enhancing the substantive quality of policy outcomes. This awareness seems to be embedded in the professional identity of other public policy mediators, as well. Public Policy Mediators work according a fixed order of process steps and have “tools” at each step to enhance the quality of process, knowledge mobilization, and substantive articulation in each step. Public Policy Mediation processes start with an assessment of the conflict and the stakeholders in the conflict. Then stakeholders are invited to participate and together define “ground rules” for how they will collaborate. Next, deliberations are started to build consensus. Finally, a “consensus document” is written and agreed upon by the parties (Susskind et al. 1999, Laws and Forester 2007). The steps are discussed below, after the textbox about Susan’s way of dealing with process design.

Textbox 6.2: Susan: enhancing quality of planning by making process plans.

Figure 6.1 presents a summary of the process Susan drew after the Casco Bay Project. The Casco Bay Project was one of Susan’s first large consensus building processes. One feature she learned from this project was the usefulness of drawing a process map, as depicted in Figure 6.1. The map depicts the different stages Susan designed to facilitate a shared meaning-making process.

Although the process map of the Casco Bay Project was drawn afterwards, Susan started to design these kinds of maps with the parties at the table at the beginning of a consensus-building process. As such, the process maps became an important part of her practice and did several things for her, as is reflected in the following quote:

“I think the map helps people to have confidence that there is a plan. We may deviate from the plan and make changes to it, but there is a general structure. It is like a blueprint for a house.

We have built our own house and we worked with a blueprint, but off course as you build the house you have to make changes because certain angles don't work. It is the same with the process map: from day one you carry it around for 11 months and you have to make some adjustments, but it gives people, like any map, the feeling: "I know where I am, I know where I am going and I see the road that I have to take to get there [emphasis added]".¹⁴

Figure 6.1 Process map of the Casco Bay Estuary Project

Source: <http://www.podziba.com>

The first thing the map does is to give participants confidence and trust in the cooperative process, because they know there is a plan and that if they keep following it, they will reach an outcome. Second, it shows the “road they have to take to get there.” In this way, Susan helped the parties in Casco Bay with knowledge about how to proceed. It also enhances the transparency and accountability of the process, as parties can see whether each step has indeed been taken and can hold the mediator responsible for following the agreed-upon process design:

¹⁴ Interview Susan Podziba, September 12, 2007. Also the other quotes of Susan in this chapter are from this interview.

“So, it is like I can say: “this is what I said I would do and this what I did and now this is what we are going to do.” It gives the process a lot of credibility because it is something for the group to hold to [emphasis added].”

Finally, the map changes the mode of interaction between the parties: by together designing a process map, they show they are able to cooperate and reach agreement on issues, even before they actually start the deliberations.

What Susan is doing is not just being a process facilitator or just helping to make the process go more smoothly. By carefully designing and helping to facilitate the process, Susan is able to think upfront about how to take the actors along in developing a shared meaning-making process. Complex spatial planning issues require a process of contestation played out at different stages, and drawing a map helps to design them. Furthermore, through her way of working she enhances the substantive quality of policy outcomes as well. It helps her to think about issues surrounding the mobilization of knowledge and participation: for example, about how citizens can be represented. In the Casco Bay case, by first looking at all possible issues, then making a list of criteria, and then selecting priorities from these issues, the range of possible priorities is first enlarged and then limited by making use of the knowledge, values, and judgments of all the different stakeholders. Hence, the quality of policy choices is enhanced because they are not taken with the limited information and perspective one party or a small group of parties would have:

“What happens when government officials try to address conflicts, or public policy questions on their own, is that they are working in a situation of limited information. They can’t possibly have intimate knowledge of all the components of the problem. That is why it is helpful to bring people in, because other people do [have information about other aspects of the problem] [emphasis added].”

An example of bringing in new information by bringing in new people in the Casco Bay project was the involvement of clambers: people who dig clams. The federal government was

mapping the wetlands in Casco Bay from area photographs. The clambers then said to Susan:

“we are on the ground with our hands in the mud, we can tell them [the federal government] better [about the position of the wetlands], than what they can see from the air, because the wetlands shift all the time as a result of the tides.”

For Susan, this is a good example of “*people on the ground having information that a government official doesn’t have access to.*” Another example is when the team of experts was brought in, because they had information the stakeholders didn’t have access to. By exploring the “horizon of possibilities,” the outcome was based on more complete information about the situation at hand. By bringing new people in, Susan helped the parties to reach “a better informed outcome.” This example shows how the involvement of stakeholders can enhance the substantive quality of the meaning-making process of making a policy.

6.4.1 Step 1: Assessment

A public policy mediator starts by making an assessment of the conflict. She does this by talking to each stakeholder individually and making an assessment report. Making an assessment has several functions. First, it is useful to gain a better understanding of the policy problem. Because the mediator talks to all the parties individually, she has access to much more information and more viewpoints than one actor in the conflict would have. By talking to many stakeholders individually, she can make an assessment of the conflict from “all sides of the story.” In this way, she is better able to make a qualified assessment of the problem. This mechanism is also discussed in the IJsseldelta South case, when the consultants were hired to design the scenarios by making use of the “full scope” of possibilities.

Doug, already introduced above, uses a tool to help him make an assessment: a triangle with three dimensions: process-legal; substantive-factual; and values and emotions. He describes making this triangle as the “diagnostic phase”:

“this kind of thing is the diagnostic phase of what we do. Try to figure out: what’s going on here, who are these parties, what do they care about. This triangle helps the nonpartisan [public policy

*mediator] to figure out what we are dealing with, and that diagnosis can help design a process to get out of [the conflict].*¹⁵

The metaphor of diagnosis draws a comparison to a doctor diagnosing a disease. A mediator can then be seen as a “doctor of conflict.” Because when he comes in the mediator is an outsider and hence not part of the problem, he is better able to analyze the problem and its aspects. Thus, the assessment is a working practice to explore and analyze the public problem and then develop a strategy to solve the problem.

Second, the mediator already starts to build a relationship of trust with the parties, which makes it more likely that she will receive information from the individual stakeholders necessary to solve the conflict and find better solutions. Without this relationship of trust, this information might have remained sealed for the policymaking process.

Third, the assessment helps to identify the relevant stakeholders: for example, the mediator can ask each party who else she should talk to. By investing time in identifying stakeholders beforehand, the mediator avoids the possibility that somebody might be unconsciously left out of the process. Such an omission would erode the legitimacy and quality of the process, because the information and judgment of the forgotten party would not be available to the process, as happened with the individual farmer in the IJsseldelta South case. Making sure all relevant stakeholders are identified and involved beforehand as much as possible is a crucial step in achieving democratic legitimacy.

Finally, while making an assessment the mediator starts shaping the relationship with the person who initially hires her. In this phase, the mediator will make clear to the hiring party that she works as a “nonpartisan” and will view the whole group as her assignment-giver. Tim, another mediator I interviewed, calls this the distinction between the contractor-client relationship and the mediator-parties relationship:

*“So when you are doing this kind of work, -neutral, third-party, mediation or facilitation, - you need to separate out who is paying you from who you are accountable to. So we often say even though, such and such an entity is paying us, we are working for all of you. And anyone of you can fire us even though you are not paying us [emphasis added].”*¹⁶

In the first conversations with the client, the mediator makes clear that in the collaborative process the client will be “just one of the parties.” The public policy mediator develops a relationship of trust between at one

¹⁵ Interview Doug Thompson, September 10, 2007.

¹⁶ Interview Tim Mealey, August 27, 2007.

hand herself and the assignment-giver that the assignment-giver trusts her enough to not directly steer her, but to act as “just one of the parties” of the conflict, and at the other hand between herself and the parties involved that she will take an independent position and will not give priority to the wishes of the assignment-giver. Some tools to enact this in practice are to let the mediator be paid by all the parties together, and to agree to only pay the mediator after each phase if all the parties sign off on his payment.¹⁷ Of the three possible relationships of accountability discussed in chapter two¹⁸ this resembles the cooperative relationship the most: there is no hierarchical relationship between the assignment-givers, the parties and the public mediator and the public mediator is granted the freedom by the assignment-giver to shape the process.

6.4.2 Step 2: Convening the first meeting: roles, responsibilities and ground rules.

The first meeting in which all parties are present has the goal of establishing ground rules for the process. The ground rules include agreements on the type of outcome aimed for (advice, project plan, a letter to a state agency, or a list of points of concern); when an outcome is reached (must everyone consent, or is there room for decision-making by majority rule); whether parties are allowed to make side statements; the process steps to be taken (like Susan’s process maps); and the use of caucuses (in which the mediator meets bilaterally with one of the parties). Other examples of ground rules might be that only one party will talk to the media, or that parties are obligated to keep their constituents informed. This way of working contrasts with the practice of the Dutch consultants, who made the “plan of approaches” and process designs by themselves. They discussed them with the other partners for approval, but did not develop them with the other partners.

The ground rules provide a basis for interaction that can and should be enacted by the mediator throughout the process. First, they establish a basis of legitimacy for the process and for the role of the mediator. They urge the mediator to work transparent and fair. Second, the ground rules are a tool for the mediator to establish a way of working among participants. This allows the parties to work collaboratively, trust each other, and anchor their collaboration in concrete agreements laid down in a “consensus document.” In this way, the parties start learning how to build consensus and trust each other before the real issues are at

¹⁷ Interview Larry Susskind, September 7, 2007.

¹⁸ See paragraph 2.7

the table. Third, it makes sure participants have a common image about where the project is going. In this way, a shared meaning-making process is facilitated right from the start.

6.4.3 Step 3: Deliberations

During the actual deliberations, the real negotiation and consensus-building starts. During this phase the mediator needs to make parties change their position on views so that the parties will find agreement in the end. The public policy mediators have developed a wide variety of practical ways for how to do this, of which I will discuss a few examples. One thing Juliana does, for example, is “disciplining the conversation”:

“so if somebody says: “ what about the trees?” I would say: “we are going to talk about trees in half an hour, I will than come back to you and we will have you start that conversation on trees.” So I keep them on topic, because when everything is linked it is hard for most people to talk about one thing at a time, because that is not the character of reality in which everything is connected. However, in order to make progress you have to talk about one thing at the time and finish it. So I help people discipline themselves to get where they wanted to go. After they approved the agenda, I put it on the wall as tentative and say: “ is this where you want to go?” And they say “yes” and I tell them: “Ok I am going to get you there.” So I help them discipline the conversation to get there.”¹⁹

In this phase, the public mediator can also help to mobilize knowledge in the process, for example by installing a committee of experts, like Susan did (see Textbox 6.1).

Sarah, another public policy mediator, has a way to enhance substantive quality of the policy outcome by enhancing the complexity of an issue to allow the emergence of confusion and doubt about what the problem is and what the right solution will be:

“If we do these dialogues what would happen is we would surface complexities and strains and pressures and difficulties that will make everybody start to question: the advocacy groups would start to question; the city government officials would start to question. Nobody would really know were they are anymore. If we do our job well, everybody will be confused, which is good. There

¹⁹ Interview Juliana Birkhoff, August 28, 2007.

will be so much more information in the system basically and the increase of the information will produce a blurring of the boundaries [Emphasis added].²⁰

Thus, in the deliberations Sarah will start by raising complexities, questions, and doubts, which will make parties confused. But why is it a good thing if parties become confused?:

*“there is usually in a public dispute a relative simple formulation of the problem to which the public officials want to impose a solution. (...) It [the problem] does never necessarily capture the nature of the problems that people are having, so often times it is the wrong problem. It is the solutions that is not going to work on the wrong problem, so [my task is to enlarge] the understanding of more of the nature of the problem, [to generate] more information on the nature of the problem.”*²¹

Thus, because parties have constructed an oversimplified definition of the problem and solution, raising the complexity of the problem and solution and providing them more information about the complexity will make them willing to reexamine their definition of the problem and solution and allow the viewpoints of other parties to enter the discussion. The quality of the deliberation, and in the end of the outcome, is enhanced because it better fits *“the complex and multi-sided character of reality.”* In this way, Sarah helps the parties to grasp complexity in a way that does not conceal the diversity, but deals with diversity in a constructive way. In one of her cases, Sarah did this by letting all parties prepare a presentation of the information they had on the problem. Also Susan helped opening the “mind boxes” of parties.

In the IJsseldelta South project and the City Region Arnhem we have seen that being able to deal with complexity needs to be part of the skills of planners in regional spatial planning processes. We have seen that consultants can easier create a fuller scope of the problem or grasp complexity from their non embedded position.

6.4.4 Step 4: Negotiating a commitment to consensus

Finally, a consensus document gets written. Most mediators use a “one document strategy” (Fisher and Ury 1981), which means they have one document in which the parties in turn make alterations. The one document strategy helps in creating a “moment of closure.”

²⁰ Interview Sarah Cobb, August 28, 2007.

²¹ Idem.

6.4.5 Conclusion

Designing and installing process rules certainly not about just reaching a consensus, bringing people together, or making the process go smoothly. With careful process design and implementation, the substantive quality of policies can be enhanced. Again, in the words of Sarah:

“So I have a deeply held moral value that public deliberation is important, I believe that simply talking about an issue is not going to generate new knowledge. In fact you can talk about something and recapitulate all the fixed ways of knowing things and the existing discourse. So it’s not just putting people together in some sort of contact, the contact hypotheses. So the role for the facilitator is to promote something like stimulating reflective judgment.”

