

Trajectories of institutional design in policy networks: European interventions in the Dutch fishery network as an example

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Abstract

This article focuses on the strategies and processes of institutional design. It starts by recognizing that politicians often try to change institutional structures of networks and therefore more theoretical and empirical attention for these strategies is needed. First, the article provides a brief theoretical framework for understanding institutional changes and identifying institutional design strategies. Then it illustrates the framework by in-depth empirical research of the institutional changes in the Dutch fishery network as a result of the interventions of the European Union. The article first elaborates the strategic interventions of the EU and then traces the changes of rules as constructed and reconstructed by the actors in the network. The article ends by assessing the influence of the EU interventions and also by presenting some reflections on the concept of institutional design.

Points for practitioners

In policy-making we face a paradox. Although generally it is recognized that institutions are hard to change, many politicians initiate institutional interventions to change policy outcomes and policy processes. Since these changes mostly are aimed at changes in complex networks of actors that are engaged in producing policy outputs or service delivery this makes the realization of these interventions

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even harder. This article first provides a way to identify and understand strategies of institutional design. But it also provides insight into how interventions of the European Union, in this case in the fields of fishery policies, work out in national policy domains, in this case the Dutch national fishery network. But the article also contains a warning. Institutional design strategies disrupt institutional structures that have been created over the years. They thus threaten existing social capital and also, very importantly, create uncertainty. Because once institutional rules of networks are being changed there is only a long and difficult way back if the interventions turn out to be undesirable.

1. Introduction: institutional design as a governing strategy

Although rarely cited in political talk, 'institutional design' is one of the most prominent governing strategies used by politicians and administrators. It is a means to achieve better outcomes, prevent undesirable outcomes or change outcomes of public policy. In fact politicians are constantly busy with changing and adjusting structures of institutional arrangements when their outcomes are not to their liking. Examples are easy to find. There is the international trend to create autonomous governmental organizations in almost all western countries (Pollitt et al., 2001), which has arguably changed the decision-making space of these organizations, as well as their relations with parent departments. It can be said that the authority rules and rules for interactions in the networks in which they function have changed.

Despite the practical importance of institutional design not much can be found in terms of conceptual framework or detailed analysis on this issue. Where it does exist most of the conceptual work is abstract and more focused on analysing institutions rather than institutional design. Although we can find several institutional analyses ranging from neo-institutional perspective to more political science oriented work (Scott, 1995; March and Olsen, 1989), we do not find many detailed analyses of the changes in rules as actors view and construct them. This article aims to present both a conceptual scheme to analyse institutional design strategies and provide a detailed analysis of the changes in the constructed rules that actors use in a concrete network, the Dutch fishery network. To this extent the article tries to contribute to the theorizing of the idea of institutional design, as well as to the way empirical research about this issue can be applied.

The focus of the analysis is the relationship between the European Union and its separate national networks. The European Union, with its many attempts to change the policy-making of national governments by new legislation and other measures, surely is one of the most important public actors engaged in institutional design. Given the research of the last decennia (Hanf and Scharpf, 1978; Richardson and Jordan, 1979; Marin and Mayntz, 1991; Marsh and Rhodes, 1992), which indicates that policy-making and implementation processes take place in networks of actors, the institutional design measures of the European Union can be interpreted as aiming to influence networks operating at the national level. By focusing on the Dutch fishery network, this article contributes to the analysis of the