Sarah feels that the task of a facilitator is to promote “reflective judgment.” This cannot be done by just bringing people from different backgrounds into contact with each other; rather, it requires a certain quality of deliberation that allows the opening up of fixed ways of knowing and existing discourse. As we have seen in these paragraphs, good process design can help enhance substantive quality. The experience of the American Public Policy Mediators shows that Dutch consultants still have much to learn about how to use process design to enhance the substantive quality of policy outcomes, instead of focusing predominantly on reaching consensus. The next paragraph discusses how Dutch consultants can also learn to better include knowledge mobilization and participation to overcome the focus on solving issues of intra- and inter-governmental decision-making.

6.5 Mirror three: A collaborative way of dealing with knowledge

The practice of American Public Policy mediators distinguishes itself by a collaborative approach to the knowledge. This collaborative approach means that knowledge is mobilized in collaborative forums of decision-making in which stakeholders directly participate in the development of policies. This collaborative approach to knowledge enhances the quality and legitimacy of policy process in a variety of ways.

First, to help parties make better-informed decisions, as Susan showed in Textbox 6.1. Without collaboration, knowledge isn’t shared and parties operate in a situation of “limited information.” Public policy mediators can help enlarge the “wisdom of policy outcomes” (Susskind and Cruikshank 1987):

*“What I mean by wisdom is the process to encourage the parties to take advantage of the information available at the time that allows them to understand more clearly the choices they could make and the likely effects of those choices. (...) So it is not wisdom in the sense of doing what is right. It is wisdom in the sense of utilizing all the available knowledge and input and information and technology and guidance, for purpose of sharpening your analysis.”*²²

Because governments and stakeholders can only have a limited amount of knowledge about a policy issue, mobilizing knowledge from different governments and actors enlarges the amount of information available for decision-making.

Another reason that a collaborative consensus-building process enlarges the wisdom of an outcome is that it offers a way to deal with “advocacy science.” Collaborative consensus-building processes offer a platform on which knowledge from different sides is trusted and can be exchanged:

*“I think a mediation process is more likely to get parties to be open to new information than a political battle in which any information you bring in, I have to say is bad, because I know you are my adversary and the information you brought is probably only good for you. So now we both discount the knowledge that the other one brings. That is not necessarily a wise thing to do, because you won’t necessarily be able to learn about what you need to know about the systems you are dealing with and the choices that you have.”*²³

Third, a public policy mediator can help to integrate different kinds of knowledge, like local knowledge and scientific knowledge. One example is Juliana, who was hired to find a solution for reoccurring floodings in a particular area. The public mediator talked to the inhabitants in the area and asked them to tell stories about the river. Inhabitants started to tell stories about how, for example, ten years ago the water in the river in front of their house was still until their necks, and is now only to their knees; or they said that they went fishing with their fathers at particular places, but that now there was no fish anymore. The public mediator then included another “layer” within the GIS-data of the government. GIS-data consists of several layers of maps with information about an area. One layer, for example, is the infrastructure (roads,

²² Interview Larry Susskind September 7, 2007.

²³ Idem.

railways, bicycle paths) and another layer the ground structure of an area. To “check” some of the stories of the citizens, the public mediator surveyed the area with government actors and other parties in the collaboration. For example, the citizens were saying that if it rained, large amounts of water came streaming down from the hills, despite the water basins up the hill. The public mediator went there with the group of representatives participating in the collaboration process and they found out that all the water did indeed go past the water basins, directly into the houses of the inhabitants, and that this was actually the cause of the floodings, rather than the high water levels as was originally thought. In the words of the public mediator herself:

I think a lot of environmental public policy mediators use a story telling mode to get to organize citizen information, because what you are trying to do, you are trying to take historical anecdotal personal information and then organize it in a way so that it can be synthesized or compared against the scientific information. So there is nothing wrong with that information it is just not organized yet, so you just need to find a way somehow to organize it or to map it.²⁴

A public mediator can help integrate local knowledge with scientific knowledge by verifying stories and integrating these stories with available technical data. She can also help to generate new knowledge, like in above example, by going on an excursion with the whole group.

Collaborative consensus-building processes make use of knowledge in planning in a particular way. In contemporary planning practices, it is impossible for one actor to have all relevant information to solve a policy problem. One reason for this is that different kinds of actors have different kinds of knowledge: scientists might have general knowledge about future developments; national public officials might have models to calculate certain outcomes; and local public officials and citizens might have local knowledge about a policy problem. A survey-before-plan model doesn't work in this situation because it would take too much time to first let all these governments gather all possible information and second because the gathering of information is likely to become connected to standpoints of each party, generating the risk of “advocacy science.”

Public policy mediators have different ways to make the information each individual party has accessible to the whole group. They

²⁴ Interview Juliana Birkhoff, August, 28, 2007.

stimulate “wise” outcomes by making full use of the wisdom, judgment, knowledge, and viewpoints of different perspectives. A notion of the need to mobilize knowledge from different perspectives and interweave different kinds of knowledge from different perspectives in policy articulation through deliberation is embedded in the notion of good practice of public policy mediators. This notion isn’t common practice with the Dutch consultants. From public policy mediators, Dutch consultants can learn ways to better link knowledge and participation, thereby stimulating collaborative learning and meaning-giving (Laws and Forester 2007) and enhancing democratic legitimacy.

6.6 Mirror four: Issues of accountability and responsibility

One clear difference between the Dutch consultants and the public policy mediators in the US is that Dutch consultants are usually hired to work on behalf of one party, whereas the public policy mediators go to great lengths to organize arrangements where they work as non-partisans on behalf of all parties. They frequently use the term “neutrals” or “nonpartisan” to describe themselves (not all mediators use this term, though, among other reasons because it suggests a more passive role than mediators usually take in processes). Describing public policy mediators as nonpartisans or neutrals doesn’t mean that they don’t have opinions or judgments. It doesn’t mean that public mediators are powerless, either. It must rather be seen as an “operational concept”²⁵ or as “situational balancing.”²⁶ In practice, public mediators try to act as nonpartisan as possible. At the same time, most public mediators feel responsible for good democratic process, like making sure to involve affected citizens; however, an inherent tension between being impartial and taking responsibility for democratic values exists. When is a mediator still impartial, and when does she overstep boundaries in ways that make her no longer impartial? How far can she “push parties,” another strategy of public mediators, as Larry, another public mediator, explains:

“No I push people all the time as a mediator. I meet people privately and say: “what is going on with you? You are not listening to what people were saying” and then the other persons says: “well they weren’t listening to me” And then I will say: “No they were listening to you, I talked with them, you said this, they

²⁵ Interview Tim Mealey, August 27, 2007.

²⁶ Interview Doug Thompson, September 10, 2007.

have heard it, and then they said this. I really think that your behavior is not going to help you achieve your goal." I talk to parties like that. That is pushing them: "think about your behavior, I am not sure that that's in your own interest." I never tell the party: "you should give up what you want because they are right and you are wrong." It is part of the practice of mediation to keep forcing people to never do something against their self interest and to be very clear about ways of achieving their self interest and not recite on what is going on. So I can be hard on people about their own self-interest, not my view on it, but what they told me. So neutral doesn't mean wishy washy, neutral doesn't mean soft, neutral doesn't mean nice, neutral doesn't mean particularly friendly. But neutral means: not being partial; not deciding what the right outcomes will be".²⁷

The tension is well-captured by the quotation above. Larry "pushes people all the time." He tells people that they shouldn't act in this or that way; however, he only does that when he feels that the party isn't acting in his or her own interest. He draws a boundary. He would never say to a party "you are wrong and they are right." He will not be "friendly" but he will not go so far as "deciding what the right outcomes will be" himself. Raising questions, pushing parties, and "reality checking" are all strategies that make public mediators effective. Public mediators intervene in situations where parties are stuck and in conflict. In order to make parties move, public policy mediators need to push parties, help them to review their standpoints, their ways of seeing the problems, their ways of seeing the other parties, and so on. But the boundary between, on the one hand, enhancing reflexivity, "enlarging the wisdom," and trying to change positions, and, on the other hand, not being impartial anymore is a grey line. When does intervening in a caucus - a private meeting with one or two of the parties - become manipulation beyond impartiality? When does "not being friendly" become pushing the party in a direction not in its own interest? And is it really so easy to define what is in the interest of a party?

The tension for public mediators between pushing parties and being impartial resembles the tension between independence and accountability we identified in the Dutch practice. As with the Dutch consultants, this point of accountability raises the question of which responsibilities for achieving certain norms of democratic legitimacy lie with the public mediator and which lay with the parties who are part of the

²⁷ Interview Larry Susskind September 7, 2007.

consensus-building process? Is the public mediator responsible to ensure that all relevant stakeholders are at the table? Is the public mediator responsible for ensuring that the outcome complies with certain laws?

Two mechanisms limit the amount of responsibility consultants and public policy mediators can be expected to have: the above-mentioned tension between acting as nonpartisan and accepting certain responsibilities, and a bias towards reaching an outcome, which will be discussed below.

6.6.1 Tension between acting as nonpartisan and having responsibilities

The tension between acting nonpartisan and certain responsibilities is well captured in the quote below from Howard. I asked him if he felt it was his responsibility to bring missing stakeholders to the table:

“I don’t bring people to the table that aren’t there, because if I did help them, I should get them lawyers as well. I mean how do you follow up on that notion? Before I actually have a case I have some kind of interaction, an interview or something with the people hiring me. And if I were to say to them at that point: “if I will find out during the course of the process that there is an unrepresented party, I am going to get that party in here, organize them, make sure that they get a piece of you.” They would say thank you very much and wouldn’t hire me. I found that an extraordinary unpractical notion. Now the alternative is not tell in advance that you would do that, which I find unethical.”²⁸

Howard explains why accepting the responsibility to engage missing stakeholders would create a tension with his position as a non-partisan: he would help one party to gain power at the cost of another party. Therefore he feels he cannot take up the responsibility to have all affected stakeholders at the table. Like Dutch consultants are limited by what their assignment-giver wants As Joost explained: if the assignment-giver just wants him to make sandwiches he will do that. Even if a consultant feels responsible to, for example, include weaker groups, if his assignment-giver doesn’t want him to do so, he won’t include them. There is thus a limit on how far public responsibilities can be conferred to consultants or public policy mediators.

²⁸ Interview Howard Bellmann, September 17, 2007.

6.6.2 *Bias towards reaching an outcome*

Another mechanism limiting the responsibilities public policy mediators can have is that they are oriented towards reaching a durable outcome between parties and don't feel responsible for the substance-matter of that outcome. Public mediators will make decisions on issues, such as who to involve, based on whether they think they agreed outcome will hold, not on the basis of what the public policy mediators themselves think the right outcome should be. Again in the words of Howard:

*I think you have to have everybody at the table who if they are not at the table will undermine the agreement once it is reached. It has nothing to do with interests, it has nothing to do with expertise, it has nothing to do with effects, that is very cold blooded, that is a power analysis.*²⁹

Howard explains that the sole criteria for him to decide whether a party should be at the table or not, is whether this party has the power to undermine the agreement. In the words of another public policy mediator, Linda:

*I think that we have a responsibility to see that everybody who is necessary to make an agreement is at the table or has an opportunity to be at the table. I don't think that we can both be neutral and feel responsible for a certain outcome, even for a certain range of outcomes. Now anyone can come up with an example, were I would say: "no I am not going to help people do that, they can do that, but I am not going to help people do that," but if you get beyond the horrible things that aren't realistic anyway, if you get the right people involved it is not up to me what they do with that, I think that the role of the mediator really excludes that.*³⁰

The Dutch consultants did take part in the substantive articulation of the policies, however like the American public policy mediators they were more focused on reaching an outcome than that the outcome would conform to public responsibilities like due process and careful consideration.

Apart from the fact that there are public policy mediators who do take up democratic responsibilities, the point I want to make is that there is an inherent difficulty in transferring certain public responsibilities to public officials. First because, if they want to enact certain

²⁹ Interview Howard Bellman, September 17, 2007.

³⁰ Interview Linda Singer September 19, 2007.

responsibilities, like including weaker groups, and their assignment-giver doesn't want them to do so, they will lead the wishes of the assignment-giver prevail. For the Dutch consultants this is the assignment-giver of the government hiring them; the public policy mediators will regard all involved parties in a collaborative consensus building process as her assignment-givers. Second, both professional groups are oriented to reaching an outcome and less focused on what the concrete substance-matter of this outcome should be, which makes them pragmatic in their process design and on questions of democratic responsibility. To conclude, hiring consultants can't remove basic democratic responsibilities from governments and public officials, such as the representation of less powerful interests or rules of good governance. It will remain an important task of assignment-givers and public officials to guard such public responsibilities.

6.7 Conclusion

The practice of public policy mediators as arisen in the United States is used in this chapter to develop a "mirror" to the practice of the Dutch consultants discussed in the previous chapter. Public policy mediators are third-party interveners that are hired to mediate between parties involved in public conflicts. An example of such a conflict was the Casco Bay project in which the Environmental Protection Agency, the State Department of Environmental Protection, the State Office of Comprehensive Planning, municipal officials, scientists, citizens, and interest groups joined to protect the estuary and watershed of the Casco Bay in Main. Susan, a public policy mediator was hired to help these parties set priorities, translate expert knowledge, design measures and involve the public in doing so. Usually public policy mediators are consultants work for private companies. Although, public policy mediators are often hired by one of the parties, they find it crucial to be considered as "neutral" and working for the "whole" group of involved parties.

Like the Dutch consultants, the American public policy mediators have an "added value" for planning issues requiring the cooperation of a variety of public and private actors. Like the Dutch consultants, they are able to help governments overcome problems of coordination and cooperation as intermediaries from an independent position as outsiders. Another mechanism by which American public policy mediators can facilitate shared meaning in a democratically legitimate way is by enhancing the reflexivity of policy actors, for example by doing a "reality

check” with parties by asking them critical questions. The can also widen the “horizon” of policy solutions, for example by help parties to look beyond their own positions and interests. Outside Dutch regional spatial planning there seems thus to be an inherent value of private “externals” in public planning, as well. This chapter has focused on what Dutch consultants can learn from these practices of American public policy mediators by discussing four “mirrors,” summarized below and in table 6.1.

1. Developing a professional community. The first mirror is the development of a professional community. As a professional field American Public Policy Mediation originates in the 1970s when next to litigation alternative methods were sought to solve conflicts. Mediation arose first in the fields of labor relations and community conflict, later in the field of environmental conflicts as well. Over the last thirty years environmental dispute resolution has developed into a full grown professional field of mediators facilitating *public* conflicts (as opposed to the mediation of “private” conflicts like divorces or between employer and employee). This field has its own university programs, trainings, journals, conferences and established firms. More important, in the process of professionalization, through discussions and exchanges the public policy mediators did develop a shared working practice that increased the overall “quality” of the market of public policy mediators, by the development of standards, best practices and the engagement of discussions about how to improve the practice.

By working more active on professional development Dutch consultants can enhance the transparency and accountability of their practice, enhance a market relation of accountability through improving the quality of the market, and improve their own practice by learning from others. Finally, they can decrease the ad-hoc character of their practice if they are more committed to a shared way of working.

2. Processes designed to enhance substantive quality. Working less ad-hoc can also be established by designing the process more carefully upfront, the second “mirror” discussed in this chapter. American Public Policy mediators use a certain amount of steps they go through in each process: 1) Assessment of the parties involved and the problem at hand, 2) establishing ground rules together with involved parties, 3) the actual deliberations aimed at reaching consensus, and 4) writing the agreement down by using a one-document strategy. These process steps are not only used to get parties “somewhere” but also help to enhance the substantive

quality of the process. Public policy mediators build in a set of tools for this, for example by “disciplining the conversation” or by “raising complexity” about the framing of the problem.

Dutch consultants can focus more on process design as a way to enhance substantive quality and not just to bring parties together or to reach consensus. This can start with designing the process together with the parties, instead of solitary and by opening the definition of the problem given on the beforehand.

3. A collaborative way of dealing with knowledge. American Public Policy makers have a collaborative orientation to knowledge, which means that knowledge is mobilized and disputed within the process of policy making together with all stakeholders. This orientation is captured by the phrase: “making us of the wisdom of the parties to enlarge the wisdom of the outcome.”³¹ As each one of the parties operates in a situation of “limited information,” sharing this information in a collaborative process will enhance the quality of the outcome of that process. American public policy mediators have a variety of tools to mobilize knowledge within the shared-meaning making process, for example: by defining research questions together with the stakeholders; by integrating the local story of citizens with scientific data on that area; or by letting each stakeholder give a presentation on what they know about the subject.

4. Issues of accountability and responsibility. Public Policy Mediators try to act as “neutral” or as “nonpartisan” as possible. At the same time a public policy mediator needs to “push parties” to change perspective and position. There is a tension between acting “neutral” and “pushing parties” like there is a tension between acting independent and acting accountable for the Dutch consultants. Because of this tension certain responsibilities can’t be conferred to public policy mediators or consultants, for example a responsibility to include weaker groups. This is the case for Public Policy Mediators because, if they include weaker groups they can be seen as advocates for these groups which will remove them from their neutral positions. This is the case for Dutch consultants because, even if they create room to act independent from an assignment-giver, in the end they will do what their assignment-giver wishes.

³¹ Interview Larry Susskind September 7, 2007.

Another reason why certain public responsibilities can't be transferred to consultants or public policy mediators is because they don't have a responsibility for the substantive outcome of a project. The Public Policy Mediators don't have a responsibility for the substantive outcome because that would require them to take position. The consultants can't have a responsibility for the substantive outcome because this will ultimately remain with the (political) assignment-giver.

Finally, this chapter has shown that the responsibility for democratic legitimate processes can't be conferred to externs as a result of the need for them to act in nonpartisan positions and an outcome-based orientation.

7. Conclusion: Outsourcing planning: Plethora and Chaos

7.1 Introduction

Consultants have become important policy actors in regional spatial planning in the Netherlands. Not only their numbers, but also their involvement in the substantive articulation of public policies is profound: they engage citizens, bring politicians together, make master plans, and implement those plans. The substantive articulation of policies by consultants can be seen as the *outsourcing of planning*: a task of the state is conferred to private actors. This raises at least two kinds of concerns. The first concern is about the democratic legitimacy of policies: when public policies are mainly developed by private consultants instead of public officials, are democratic values such as the primacy of politics, independent judgment, and accountability still guaranteed? The second concern is about planning as a professional practice. Does the outsourcing of planning signal the erosion of the quality of planning as a state activity for the common good? Are consultants replacing public officials as “public planners”? We must not assume, however, that consultants impede democratic legitimacy no matter what, just because they are private. Over the last twenty years, the notion of planning as a state activity for the common good has become less self-evident due to critiques, from both the left and the right, on the capability of states to plan effectively and legitimately. Despite the remarkably high involvement of consultants in the substantive articulation of *public* policies, until now, no research into the phenomenon has been performed. As such, we not only knew little about what consultants do in the practices for which they are hired, but also about how to grasp their in the context of regional spatial planning, and which theories to use to assess their involvement. This thesis has explored the meaning of the hiring of consultants in Dutch regional spatial planning and developed theory to judge the legitimacy of the involvement of consultants in spatial planning practices.

In addition to showing how deep the involvement of consultants actually goes, a profound finding of this thesis is that consultants do have an inherent added value in collective planning practices emerging from their position as external to the governments and actors involved. Their involvement, however, does raise concerns about the “emptiness” of governments regarding policy articulation and the ability of governments

to find new ways of planning that fit contemporary planning issues. These findings will be spelled out in this conclusion by discussing the central research questions (see Table 7.1).

Table 7.1 Research questions

1. What do consultants *do* in the regional spatial planning practices for which they are hired?
2. How can we understand the involvement of consultants in light of possible explanatory frames?
 - As part of reforms of New Public Management (NPM)?
 - As a sign of the erosion of modernist boundaries?
 - As a result of problems of coordination and cooperation?
 - As a loss of the capacity to plan?
3. In which ways are consultants able to impede/enhance democratic legitimacy of regional spatial planning?
 - a. Which normative framework can we use to assess the democratic legitimacy of consultants?
 - on the level of the projects they are hired for?
 - on the level of the personal accountability of consultants themselves?
 - b. Which mechanisms explain how consultants impede/enhance democratic regional planning?
 - c. What are the recommendations for hiring consultants resulting from this research?
4. What can we learn from consultants about the organization of spatial planning in government and the role of public officials?

7.2 The broad and deep involvement of consultants in regional planning practice

What do consultants do in the practices for which they are hired?

A first aim of this thesis was to investigate what roles consultants actually fulfill in Dutch spatial planning practices. This resulted in describing many instances of the deep involvement of consultants in the articulation of Dutch, regional spatial plans. Take, for instance, the involvement of consultants in “developmental planning.”¹ Developmental planning is the catchphrase for a search to a new kind of planning that is more collaborative, integrative, regional, and aimed at implementation. Consultants were hired as project leaders for four out of the eleven “example projects developmental planning” installed by the ministry of Spatial Planning. Moreover, in every one of the “example projects” consultants were involved in the substantive articulation of policies. Take, for example, the Oude Rijnzone project, which aims to redevelop old industrial areas at a twenty five kilometer trajectory along the Oude-Rijn River. Over the course of two years, more than thirteen different consultancy firms were involved in a part of the substantive articulation process: i.e. to organize a “design atelier” with citizens; to write an area vision; to write a transformation vision; and to write an integral master plan. Another indication of the wide involvement of consultants in developmental planning is that consultants are the largest group of authors of publications written about developmental planning listed in university libraries: 30% of the contributions were from consultants, whereas scientists only contributed 20% of the publications.²

Also, the two regional planning practices described in depth in the empirical chapters revealed how far the involvement of consultants actually goes. The first case, the IJsseldelta South project was a collaborative project of three ministries, two provinces, four municipalities, two water boards, and a variety of interest groups which tried to integrate: the construction of a new river arm to prevent flooding (the bypass); the construction of a railway; the building of new houses; and the development of nature and leisure areas. The province Overijssel coordinated the project and hired a consultant as a project leader. The province Overijssel then hired another team of consultants to write scenarios. The scenarios were presented at public meetings by the

¹ See chapter 3, paragraph 3.6.

² See Figure 3.3 in chapter 3.

consultant-project-leader, and the team of consultants answered technical questions posed by citizens. When farmers started to protest fiercely, they designed their own scenario with the help of the consultants who drew the scenarios. In the meanwhile, public officials of the involved governments took seats on taskforces to formulate the wishes of their governments. But almost all taskforces were chaired by consultants. On their turn, the public officials participating in the taskforces acted as assignment-givers to yet again other consultants hired to research technical questions about hydraulic, juridical, and environmental aspects of the project. Finally, when the public official heading the department of the province Overijssel overseeing the project was replaced, a consultant was hired to even act as “administrative assignment-giver” to the consultant project-leader.

The second case, the City Region Arnhem Nijmegen is a regional government trying to change from a “classical policy producing government” to a: “government facilitating regional articulation of policies together with public and private actors.” A consultancy firm was hired to reorganize the organization to implement this new way of governing. Subsequently, the new governing approach was tried out in a variety of projects. For almost all of these projects, consultants were contracted as project leaders.

The consultants developed a variety of ways of working to perform the activities listed above. These ways of working can be categorized into: 1) acting as intermediaries, 2) transcending the positions of individual actors, and 3) breaking through institutional boundaries. An example of an intermediary way of working was the weaving together of a wide variety of existing policies, issues, planned developments, laws, deadlines, organizations, research and platforms into a policy, as Jos did in the beginning of the IJsseldelta South project. Another intermediary role was involving politicians into the project as Jos did by talking directly to politicians of other governments than the government he was hired by. Erik developed a way of working of navigating through a variety of stages from which he assembled knowledge to write the Air Quality policy. For example, he assembled knowledge: about how other governments dealt with air pollution at the provincial deliberations; about possibilities to force bus operators to use cleaner fuel through concessions from the public officials working at the City Region; about effects of green measures from his own network and about planned developments that would generate air pollution from the municipal taskforces. Another example was Ellen, who acted as a diplomat between the relationships of elected representatives of the provinces and the president of the City Region. A final example is Joost who connected substantive issues of different governments.

The consultants were able to act as intermediaries because they have an *external position* to the governments and organizations involved. In regional planning practices there is no longer one government that represents *the* general interest. Governments have become defenders of partial interests and have become only one of the parties. Precisely, because consultants are not attached to one of these governments as closely as public officials, they can act as intermediaries between the governments.

A second way of working can be summarized as: “transcending the position of individual actors.” Because consultants are not confined by the perspective of one actor they can approach a policy problem more independent and from a “fuller scope” of the problem and solutions. This is why a team of consultants was hired to design the scenarios in the IJsseldelta South project. The same team of consultants helped to grasp the complexity of the IJsseldelta South project by discussing strategic issues in a two-weekly “meeting of the taskforce chairs.”

Third, because consultants are outsiders and therefore not embedded in historical relations and culture they can more easily break through institutional boundaries and habits. Jos did this for example by giving oral progress reports in elected boards. Ellen broke through the survey-before-plan model, by first facilitating consensus among politicians. Another example was Joost who described his way of working as offering a mirror towards the City Region. Because Joost was an outsider to the organization he could enhance the reflexivity of the managers working at the City Region.³

7.3 Understanding the wide involvement of consultants

How can we understand the involvement of consultants in light of possible explanatory frames?

In the introduction of this thesis, four possible ways of understanding the involvement of consultants were formulated: as part of the reforms of new public management, as a sign of the erosion of modernist boundaries, as a response to problems of coordination and cooperation, and as a loss of the capacity to plan.⁴ The frames helped in explaining how the involvement of

³ For a complete overview see Table 4.3 in chapter four and Table 5.6 in chapter five.

⁴ See Introduction, paragraph 1.2.

consultants relates to the social and political context in which they operate. The frames are discussed below.

7.3.1 Reforms of New Public Management

The high involvement of consultants might be seen as a manifestation of handing over public tasks to private entities through reforms of New Public Management. This thesis has shown that this is only partly the case, at least in Dutch spatial planning. The involvement of consultants in the process of policy articulation differs from other kinds of outsourcing, like contracting out or (semi-) privatization in three ways. First, the responsibility for decision-making isn't transferred to a private body or actor: it stays with the public assignment-giver. Second, the consultants aren't predominantly hired for reasons of efficiency. It is difficult to see how the formulation of policies is made more efficient by hiring consultants, as hiring consultants is most of the time more expensive than letting public officials make plans. Third, the consultants frequently hired in Dutch spatial planning haven't adopted the frame of NPM for policymaking. The consultants weren't propagating further privatization or the implementation of business management tools like performance sheets; rather the opposite: they were committed to ideas of collaborative planning. The consultants hired to reorganize the City Region Arnhem Nijmegen, for example, wrote that *"to realize desirable societal developments it is necessary that involved parties cooperate."*⁵ Of course there might be consultants in the Netherlands and beyond who are hired to implement reforms of NPM; however, there also seem to be reasons other than the business management discourse of NPM for hiring consultants. The commitment of the Dutch consultants discussed in this thesis to collaborative ways of planning suggest that the wide involvement of consultants in regional planning is embedded in other practices than those of NPM.

On the other hand, the outsourcing of planning *can* be explained by reforms of NPM. Decentralization, deregulation and privatization have made governing more complex, rather than simplified it (Rhodes 1996, Klijn 2002). State authority has become dispersed among many public, semi-public and private actors (Stoker 1998). As there is no center of authority, governments, public, semi-public and private actors have become interdependent. The example of the Regional Rail project of the City Region Arnhem Nijmegen discussed in chapter five provides a nice example of this. The idea of the Regional Rail project seemed simple: the

⁵ See chapter five, paragraph 5.3.3.

City Region Arnhem Nijmegen wanted to create a network of regional trains and stations in the region. However, in 2004 the Dutch railway sector became partly decentralized and privatized. The result is a complex policy landscape of awarding authorities, train operators, railway maintainers, and other authorities on local, regional and national levels.⁶ In order to create a network of regional trains, the City Region is dependent on: the ministry of Traffic and Water for permits; the national railway maintainer (ProRail) for making adaptations to the existing railway, like extra signs or switches; the privatized national train operator (the NS) to let national trains stop more often on local stations; two private regional railway companies (Syntus and Veolia) for letting more regional trains run and stop; three provinces (Gelderland, Noord-Brabant and Limburg) for approving the contract with the regional railway companies; the municipalities for adapting the areas around the new stations (i.e. making a forecourt, parking space and access roads; and two private bus companies to adapt the bus schedule to that of the local trains (Novio and Connexxion). Making a regional rail network involved foremost reaching agreement between all these actors and assuring compliance in implementing adaptations. Within the organization of the City Region, there was no public official with experience with this type of project in such a complex policy landscape. Hence, a consultant was hired for the project. In this case, an explanation for the “outsourcing of planning” is thus that, partly as a result of the reforms of NPM, policy issues need to be solved by constellations of public, semi-public, and private entities with overlapping and unclear responsibilities. When governments don’t find the capacity within their own organization to deal with these new constellations, they might just hire consultants and pass these questions on to them. Hence the role of consultants in Dutch spatial planning should not be seen as part of the NPM but as part of a response to the new institutional landscape it created.

7.3.2 Erosion of modernist boundaries

Many authors have argued that we have made a transformation to a network society or a post-modern society in which modern boundaries between the public and private and between science and non-science have become less stable (Beck 1999, Castells 1996, Rhodes 2000, Nowotny et al. 2001). The hiring of private consultants as public planners might point in this direction. Also, the ease with which consultants are asked next to scientists to advice on policies might suggest an erosion of boundaries

⁶ See Textbox 5.2 for a short description of this complex policy landscape.

between science and non-science. For example, 20% of the members of permanent advisory committees advising on spatial planning are now consultants.⁷ The network analysis project discussed in chapter five is another example of the erosion of boundaries between scientists and consultants advising on policy issues.⁸ The network analysis was a project installed by the ministry of Traffic and Water to find a new way to research mobility. Several regional governments were asked to make a “network analysis” to try out the new approach. Both consultants and scientists were part of the “expert commission” helping the regional governments making a “network analysis” (four consultants and three scientists, two members were part-time professors and consultants at the same time).

However, in the regional practice researched the distinction between *public* officials and *private* consultants did matter. First, consultants were hired to enact a different way of planning than that of public officials: like the consultant in the City Region hired to take over the writing of a master plan for Public Transport from a public official who was making the master plan too much according the “survey-before-plan” method.⁹ In addition to directly replacing non-functioning public officials, consultants were often hired to implement a “non-bureaucratic way of working” and enacting mechanisms by which public officials became disconnected from the projects for which consultants were hired. For example, the location of the office of the IJsseldelta South project team in the basement in the dependence of the Province house next to the postal office and the smoking room, became to symbolize the “non-bureaucratic” style of the project team.¹⁰ On the one hand, this working style was needed to break through certain cultural conventions of the province to enact a collaborative project, such as the convention that as a public official you only talk with a politician of another government when you are accompanied by a politician of your own government. On the other hand, public officials of the province itself were alienated from the project.

A contrast between “public planners” and “private planners” was thus enacted in practice. Apparently the position of consultants as “private outsiders,” external to the relations of the involved government and other actors put consultants in a different position than public officials.

⁷ See Figure 1.1 in the introduction.

⁸ See Textbox 5.2.

⁹ See chapter five, paragraph 5.6.

¹⁰ See chapter four, paragraph 4.2.4.

7.3.3 *Problems of coordination and cooperation*

In the introduction, the hypothesis was formulated that the outsourcing of planning might be a response to problems of coordination and cooperation in planning. These problems of coordination and cooperation were partly aggravated by political decision in earlier years. Reforms of NPM, the emergence of a network society and the dominance of collaborative planning have made public planning a collective endeavor: solving policy issues always involves a wide variety of governments and private actors which try to cooperate. In Dutch spatial planning, involving other governments, interest groups, and other stakeholders to participate in informal collaborative forums has become widely accepted as a planning practice. This practice was established through the opening up of the closed, technocratic planning system in which policy formulation was predominantly a governmental internal practice.¹¹

The collective character of planning practice has lead to an increase in the importance of problems of coordination and cooperation in planning, partly caused by the high ambitions of governments themselves to implement more collaborative ways of planning. The development of the new Air Quality Law initiated by the ministry of Traffic and Water is a nice example. The ministry aimed to write a law together with all involved governments. Subsequently, the making of this new law was delayed as a result of problems caused by the need to cooperate, such as uncertainties caused by the continuously shifting of standards by the ministry.¹²

The hiring of consultants can be seen as a response to problems of coordination and cooperation in two ways. First, because consultants are seen as more independent than the public officials of the governments involved, they are hired to mediate between the relations of governments. Take, for example, the consultant hired by the City Region Arnhem Nijmegen as a “diplomat” to create consensus among the politicians of the City Region and the three neighboring provinces about improving public transport.¹³ Second, the search for new kind of planning practice that is taking place at the level of Dutch regional planning, summarized under the heading: “developmental planning.” Developmental planning should be planning performed together with all involved parties aimed at overcoming sectoral and organizational borders and developing an area as

¹¹ See chapter three, paragraphs 3.5 and 3.6.

¹² See chapter five, Textbox 5.1.

¹³ See chapter five, Paragraph 5.6.

a whole. The search for development planning can be categorized as a search for more collaborative forms of planning. However, as we have seen governments predominantly hire consultants to find this new, more collaborative way of planning.

7.3.4 *Loss of capacity to plan*

Another way of understanding the involvement of consultants is within a loss of a capacity of governments to plan. Consultants might be hired because public officials are less able to deal with contemporary policy issues. This can lead to a negative spiral. Tjeenk Willink, the vice-chairman of the Council of State,¹⁴ has signalized the mechanism that so many public tasks are placed outside governments that governments run the risks to become “empty states,” in which public officials have lost the experience to plan. As a result, consultants are hired more frequently, which in turn again leads to a loss of capacity and knowledge.

Three possible reasons that governments no longer have the capacity to plan leading to the hiring of consultants can be found. The first possible reason is cuts in government personnel in response to critiques on the size of the state. At some cities in the USA almost none public officials are employed; for example Sandy Springs (Georgia) a city of almost 100,000 inhabitants, has only four employees besides police officers and firefighters.¹⁵ This seems, however, not to be the case in the Netherlands: at the ministry of Spatial Planning around 1100 public officials are working at the development of policies, at the ministry of Traffic and Water around 1000.¹⁶ The province Overijssel employs around 800 public officials.¹⁷ This amount of public officials doesn't signal a need to hire consultants. Consultants are thus not hired because there are not enough public officials. A second possible mechanism leading to a loss of governing capacity and the hiring of consultants is that public officials are increasingly being trained as “business managers,” and hence have lost the skills for dealing with public controversies (Flinders 2006, Campbell and Marshall 2002). Again, there is little evidence for this being the case in the field of regional Dutch spatial planning; rather the opposite: consultants were hired to replace public officials who worked too much as bureaucratic and expert planners. A third possible

¹⁴ The official chair is Queen Beatrix. The advice of the Council of State has to be asked before implementing new national laws.

¹⁵ Dorrel, Oren, “Some new cities outsource city hall,” USA Today, September 14, 2006.

¹⁶ “Foto van de Rijksdienst: aantal ambtenaren bij kerndepartement en agentschappen,” Ministerie van Financiën, 2005.

¹⁷ “Personeelsmonitor provincies 2008” IPO, Den Haag.

reason is that public officials are not (yet) able to govern policy problems in the emerging network society (cf. Sørensen 2006). Indeed, the consultants were frequently hired to enact a kind of planning based on attempts to adopt planning to the emerging network society: to create horizontal cooperation among public and private actors cutting across sectoral and institutional boundaries. For example, the consultants of Royal Haskoning who were hired by the City Region for the “try out project” Investing in the Region to create governing coalitions of public and private organizations around innovative ideas.

7.3.5 Conclusion: Outsourcing as a response to problems of coordination

The discussion of the possible explanatory frames show that the involvement of consultants in Dutch regional planning should mainly be understood within the collective character of contemporary planning: the articulation of policies has become a matter of interdependent governments and other actors that *have* to cooperate. The consultants in this thesis were mainly hired to solve problems of coordination and cooperation resulting from this collective character of planning. The involvement of consultants should therefore be understood in a complex policy setting, characterized by a wide variety of procedures, problems, projects, habits, and interests that governments and actors bring along. Policy making in this setting has become a “politics of multiplicities” (Hajer, 2009): there are many moments and stages of decision-making; multiple governments with ruling authority; competing bodies of knowledge; and a variety of possible solutions. Policies need to be “assembled” (Latour, 2005) from this multiplicity. To give the example of the IJsseldelta South project: at least nine different governments had ruling authority; and at a certain moment more than 100 people of 34 different organizations gathered at collaborative platforms to design a master plan.

In this complex policy landscape, governments struggle to find a new, more collaborative way of planning. The struggle to find a more collaborative planning in Dutch regional planning can be understood as a reaction to critiques on and the opening up of technocratic and bureaucratic planning practices. Like other western planning systems, the Dutch planning system has developed as technocratic and bureaucratic from the 1940s onwards. The main characteristics of the Dutch technocratic and bureaucratic system were: government internal policy formulation; steering by informal coordination within a closed community of planners; the reliance on scientific knowledge emerging from the dominance of the survey before plan paradigm; and attempts to create

rational procedures for planning. From the 1990's Dutch planning practices have been opened-up for the involvement of different kinds of expertise, participants and ways of planning. In response to this opening up, the planning community started a search for a new kind of collaborative planning practices, summarized as "developmental planning." Despite the ambitious aims of developmental planning this new collaborative way of planning risks to become mainly aimed at solving problems of coordination and cooperation, and at negotiating agreement among actors. Issues of knowledge mobilization and participation are getting less attention. Moreover, a strategy of governments to overcome these problems of coordination is to "outsource" planning to consultants, who are hired to help solve problems of coordination and cooperation and to help parties "to get somewhere." This will lead to further erosion of the capacity of governments to deal with issues of coordination and cooperation.

Apart of the concern uttered above, consultants can indeed help solve problems of coordination and cooperation because they have an *external position* to the involved governments and organizations. Consultants, although hired by one of the governments, can act more independently and can be considered as more independent than public officials employed by those governments would be. The position of consultants as private outsiders external to the governmental organizations they are hired by enables them to overcome problems of coordination and cooperation.

In the United States of America, a professional group has developed around this principle: "Public Policy Mediators" (see chapter 6). These are non-partisan third parties hired to help find agreement in public controversies. Public Policy Mediators are third party "neutrals" hired to mediate multi-party public policy conflicts, like a conflict between governments, businesses, citizens and interest groups over the siting of a hazardous waste facility. The profession of American Public Policy mediators is rooted in an attempt to offer a more democratic, collaborative alternative to solving public issues than litigation or a "rule and command" approach by governments. They facilitate processes in which governments, profit and non-profit organizations and citizen together negotiate agreements over how to deal with public issues.

Thus, as planning has become a challenge to design and implement policies with a multiplicity of actors, issues, and regulations; an inherent value for a kind of external planner who can act as an intermediary has arisen. This value is not unique to Dutch regional planning, and is also created by the practice of the American public policy mediators.

Consultants thus enact planning practices that are foremost aimed at reaching consensus among governments and other actors. Dutch consultants haven't focused much on how to facilitate knowledge mobilization and participation. As governments and consultants focus mainly on solving problems of coordination, the search to a new kind of planning runs the risk to become a "narrowing down" of planning as a professional practice: whereas planning theory has a long tradition of seeing planning as "knowledge to action" (cf. Friedmann 1987) and has been arguing for the direct participation of citizens the last twenty years (i.e. through the dominance of the collaborative planning paradigm (cf. Innes 1995)), Dutch planning practitioners, including consultants, seem to mainly focus on issues of decision-making. The planners participating in "learning groups developmental planning" discussed in chapter three hardly considered issues of knowledge and participation. Of the dilemmas brought forward in the learning groups almost 80% dealt with issues of decision making, only 15% with issues of knowledge mobilization and only 8% with issues of participation. This is a missed opportunity for consultants, because as the American public policy mediators showed, the quality and legitimacy of collaborative planning processes *can* be further enhanced by consultants when they integrate knowledge mobilization and direct participation in collaborative planning processes.

7.4 Consultants and issues of Democratic legitimacy

7.4.3 *A normative frame for the democratic legitimacy of consultants*

Which normative framework can we use to assess the democratic legitimacy of consultants?

on the level of the projects they are hired for?

on the level of the personal accountability of consultants themselves?

One of the main questions of this thesis is how are consultants able to impede or enhance democratic planning? To answer this question, a theoretic framework is developed on two levels: 1) the way consultants hamper or stimulate the democratic legitimacy of the policies they are involved in and 2) the personal accountability of the consultant himself.

In chapter two the democratic legitimacy of policy formulation is defined as a shared meaning-giving process characterized by the quality and contestation of its deliberation, in which affected citizens participate and different logics of knowledge are mobilized, integrated in existing decision-making structures in contemporary polyarchies. This definition is operationalized by the need to connect three dimensions in the policy

formulation process: participation, mobilization of knowledge, and intra- and inter-governmental decision-making.¹⁸ Citizens, as well as different kinds of experts and policymakers, need to be engaged in a shared meaning-giving process.

The second level, the personal accountability of consultants is defined as the enactment of a relationship of accountability towards an assignment-giver. This relationship can be characterized in three ways: contractual, competitive, and cooperative. In a contractual relationship, the accountability is transferred to a contract. A competitive relationship is the type we find among actors in a market. A relationship of cooperation is characterized by reciprocity and trust.¹⁹ The first two relationships (contractual and competitive) are relationships of distance: as a principle, the assignment-giver tries to let the agent, the consultant, act on his behalf with as little effort (“costs”) as possible. The moment of accountability takes place before and after the process of hiring. The last relationship (cooperation) is a relationship of closeness: the assignment-giver and the consultant develop a relation of trust, mutual learning, and reciprocity. The moment of accountability is continual and occurring throughout the process of hiring. A cooperative relationship of accountability fits best within the definition of democratic legitimacy as a shared meaning making process.

The next paragraphs discuss the way consultants can enhance or impede democratic legitimacy of the project they are involved in. The personal accountability of consultants is discussed in the paragraph that formulates recommendations for the hiring of consultants.

7.4.4 Mechanisms by which consultants can enhance democratic legitimacy

Seven mechanisms by which consultants are able to enhance democratic legitimacy are found in this thesis (see Table 7.2). These mechanisms stem from two relating principles. First they are enabled by the *external position* of consultants outside the governments and relationships involved in a project *and* second by the ability to act relatively *independently* from their assignment-givers.

¹⁸ See chapter two, paragraph 2.6.

¹⁹ See chapter two, paragraph 2.7.

Table 7.2 Mechanisms by which consultants can enhance or impede democratic legitimacy

Mechanisms <i>enhancing</i> democratic legitimacy	Mechanisms <i>impeding</i> democratic legitimacy
<ol style="list-style-type: none"> 1. Acting as mediators 2. Connecting substance 3. Acting on stages outside governments hiring them 4. Breaking through and working across boundaries and institutional habits 5. Enlarging scope (of problems and solutions). 6. Grasping complexity 7. Facilitating knowledge mobilization and participation. 	<ol style="list-style-type: none"> 1. Initiating inconsistency 2. Working ad-hoc 3. Enacting mechanisms of disconnection 4. Becoming too much of a central spool

1. Acting as mediators. First, consultants can act as mediators between the relationships of actors involved. In the case of conflicting parties, consultants can become diplomats, trying to reach agreement among involved parties. We saw Ellen do this when she explored the “possibilities for collaboration” in making a master plan for public transport on behalf of the City Region Arnhem Nijmegen. Reaching agreement among parties is, by definition, also part of the practice of American public policy mediators: they apply methods of mediation to find agreement about public controversies.

By acting as mediators consultants can also help involving politicians in collective processes and strengthening the primacy of politics. Because consultants are not part of a government and do not “directly fall” under a politician, it is easier for them to talk to politicians of other governments: for example, when Jos presented the outcomes of the participation round in the municipality of Kampen, even though he had been hired by the province Overijssel.

The finding that consultants can strengthen the primacy of politics is remarkable. From a theoretical perspective, one might expect the contrary: consultants as a “sixth power,” or at least as part of the “fifth branch,” might be expected to limit the influence of politicians. The kind of collaborative, informal projects consultants were hired for in this thesis are often criticized because they lack connection to formal institutions of decision-making (Papadopoulos and Benz 2006, Sørensen and Torfing 2007), which gives them less impact (decisions don’t get implemented by

the competent authority) or makes them less democratic (elected officials are kept outside the loop). Because they are not part of the internal accountability structures within governmental organizations, it seems easier for consultants to just step into an office of an alderman or municipal council member. Politicians can also make strategic use of this function of consultants by hiring them as diplomats, as the president of the City Region did with Ellen.

Furthermore, by acting as mediators, consultants can help to overcome issues of inter and intra governmental decision-making. As discussed above, problems of coordination and cooperation have become to stand pretty central in planning practice. Solving problems of coordination and cooperation enhances democratic legitimacy because policies agreed upon by multiple governments can be considered as more democratic than when one government takes a command and control approach. As governments have become interdependent, helping governments to reach agreement also enhances the efficiency of planning. It makes planning less slow if governments take only one day to set priorities instead of 18 months, like in the Casco Bay Estuary Project mediated by Susan.²⁰

2. Connecting substance. The second mechanism is that consultants can become substantial connectors creating policy windows in the sense of Kingdon (1984). Because consultants work for and with different governments, they have access to information that is normally not available to public officials working for one government. Although this information is usually confidential, consultants can use this information to find policy windows for solving an issue or to tie means and political force together. We saw Jos do this in the IJsseldelta case at the start of the project when he talked to the different governments and stakeholders and wove a variety of existing policies, proposals and planned developments together. Also, Joost did this when he proposed to one of the managers of the City Region Arnhem Nijmegen, - who was trying to find funds for “quick wins” to improve the mobility in the region,- to go talk with a public official of the ministry of Traffic and Water, who managed a subsidy for innovative projects to enhance mobility. Joost knew of this subsidy because he had been hired by the ministry of Traffic and Water to start a program for innovative projects improving mobility before.

²⁰ See chapter six, paragraph 6.2.

3. Acting on stages outside governments. The third mechanism is creating and making use of different stages of policy articulation. Unlike public officials, consultants might be less oriented towards *one* stage of policymaking, namely that of the organization itself and its institutions. By acting on and enacting different stages, consultants can enact a more widely and more deeply developed shared meaning, and relate to multiple ways of achieving democratic legitimacy. In regional spatial planning, there is not one central point or moment of decision-making; hence, democratic legitimacy needs to be “assembled” on a variety of informal and formal stages of policy articulation. Pieter, the project leader of the Regiorail project, for example acted mainly on stages outside the City Region to make the project work: by involving and working with people of other organizations on the “work floor.” Also Erik navigated through a variety of stages to formulate the Air Quality policy: municipal working groups, provincial deliberations, the City Region itself and his personal network.

4. Breaking through and working across boundaries and institutional habits. Because consultants are externals, they can have an “outsider’s view” towards the institutional culture and existing planning practices. Consultants can enhance collaborative planning because they can cut through the technocratic boundaries in bureaucracies. For example, Jos, the project leader of IJsseldelta South, broke through the institutional habit that planners first sanction their actions internally when he talked directly to politicians of other governments without first coordinating this within the province. Another planning practice consultants changed was turning the planning practice of “survey-before-plan” into a planning practice of “plan-before-survey”: first strategic decisions are made and then necessary research is performed to ground these decisions. This was Ellen’s way of working, as she facilitated political decisions on public transport before further research was performed. Also, Jos made this way of working explicit by agreeing with the governmental partners after the breathing pause, in the second plan of approach, that they would “stay on mainlines” and that no detailed research would be performed before strategic decisions were made.

By providing a fresh outsider’s view, consultants can also enhance the reflexivity of governments. An example is Joost in the City Region, who saw himself as a “mirror,” enhancing the reflexivity of the assignment-giver about the way the organization dealt with mobility issues. Another example was provided by Ellen who was mainly assigned to talk to politicians outside the City Region but signaled the need to

improve the inner workings of the City Region by bringing the public officials working on mobility issues together.

5. Enlarging scope (of problems and solutions). From their external positions, consultants can be better at exploring possible problems and solutions because they are not vested in viewing the policy problem from a particular interest. The team of consultants who designed the scenarios in the IJsseldelta project, for example, was hired to explore the full scope of possible solutions. Also, the American public policy mediators have ways to help actors explore the “horizon of possibilities”: for example, by letting actors start a meeting by first listing all possible issues and then discussing which issues are priorities, instead of taking the viewpoints of parties as a starting point. Enlarging the scope of problems and solutions enhances the quality and legitimacy of planning because it enables the consideration of diverse interests and can prevent that projects become stalled because parties stay focused on a particular definition of the problem and solutions.

6. Grasping complexity. Consultants can help grasping and dealing with the complexity in contemporary planning. Because they are not positioned within one organization, it is easier for them to take a “helicopter view.” In the last episode of the IJsseldelta South project the team of consultants worked in this way. In two-weekly meetings as taskforce chairs they discussed how environmental laws were applicable, which government had which positions, what kind of research still needed to be done, what developments in national policies were going on, etc. Because the consultants didn’t feel committed to the interest of one party they could freely discuss how these issues could best be related to the strategic choices to be made.

7. Involving citizens and mobilizing knowledge. A final manner in which consultants might enhance democratic legitimacy is by involving citizens and by mobilizing knowledge; however, this finding is somewhat more ambivalent. It is not necessarily the case that consultants impede the participation of citizens, as the IJsseldelta case showed. However, I haven’t found an incentive or mechanism for consultants to include citizens, either. The consultants in the City Region proved to be a counter case to the IJsseldelta in this matter: they didn’t directly include the participation of affected citizens in their projects at all. The same seems to hold for the way consultants deal with knowledge. This can occur in a more or less systematic way, in which the consultant really tries to include different kinds of knowledge from different sides, like the example of Erik

in the Air Quality project in the City Region. But in the same way, a consultant might just use his or her own network. The next paragraph will further discuss this inconsistency, while discussing the ways consultants might hamper the building of democratic legitimacy in collective regional planning.

7.4.5 Ways in which consultants can impede democratic legitimacy

The previous paragraph discussed mechanisms found in this thesis that make it possible for consultants to enhance democratic legitimacy in collective regional planning. This paragraph will discuss mechanisms that impede the democratic legitimacy of planning: introduction of inconsistency, working ad-hoc, enacting mechanisms of disconnection, and becoming central spools (see Table 7.2).

1. Initiating inconsistency. Consultants introduce a kind of inconsistency in planning. Depending on the consultant who is hired, citizens may or may not be asked to participate, the interests of weaker groups may or may not be included, and scientific knowledge may or may not be mobilized. For a consultant, it is important to develop an individual reputation or market identity which distinguishes him from other consultants. Even if they work for larger consultancy firms, it is important for them to profile themselves individually. As is expressed in the following quote from Joost's, in which he talks about the high involvement of him and his colleagues of the consultancy firm Twynstra Gudde in the Network Analysis: "*we all work for Twynstra Gudde, but we are not Twynstra Gudde, I don't talk to [colleague A] about his work and I don't know how [colleague B] is doing his work.*"²¹ Public officials, on the contrary, are expected not to stand out as individuals, but to represent the interests of their governments. Hence, public officials are bounded by policy documents and rules of the governmental organizations they are working for, which are meant to prevent inconsistency.

Inconsistency is also created because consultants only stay at a project for a limited amount of time. As a result, when a consultant leaves, another approach to a project can become enacted. Guarding the consistency of policies was something the public official working as assistant project leader of the IJsseldelta South project took up as his responsibility, showing how important it is to have such a public official involved in the policies consultants are working on.

²¹ Interview Joost Voerman, December 11, 2006.

2. Working ad-hoc. We saw the consultants working pretty ad-hoc. For example, Jos created democratic legitimacy through improvisation during the participation round by reacting to the protests of citizens. This also enhances the inconsistency of policy making. By contrast the American public policy mediators work according to certain standards and design a process together with stakeholders at the beginning of a collaborative project. While writing and discussing the process design they think through issues of participation and knowledge. Furthermore professional standards and the design of a process make that the public policy mediator can be held accountable more easily.

3. Enacting mechanisms of disconnection. Another way consultants can hamper the democratic legitimacy of planning is that they enact a mechanism of disconnection between the internal organization of the governments they are hired by and the projects they are leading. Both in the IJsseldelta case and the City Region case, we saw that not many public officials of the governments hiring the consultants were very involved in the process. Pieter, for example, could not find a public official of the City Region Arnhem Nijmegen to take part in the project Regiorail. This mechanism is not necessarily the fault of the consultant or public official, but more the result of the interplay between the assignment-giver, consultant, and public officials. Public officials might feel less connected to the “stages” organized by the consultants because they take place outside the governmental organization. Consultants, on the other hand, might be oriented towards the other organizations too much and forget to involve the public officials of the administrative organization he is hired for. Another reason lying behind the mechanisms of disconnection might be that a politician hires a consultant to bypass public officials, or to enact a different way of governing than a bureaucratic style, which places consultants in opposition to the public officials in the same organization.

Whatever the reason might be, the mechanism of disconnection is concerning for a variety of reasons. First of all, it endangers the long-term embedding of policies and policy lessons, as consultants are only hired for a short time period. Second, it prevents learning within the governmental organizations consultants are hired by. This is especially relevant when consultants are hired to find a new way of planning, like the consultants discussed in this thesis. How are public officials able to learn how to do “developmental planning” or to involve the “outside ward” if they don’t participate in projects designed to try these approaches out? Third, knowledge embedded inside the bureaucratic organization might be left out. Furthermore, one can question whether other “bureaucratic”

guarantees are still met, such as norms of good governance or independent judgement

4. Becoming too much of a central spool. A final risk of the “consultant planner” is that he becomes too much of a “central spool” or a nodal point in policymaking. This prevents the development of a shared meaning, which is, in my view, crucial for the quality and democratic legitimacy of regional planning processes. Consultants can become nodal points if other actors aren’t involved in the process in such a way that the development of meaning is shared by all actors. At the beginning of the IJsseldelta case, Jos became a central spool: he talked to all kinds of stakeholders to explore the problem and then formulated the problem, but the stakeholders didn’t talk to each other. Another example was Eric, who navigated through several stages, but didn’t bring the actors of these different stages together in the first year of the project Air Quality.

Becoming the central spool makes the consultant rather powerful, because he has the most complete information. In this way, policy choices might become the result of an individual consideration of the consultant. This also limits the possibilities for the assignment-giver to hold a consultant accountable.

7.4.6 Recommendations for (the hiring of) consultants

The mechanisms discussed above provide ways in which consultants *might* hamper or enhance democratic legitimacy. The question answered in this paragraph is: what conditions may create situations in which these mechanisms are indeed enacted or not enacted? Recommendations formulated in this paragraph are directed in two ways: to the consultants and to their assignment-givers. Table 7.3 provides an overview.

Table 7.3 Recommendations for (the hiring of) consultants

Recommendations for (the hiring of) consultants
1. Stimulate involvement of public officials
2. Develop a cooperative relationship of accountability
3. Professional development by consultants
4. Design processes to enhance substantive quality
5. From emphasis on coordination to more emphasis on knowledge and participation
6. Providing transparency about costs

1. Stimulate involvement of public officials. The connection of public officials of the governments hiring consultants, to the projects those consultants are working for is often too loose. The previous paragraph has discussed disadvantages of this mechanism of disconnection, like the creation of inconsistency and jeopardizing long-term interests. Especially when consultants are hired to find a new way of planning, as was the case with the consultants discussed in this thesis, it is crucial that public officials are involved to let learning effects spill over into the organization that hires consultants. The mechanism of disconnection can easily be overcome by making sure that public officials of the governments hiring the consultants are closely involved and working in the project the consultants is leading.

2. Develop a cooperative relationship of accountability. Consultants can have an “added value” to collective, regional planning processes because they can act from a more independent position than, for example, public officials can do. Consultants create their added values (as mediators, connectors of substance, reflective mirrors, acting on stages outside policy making and/or breaking through boundaries) because they are able to act independent from their assignment-giver to a certain degree. We saw the consultants in the IJsseldelta and the City Region create “room to maneuver” to act at some distance from their assignment-givers. On the other hand, a risk of hiring consultants is that they become disconnected from the organization hiring them or become too much of a central spool in the project. This impedes the possibility for assignment-givers to hold a consultant accountable, because he has too little information about what the consultant is doing. Consultants should thus not become too independent and the assignment-giver needs to be involved in what the consultant is doing in order to be able to keep him accountable. Hence, there is a tension between the independence of the consultant on the one hand, and the accountability towards the assignment-giver on the other hand. How this tension be solved? In chapter two and in paragraph 7.4.1 of this conclusion I have identified three possible relationships of accountability: contractual, competitive, and cooperative. A contractual relationship of accountability means that the assignment of the consultant and the tasks the consultants has to fulfill are laid down in a contract before he starts doing the work. We have seen how in all instances the consultants didn’t receive clear assignments. Hereby they were able to first explore what the policy problem was from their fresh, outsiders’ point of view and then formulate an assignment. A contractual relationship of accountability would limit the freedom the consultants have to do this. Second, we saw that all consultants developed

close relationships with the politicians involved. In this way the politicians stayed involved in the substantive articulation of the policies. However, when accountability is mainly enacted through a contract that upfront establishes the assignment of a consultant, there is less room to develop the substantive articulation of the policy on the way. When assignment-giver and consultant work from a collaborative relationship in which the assignment-giver stays involved, however, the tension between involvement and independence can be lessened. In a cooperative relationship, a consultant can be held accountable because he doesn't want to betray the relationship of trust with the assignment-giver. Because the assignment-giver is closely connected to the consultants, he has enough information and opportunity to stay involved in the substantive articulation of policies. The competitive relationship of accountability will be discussed in the next paragraph.

3. Professional development by consultants. Consultants themselves can improve the legitimacy of their actions as well. Consultants seem to focus mainly on solving problems of coordination and cooperation between governments; however, as a professional group, they might also want to consider how they relate to issues of democratic legitimacy, knowledge, and participation. The American public policy mediators provide a nice example of how professionalization might lead to more informed and critical discussions about standards, ways of working, best practices, and norms. My recommendation is not that consultants literally copy the practice of the American public mediators, nor that a simple professional code is to be developed; rather, it is a challenge to consultants to start organizing debates, conferences, and literature about how they themselves can enhance the legitimacy of their involvement as policy actors in public planning; and discussing best and worst practices, and more explicit and open way to facilitate citizen participation and the mobilization of knowledge.

A better articulation of professional practice also makes the hiring of consultants less inconsistent, because they can form a community with shared values, standards and ways of working.

In this sense, the overall quality of the "market" of consultants involved in the substantive articulation of policies can be enhanced. On an individual level, a more articulated professional practice gives individual consultants the ability to position themselves in the market: for example, advertising with skills in ways of dealing with local knowledge. Finally, clearer "profiles" of consultants provide assignment-givers the opportunity to make better informed selections when hiring consultants.

4. Design processes to enhance substantive quality. Another way to limit the inconsistent and ad-hoc character of the way of working of consultants is for consultants to make more careful process designs and to be more transparent in their process designs. Process design will never function as a blueprint, but they help to make the process transparent and provide means for assignment-givers and participants to hold the consultant accountable, like Susan's process maps, discussed in chapter six. Moreover, designing a process more collaboratively with other parties, already starts the development of shared meaning, the building of workable relationships and establishing a way of working that helps parties reach an outcome. Consultants can win legitimacy if they start to see process design more explicitly as a tool to enhance the substantive quality and legitimacy of policy outcomes. For example by investing time in identifying and talking individually to all possible stakeholders before a project is started. Or by creating stages that help developing a shared meaning making process, like designing scenarios in workshops together with stakeholders.

5. From emphasis on coordination to more emphasis on knowledge and participation. Consultants can learn much more about how to integrate knowledge, participation, and decision-making. Of the three dimensions of democratic legitimacy defined in chapter one, consultants have mainly developed skills to achieve legitimacy on the dimension of decision-making. The processes consultants design seems to be mainly focused on a way to get to an outcome and to reach agreement among parties. Consultants can win legitimacy if they start developing ways of working that are aimed at the mobilization of knowledge and direct participation and connecting knowledge mobilization, participation and decision-making with each other. One way to do this for consultants is to expand their "toolbox" with more ways to integrate participation and the mobilization of knowledge. In this they can learn from the "toolbox" of the American public policy mediators. An example of a "tool" might be ways to help parties handle a stack of research reports, for example by first let them chose priorities and than let experts summarize the relevant knowledge in each report for each priority in laymen terms.

6. Providing transparency about costs. This thesis hasn't paid much attention to the costs of hiring consultants. The reason for this is that I couldn't find sufficient information to compare the costs of consultants to those of public officials. Governments publish the total costs of hiring consultants per year, but these include costs for all kinds of consultants, including IT-advisors and lawyers, and mostly provide no specific

information about consultants involved in policy making. Furthermore specific data about the personnel costs per project -that would enable some kind of comparison between costs of public officials and consultants related to the quality of their work- is not available either. The media regularly report examples of the height of payment to consultants, like the governments that paid 10,000 euro a week for more than a year to the consultancy firm Boer en Croon for the temporal chair of the developmental project Klavertje 4. The chair himself received 2,400 euro a day.²² Governments should be more transparent about personnel costs per project so that research to the costs of hiring consultants becomes better possible.

7.5 Discussion: Plethora and Khaos

What can we learn from consultants about the organization of spatial planning in government and the role of public officials?

We have now reached the discussion of the final question of this thesis: what can we learn from consultants about the organization of government and public officials? We have seen that we should understand the outsourcing of planning as a response to an increasingly complex governing landscape and problems of coordination and cooperation resulting from this. *As such, the outsourcing of planning is both a sign of the plethora and khaos of planning.* Plethora comes from Latin and classic Greek and means both “fullness” and “excess.” Khaos means both “emptiness” and “chaos.” As multiple governments and stakeholders have to work together, they all bring their own issues, standards, procedures, views, and habits along. This leads to a “fullness” in planning which governments seem often not able to handle, and hence consultants are hired to “get something done.” We have seen Dutch governments initiating all kinds of ideas about “new ways of planning,” in which they invoke among others theories of network governance and collaborative planning. In this way, they installed a norm that planning should be done by horizontal, regional cooperation among governments and public and private stakeholders. In doing so, governments seem to be partly responsible for an excess of new policies, “example projects,” pilots, and collaborative platforms, thereby creating a “fullness” or plethora in planning. To complete the circle, governments hire consultants to find

²² “Klavertje Vier kost 10.000 euro per week,” De Limburger, April 3, 2009.

ways out of this fullness. The risk is that governments “outsource planning” without keeping public officials involved in the substantive articulation of policies or trying to let public officials learn from what consultants are doing. This further empties out governments, as public officials don’t learn the skills to plan the plethora of independent governments, overlapping standards, conflicting procedures, and so on. In other words, the above response of governments to a “plethora” leads to a “khaos” in planning: because finding a way of governing to deal with the fullness in planning is outsourced to consultants, governments themselves risk to become empty, making governments less able to deal with the fullness in planning.

Another response to deal with the “fullness” in planning has been the call for “network management.” According to network management, because governments don’t have the force anymore to steer directly, they should steer indirectly: through the organization of self-organization:

“In fact, meta governance is most correctly described as an umbrella concept for the fragmented plurality of tools for regulating self-regulation that are suggested by various theorists (Sørensen 2006:101)”

Planners should become “meta-governors” (Sørensen 2006, Jessop 2003, Kooiman 1993) or network managers (O’Toole 1988, Klijn and Koppenjan 2000). A related discussion in Dutch planning practice is the debate about which government is best suited to take a “*coordinating role*” [regierol] in developmental planning.²³ Drawing on the findings of this thesis, there are at least three problems with this direction. First, a focus on coordination and “organizing the organization of self-organization” might stimulate the further narrowing down of planning as a matter to overcome problems of coordination and inter and intra governmental decision-making. Second, public officials might actually not be very good in taking a coordinating role from their position inside bureaucratic organizations. This thesis showed that consultants are able to act as intermediaries from their external positions, and advantage public officials don’t have. Third, in the whole discussion about the “coordinating government,” the risk is that governments forget their responsibility for the articulation of substantial views, the quality of knowledge mobilization, and the participation of less powerful groups. As good as consultants *can* be at this, no mechanism is found for them to indeed take up these kinds of responsibilities. If assignment-givers and public officials do not enact these kinds of democratic values, and mainly

²³ See chapter three paragraph 3.6.1.

focus on coordinative issues, planning runs the risk of becoming too “thin,” or too “light,” as happened in the City Region Arnhem Nijmegen. As, in general, consultants are better suitable to have a coordinating role than public officials from their external position, and public officials are better suitable to protect public responsibilities than consultants from their internal position, a division of tasks in which consultants acts as coordinators and public officials protect the public responsibility of their government, is more recommendable than letting public officials acts as coordinators.

Instead of focusing on “meta-governance,” a more suitable approach to regional spatial planning projects is creating a shared meaning making process meandering at different stages at which a variety of actors, experts, publics and policies are brought together and knowledge mobilization, participation and decision-making become connected. From the consultants discussed in this thesis, we can learn that this kind of planning requires a planner who is able to mediate between actors, act at local stages of decision-making, and connect substance, - not a planner who “steers the self-steering” of actors by coordinating “a network” at a distance. This way of planning also requires a different way of dealing with knowledge. Knowledge should not be mobilized before and separate from participation and decision-making, as in the “survey-before-plan” model. Instead, knowledge needs to be mobilized collaboratively within the shared meaning making process.

In sum, this thesis has shown that the outsourcing of planning isn’t problematic *per se*, because consultants can have an “inherently added value” in collective planning from their external position. Consultants can develop ways to increase their legitimacy by focusing more on: developing a professional community; process design to enhance the substantive quality of planning; and issues of participation and knowledge. However, when hiring consultants, a disconnection with the governmental organization hiring them can occur. As a result, public officials can’t learn from consultants, and assignment-givers lose the ability to hold consultants accountable. This is especially worrying as consultants in Dutch regional planning are hired to enact new ways of governing. To prevent governments from becoming “empty,” assignment-givers should ensure that public officials are involved in the shared meaning-making process enacted by consultants and that democratic responsibilities are guarded. Overall this thesis has signaled an emphasis on coordination in regional spatial planning among politicians, public officials and consultants. Assignment-givers, politicians, public officials and consultants all together can strengthen the democratic legitimacy and

quality of planning if they focus more on how to improve the mobilization of knowledge and direct participation of citizens.

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Appendix: Bodies of Data

This appendix reports the way the different bodies of data used in this thesis are gathered.

1. Learning Groups Developmental Planning (see chapter 3 par. 1.7.1).

Table A.1 Meetings attended of the Learning Groups Developmental Planning

	Date	Taped*	Place	Participants**
1.	September 11, 2006	Taped	Den Bosch	<i>13 participants:</i> Province Noord Brabant (4x)
2.	October 13, 2006	Taped		Province Gelderland (2x)
3.	November 11, 2006	Taped		Province Limburg (2x)
4.	December 1, 2006	Taped		Province Zeeland (1x)
5.	January 19, 2007	Taped		Dienst Landelijke Gebieden ¹ (1x)
6.	February 16, 2007	***		Municipality Rotterdam (1x)
				BAM Vastgoed ² (1x)
				TCN Property Projects ³ (1x)
7.	September 18, 2006	Taped	Tilburg	<i>13 participants:</i> Province Noord Brabant (2x)
8.	October 11, 2006	Taped		Province Utrecht (1x)
9.	November 8, 2006	Taped		Province Zuid Holland
10.	November 29, 2006	Taped		Province Limburg (2x)
11.	January 17, 2007	Taped		Province Zeeland (2x)
12.	February 14, 2007	Taped		Ministry VROM (1x)
				Dienst Landelijke Gebieden ⁴ (1x)
				Rijkswaterstaat ⁵ (1x)
				Royal Haskoning ⁶ (1x)
				Oranjewoud ⁷ (1x)

*All taped meetings are transcribed by students.

¹ Implementing organization of ministry of Agriculture and Nature [Dienst Landelijke Gebieden, DLG].

² Real estate developer.

³ Real estate developer.

⁴ Implementing organization of ministry of Agriculture and Nature [Dienst Landelijke Gebieden, DLG].

⁵ Directorate-General of Ministry of Transport and Water.

⁶ Consultancy agency.

⁷ Consultancy agency.

** All participants are project managers or project assistants of “projects developmental planning.”

*** Tape was inaudible.

2. Selection of the ethnographic cases IJsseldelta South and City Region Arnhem Nijmegen (see chapter four and five).

First a set of interviews was performed with potential “planners” to follow. The planners were selected by searching for running regional projects.

Table A.2 Explorative interviews to select ethnographic cases

Date	Who	Affiliation	Case dismissed because?
November 11, 2005	Hans van Hoek	Project ProSes 2010	Just finalized masterplan
December 12, 2005	Jan Klijne	Blauwe Stad	Project was already starting construction
November 18, 2005	Jan Koolenbrander	TAUW	Not engaged in a case
November 18, 2005	Jos Piercy	IJsseldelta Zuid	Case included, see table below
December, 13, 2005	Pieter van Wesemael	Architecten Cie	Interviewee was foremost designer
November 11, 2005	Tom Smit	Zwakke Schakels	Assignment-giver of the case didn't approve
November ?, 2005	Wouter Veldhuis	Must Stedebouw	Interviewee was mainly involved in urban project
	Jaap Modder	City Region Arnhem Nijmegen	Case included, see table below

Based on the set of criteria listed in table below two cases were chosen. It was important that the two cases were sufficiently comparative. At the time of case selection the involvement of consultants wasn't a criterion. Only after joining the two practices, the high involvement of consultants was noticed and hence made the main subject of the thesis. Before entering the cases the subject of research was the work of planners in general.

Appendix A.3 Set of criteria for the selection of the ethnographic cases

Criterion	Explanation	IJsseldelta-South	City Region Arnhem Nijmegen
<i>Comparative</i>			
Regional	Does the practice occur at regional level?	Yes	Yes
Landscape	Are there landscape issues involved in the	Yes, area is mainly rural	Yes, apart from the two large cities

	project? This criterion was included because it was required by the subsidy sponsoring the PhD research.	area.	(Arnhem and Nijmegen) area is mainly rural. Issues of connecting urban and rural areas.
Embedded in national policy	To be able to learn from practices about wider policy setting it was felt important that the cases were connected to national policies and developments.	Yes, part of national Space for the River policy, example project developmental planning, ministries take part in cooperation.	Yes, takes part in several national policies (Space for the River, Belvédère, Network analysis, National Cooperation Air Quality.
Searching for a new way of planning	Main research interest is the way planners are looking for new planning practices.	Example project developmental planning.	Trying to move from government to governance.
<i>Projects</i>			
Suitable moment in plan process?	Does the research take place at the moment substantial policy articulation is taking place?	Yes, after a breathing pause the last phase of writing a masterplan.	Yes, after reorganization just starting a bunch of new projects.
Is it possible to follow the project?	Is the project sufficiently demarcated to follow in just a few months. Are there large risks the project will be stalled. Are there enough meetings to be attended?	Yes. Strict deadline for the project, ending at the end of research period. Many meetings scheduled.	Yes/no. Is an organization. Not one project. Disadvantage is that it is less comparable and demarcated as the IJsseldelta South project. Advantage is that there are more planners to follow. Organization is small enough to do research (only about twenty employees).
<i>Planner</i>			
Is it possible to follow the planner?	Are the planners willing to take a researcher along?	Yes, as discussed in interview with project leader. My office will be in the same room as the	Yes, as discussed in meeting with president and director. I can sit in on several free desks throughout organization. I will follow one or two

		project leader. I will accompany him to many meetings.	planners in their projects.
Is the planner reflexive?	Is the planner able and willing to be reflexive on his own practice?	Yes, as established in two interviews that he is very open about how he does his work.	Yes/maybe, yes president is often taking part in public debates about spatial planning and governing. Maybe, I have not spoken to the other planners yet.
<i>Data gathering</i>			
Possible to work along in practice	Can my role extend that of just an observer, can I become a participant as well	Yes, I will be a formal intern.	Can make appointments with the planners working there.
Allow following project and planner in all activities		Yes, my office will be in the same room as the project leader and other project members. I am allowed to attend all meetings.	Yes, I am allowed to sit in the two weekly Management Team meetings.
Data sources	Is there a variety of data sources I have access to?	Yes, access to meetings and computer archives.	Yes, access to meetings and computer archives.

3. American Public Policy Mediators (see chapter six).

The two Dutch ethnographic cases were comparable. To be able to reflect on them a contrasting practice was selected. The contrasting practice should connect to the main research subject (the way consultants could enhance or impede the quality and democratic legitimacy of collaborative spatial regional planning), but be embedded in a sufficiently different historical and societal context to provide a mirror to the Dutch cases. The practice of American Public Policy mediators was selected for their commitment to collaborative forms of planning. Second, the American Public Policy mediators formed a more established practice than the Dutch consultants. This would make it possible to learn from the American practice. Third, they were situated in the United States of America, a different historical, political and societal context than the Netherlands. At first instance I

tried to find one case to be able to follow, like the Dutch cases. However this would raise problems with the openness of data, because American Public Mediators work in highly disputed projects, I couldn't get permission for the same kind of openness as with the Dutch cases. Therefore I chose to deploy interviews. Except two, all interviewees were very experienced and involved in the development of the professional field for more than twenty years. All interviews took place at the East coast, because travelling between East and West coast would be too expensive and take too much time.

Table A.4 Interviews performed with American Public Policy Mediators

	Date*	Who	Affiliation	Place of interview
1.	August 27, 2007	Tim Mealey	Meridian	Washington D.C.
2.	August 28, 2007	Juliana Birkhoff	Resolve	Washington D.C.
3.	August 28, 2007	Sara Cobb	Institute for Conflict Analysis & Resolution, George Mason University	Washington D.C.
4.	September 7, 2007	Larry Susskind	Consensus Building Institute	Cambridge, MA
5.	September 10, 2007	Matt Schweisberg	ADR, Environmental Protection Agency	Boston, MA
6.	September 10, 2007	Doug Thompson	Keystone	Boston, MA
7.	September 12, 2007	Susan Podziba	Podziba and partners	Boston, MA
8.	September 13, 2007	Linda Singer	Jams	Washington D.C.
9.	September 14, 2007	Jen Peyser	Resolve	Washington D.C.
10.	September 18, 2007	Howard Bellman	Bellmediate	Madison, IL
11.	September 21, 2007	Ellie Tonkin	ADR, EPA	Boston, MA

*All interviews are taped and transcribed by author.

Summary¹

Consultants have become important policy actors in regional spatial planning in the Netherlands. Not only their numbers, but also their involvement in the substantive articulation of public policies is profound: they engage citizens, bring politicians together, make master plans, and implement those plans. The substantive articulation of policies by consultants can be seen as the *outsourcing of planning*: a core task of the state, i.e. the articulation of policies, is conferred to private actors.

This thesis has researched what consultants actually do when they are hired, how they enhance or impede democratic legitimacy and what their meaning is for spatial planning. It explains the wide involvement of Dutch consultants in the historical development of Dutch spatial planning. Second, it conducts two ethnographic studies into what consultants do in the daily struggles of regional planning. In addition it studies the work of American policy mediators to draw lessons from for the Dutch consultants.

In short, thesis has shows that the outsourcing of planning isn't problematic *per se*, because consultants can have an "inherently added value" in collective planning from their external position. Consultants can develop ways to increase their legitimacy by focusing more on: developing a professional community; process design to enhance the substantive quality of planning; and issues of participation and knowledge. However, when hiring consultants, a disconnection with the governmental organization hiring them can occur. As a result, public officials can't learn from consultants, and assignment-givers lose the ability to hold consultants accountable. This is especially worrying as consultants in Dutch regional planning are hired to enact new ways of governing. To prevent governments from becoming "empty," assignment-givers should ensure that public officials are involved in the shared meaning-making process enacted by consultants and that democratic responsibilities are guarded. Overall this thesis signals an emphasis on coordination in regional spatial planning among politicians, public officials and consultants. Assignment-givers, politicians, public officials and consultants all together can strengthen the democratic legitimacy and quality of planning if they focus more on how to improve the mobilization of knowledge and direct participation of citizens.

¹ Please read the conclusion for the extended English summary

Samenvatting

Probleem- en Vraagstelling

Consultants worden op grote schaal ingehuurd door overheden voor een verscheidenheid aan taken: om onderzoek te doen, vanwege specifieke vaardigheden (IT, administratie) of als interim managers. Dit proefschrift bestudeert die consultants, die ingehuurd worden om actief deel te nemen aan de articulatie van beleid, namelijk consultants die projectleider zijn bij regionale ruimtelijke plannen of deze mee helpen ontwikkelen.

Wanneer consultants een grote bijdrage leveren aan de ontwikkeling van beleid kun je dit problematiseren door te zeggen dat overheden hun kerntaak “outsourcen.” Hier zijn een aantal democratische kanttekeningen bij te plaatsen: worden publieke belangen op dezelfde manier meegewogen door consultants als door ambtenaren? Leggen consultants verantwoording af aan de politiek? Werken consultants volgens de normen van behoorlijk bestuur?

Van de andere kant moeten we niet te snel de conclusie trekken dat consultants de democratische legitimiteit van planning inperken alleen omdat ze “privaat” zijn. De roep van de laatste decennia voor meer private invloeden in de publieke sfeer laat zien dat publieke planning niet meer uitsluitend een zaak van de overheid is. Sterker nog de grootschalige inhuur van consultants voor de articulatie van ruimtelijk beleid laat zien dat het karakter van ruimtelijke planning inderdaad veranderd is.

Dit proefschrift verkent in eerste instantie wat consultants *doen* in de planningspraktijk. Ten tweede duidt dit proefschrift de *betekenis* van consultants voor de manier waarop de ruimtelijke planning georganiseerd is en ten derde onderzoekt het proefschrift op welke manier consultants de *democratische legitimiteit* kunnen versterken dan wel beperken.

Wat doen consultants in de planpraktijken waar ze voor ingehuurd zijn?

Het proefschrift doet verslag van twee etnografische studies: het IJsseldelta Zuid project en de Stadsregio Arnhem Nijmegen. In het IJsseldelta Zuid project werken meer dan 13 overheden samen om een verscheidenheid aan geplande ruimtelijke ontwikkelingen rond Kampen te integreren in één masterplan (bypass tegen overstromingen, nieuwe huizen, spoorlijn, natuur ontwikkeling). De regievoerende overheid, de provincie Overijssel, had een consultant ingehuurd als projectleider. Naast deze projectleider werden een vijftal consultants ingehuurd die per fase in

het project verschillende rollen hadden, variërend van scenario-ontwikkeling tot voorzitter van ambtelijke taakgroepen. De belangrijkste waarde die de consultants voor het project hadden was om de grote hoeveelheid aan issues, onderwerpen, inhoud, overheidsactoren en wetgeving met elkaar te verbinden. De consultants konden dit goed vanuit hun positie als “externen.” Hierdoor waren zij minder ingebed in bestaande relaties, culturen en manier van denken en konden ze gemakkelijker over alle belangen heen kijken.

De stadsregio Arnhem Nijmegen probeerde een andere manier van planning te organiseren. In plaats van dat ambtenaren onderzoek doen, op basis van onderzoek een plan ontwikkelen en dan naar buiten gaan (survey before plan model), probeerde zij in projecten juist samen met actoren uit de maatschappij plannen te ontwikkelen. Opvallend was dat zij een groot aantal consultants inhuurden om die projecten te leiden waarmee ze deze nieuwe manier van planning probeerden te implementeren. Net als in de IJsseldelta Zuid casus hielpen consultants hier vooral door als intermediair op te treden tussen verschillen overheden, organisaties en de inhoud, manieren van werken en regels die deze met zich meebrengen.

Nadelen van de consultants waren dat de ambtenaren van de overheid die hun inhuurden geen aansluiting vonden bij de projecten waar consultants opwerkten. Dit heeft het risico tot gevolg dat de lange termijn minder gewaarborgd is en kennis binnen overheden voldoende ontsloten wordt. Daarnaast werkten de consultants behoorlijk ad-hoc en willekeurig: het is erg afhankelijk van de individuele consultant hoe deze met kennis en democratische kwaliteit omgaat.

Beleidsbemiddelaars. In Amerika heeft zich een specifieke beroepsgroep van consultants ontwikkeld welke zich richt op het optreden als intermediairs bij projecten of conflicten waar een verscheidenheid aan actoren bij betrokken zijn: beleidsbemiddelaars (in het Engels: public policy mediators). Beleidsbemiddelaars worden ingehuurd als onafhankelijke derden om consensus te creëren, samen met alle betrokken belanghebbenden. De onderzochte Nederlandse consultants kunnen op een aantal punten leren van de praktijk van de Amerikaanse beleidsbemiddelaars. Ten eerste hebben de Amerikaanse beleidsbemiddelaars een veel meer ontwikkelde professionele praktijk met gedeelde normen, kennis en bijeenkomsten. Ten tweede werken ze, mede als gevolg van hun professionele praktijk, volgens vaste processtappen (diagnose, bij elkaar brengen, deliberaties en één eind document). Hierdoor is hun proces minder ad-hoc en meer transparant. Ten derde integreren ze de mobilisatie van kennis van alle partijen en burgers in het

beleidsontwikkelingsproces, iets wat de consultants in Nederland nog veel meer zouden kunnen doen. Ten slotte laat de praktijk van de beleidsbemiddelaars zien dat publieke verantwoordelijkheden nooit naar hun overgeplaatst kunnen worden: de toegevoegde waarde van consultants zit hem met name in intermediaire rollen. Hiervoor moeten ze een bepaalde mate van onafhankelijkheid bewaken. Wanneer zij ook publieke verantwoordelijkheden moeten waarborgen, zoals het betrekken van zwakkere groepen, brengen zij deze onafhankelijke positie in gevaar.

Hoe kan hun grote betrokkenheid begrepen worden vanuit verklarende lenzen?

Als deel van de hervormingen van New Public Management (NPM). De inhuur van consultants wordt vaak begrepen in verband met andere vormen van uitbesteden en dus als het vergroten van het “private” aandeel in publieke taken, dan wel door de uitvoering van publiek taken uit te besteden aan private actoren, dan wel door private bedrijfskundige kennis en processen te gebruiken in publieke diensten, bijvoorbeeld door het invoeren van KPI’s en een bonusstructuur. Volgens deze redenering worden consultants ingehuurd om redenen van het vergroten van efficiënte, wat een aantal democratische risico’s met zich meebrengt, zoals het benaderen van de burger als consument. Echter de praktijk laat zien dat de consultants vooral ingehuurd werden om collaboratieve projecten waarin vele partijen samenwerken verder te brengen. Dit is in wezen een democratisch motief welke niet gegrond is in overwegingen van efficiëntie of “run government like a business.” De bevinding dat consultants vooral ingehuurd worden om collaboratieve projecten verder te helpen en een toegevoegde waarde hebben als intermediairs tussen partijen en inhouden, doet vermoeden dat de grote betrokkenheid van consultants vanuit een andere lens verklaard moet worden.

Als een teken van de erosie van modernistische grenzen? Een andere mogelijke verklaring is dat de modernistische grenzen tussen publiek en privaat, maar ook tussen wetenschappelijke kennis en niet wetenschappelijke kennis aan het vervagen is. Vanuit deze verklaring kun je zeggen dat de verschillen tussen “publieke planners” (ambtenaren) en “private planners” (consultants) niet zo groot zijn, en daarmee ook niet zo relevant. Echter de bevindingen laten zien dat consultants juist een toegevoegde waarde hebben vanuit hun positie als “externe,” private buitenstaanders, namelijk doordat ze onafhankelijker zijn, een frisse blik hebben en voor meerdere opdrachtgevers gewerkt hebben.

Als een gevolg van problemen van coördinatie en samenwerking? Een derde mogelijke lens is dat consultants ingehuurd worden als gevolg van problemen met coördinatie en samenwerking. Dit blijkt inderdaad vaak het geval binnen de Nederlandse context. Bij ruimtelijke projecten zijn altijd een veelvoudigheid aan overheden en anderen actoren betrokken. Om met zoveel betrokkenen eruit te komen en een resultaat te bereiken vereist een andere vorm van planning: meer proces management, eerst strategische keuzes maken op hoofdlijnen, en dan samen onderzoek doen.

Als een verlies van de capaciteit van overheden om te plannen? Een laatste lens is de inhuur van beleidsconsultants te zien als verlies van de capaciteit van overheden om te plannen. Als overheden er gezamenlijk niet meer uit kunnen komen en dan maar consultants inhuren, kan dit als teken van onvermogen gezien worden. Hoe meer consultants ingehuurd worden hoe meer overheden afhankelijk worden van consultants. Het onderzoek laat zien dat het grootste probleem hierbij is dat ambtenaren niet meer betrokken zijn bij het project waarvoor een consultant ingehuurd is, waardoor zij publieke verantwoordelijkheden die zij ambtshalve hebben niet kunnen inbrengen.

Op welke manier kunnen consultants democratische legitimiteit beperken/versterken?

Consultants kunnen met name de democratische legitimiteit versterken vanuit hun positie als “externen.” Als externen staan ze buiten bestaande relaties en kunnen ze gemakkelijker optreden als intermediair tussen personen en instanties. Omdat ze minder ingebed zijn in één organisatiecultuur kunnen ze gemakkelijker verschillende inhouds afkomstig van verschillende partijen met elkaar verbinden, een helikopter blik innemen en zullen ze gemakkelijker ambtenarenculturen kunnen doorbreken. Tenslotte laat het voorbeeld van de Amerikaanse beleidsbemiddelaars zien dat consultants kunnen helpen om kennis van verschillende partijen te mobiliseren en burgers te laten participeren. Echter de Nederlandse consultants benutten deze mogelijkheden maar zeer beperkt en ook niet allemaal in dezelfde mate.

Dat brengt ons bij de manieren waarop consultants de democratische legitimiteit kunnen beperken. Ten eerste doordat ze inconsistentie in het openbaar bestuur kunnen brengen. Consultants werken allemaal individueel en op hun eigen manier. Hierdoor hangt het erg van de persoonlijke kwaliteit van de consultant en opdrachtgever af op welke manier er bijvoorbeeld met burgerparticipatie wordt omgegaan: krijgen burgers de ruimte om op voorhand mee het beleid te ontwerpen, of wordt het een klassiek traject met voorlichtingsbijeenkomsten? Ten

tweede werken de consultants tamelijk ad-hoc. Ze hebben niet een ontwikkelde en gedeelde manier van werken, zoals de Amerikaanse beleidsbemiddelaars. Hierdoor kunnen ze te veel gefocust zijn op “resultaat” bereiken in plaats van een zo’n groot mogelijke plankwaliteit. Een derde nadeel is dat mechanismen van verwijdering kunnen optreden wanneer consultants ingehuurd worden. De ambtenaren van de organisatie waar consultants voor werken zijn dan niet meer betrokken bij het werk van consultants. Hierdoor komt niet alleen de lange termijn in gevaar, maar krijgen ambtenaren ook onvoldoende de kans om hun expertise in the brengen. Tot slot riskeren consultants te veel een centraal spin in het web te worden. Dit kan het gezamenlijk proces van betekenisgeving bedreigen.

Wat zijn aanbevelingen voor de inhuur van consultants?

- *Stimuleer de betrokkenheid van ambtenaren.* Wanneer consultants ingehuurd worden kunnen er mechanismen van verwijdering ontstaan tussen consultants en de ambtelijke organisatie. Dit kan vermeden worden wanneer ambtenaren van die organisatie actief in het project betrokken zijn en samenwerken met consultant.

-*Ontwikkel een coöperatieve relatie van verantwoording afleggen.* Een consultant heeft toegevoegde waarde als “externe” als hij enigszins onafhankelijk van de opdrachtgever kan opereren, hem een spiegel kan voorhouden, kan bemiddelen tussen relaties en andere partijen hem in vertrouwen kunnen nemen. Dit kan alleen als er een vertrouwensband en samenwerkingsrelatie tussen de opdrachtgever en de consultants bestaat. Een klassieke relatie van outsourcing, via vooraf gemaakte contracten en prestatieafspraken past minder goed bij deze relatie.

-*Ontwikkel een gedeelde professionele praktijk.* Consultants die betrokken zijn bij de articulatie van beleid, zoals in dit proefschrift, zouden meer aan de ontwikkeling van een duidelijk herkenbare beroepsgroep kunnen oden. Waar onderscheiden ze zich als beroepsgroep mee? Wat zijn hun standaarden en manieren van werken? Op welke manier leren ze van elkaar? Hoe gaan ze om met burgerparticipatie? Hoe garanderen ze democratische kwaliteit? Hierdoor kunnen zij een hogere kwaliteit ontwikkelen, willekeur verkleinen en meer transparantie tonen.

- *Procesontwerp meer gericht op het ontwikkelen van inhoudelijke kwaliteit.* Nederlandse beleidsconsultants kunnen hun legitimiteit vergroten als ze duidelijker een procesontwerp vooraf maken en hier transparant over zijn. Consultants moeten van te voren nadenken over hoe

een proces zoveel mogelijk gericht kan zijn op het bereiken van inhoudelijke kwaliteit en niet alleen het bereiken van consensus, bijvoorbeeld door van te voren eerst een op een met alle belanghebbenden te praten.

- *Minder nadruk op coördinatie en meer nadruk op kennis en participatie.* Van de drie zuilen van democratische legitimiteit gedefinieerd in dit proefschrift: besluitvorming, kennis en participatie richtten de consultants het meest op de besluitvormingskant: hoe krijgen we alle partijen zover dat ze het eens worden met elkaar. Beleidsconsultants kunnen legitimiteit winnen als ze ook manieren van werken ontwikkelen die zich richten op de mobilisatie van kennis en burgers en het verbinden van kennismobilisatie, burgerparticipatie en besluitvorming.

- *Transparantie over de kosten van inhuur van beleidsconsultants.* Het bleek zeer lastig om de kosten van beleidsconsultants in kaart te brengen. Ten eerste was het lastig om de kosten van verschillende consultants te onderscheiden. De inhuur van beleidsconsultants is toch iets anders dan de inhuur van IT'ers of advocaten. Ten tweede zijn er geen standaarden om de kosten van consultants bij projecten inzichtelijk te maken, hierdoor is het niet mogelijk om de kosten van consultants direct met die van ambtenaren te vergelijken. Meer transparantie over kosten zou onderzoek naar de effectiviteit van de inhuur van consultants in vergelijking met ambtenaren mogelijk maken.

Wat kunnen we leren van consultants over de manier waarop ruimtelijke planning in de overheid en de betrokkenheid van ambtenaren georganiseerd is?

De inhuur van consultants is zowel een teken van de plethora als chaos van de Nederlandse ruimtelijke planning. Plethora betekent “volheid” en “exces.” Chaos betekent zowel leegte als chaos. In hedendaagse ruimtelijke planning moeten overheden en belanghebbenden met elkaar samenwerken, allen met hun eigen problemen, belangen, inhouden, standaarden, manieren van werken en regels. Dit leidt tot een “volheid” in planning, waarmee overheden niet altijd raad weten. De consultants in dit proefschrift werden vaak op zo'n moment ingehuurd om “er iets uit te krijgen.” Hierdoor leren ambtenaren zelf niet om met deze volheid om te gaan, waardoor ze steeds afhankelijker worden van consultants en de overheid steeds “leger” wordt. Van de andere kant hebben consultants juist in de volheid een toegevoegde waarde vanuit hun onafhankelijke externe positie. Zowel ambtenaren als consultants dienen dus betrokken te

zijn bij een beleidsproces, ieder vanuit hun eigen “toegevoegde waarde” voor ruimtelijke planning.

De in de literatuur aanbevolen rol van “metagovernors” of regievoerders van plan-netwerken voor ambtenaren moet hier in een kritisch daglicht geplaatst worden. Volgens deze literatuur zouden ambtenaren meer als coördinatoren van de verschillende partijen en inhouds moeten optreden. Hier zitten drie nadelen aan: ten eerste is het gevaar van een verscherpte focus op ruimtelijke planning als alleen coördinatie. Ten tweede blijken consultants, vanuit hun externe positie, beter toegerust voor deze rol dan ambtenaren, vanuit hun interne positie. Ten derde is het gevaar dat de inhoudelijke verantwoordelijkheden van ambtenaren om grondig, door kennis getoetst beleid te maken onderbelicht blijven als zij te veel focussen op het alleen maar “coördineren” van alle partijen en belangen.

In plaats van meta-governance van netwerken moeten we juist naar een ruimtelijke planning waarbij op verschillende stages dicht bij de mensen en politiek een gezamenlijk proces van betekenisgeving plaatsvindt. Dit vereist een manier van met kennis en participatie omgaan waarbij kennismobilisatie en participatie niet na of voor het beleidsproces plaatsvindt maar tijdens.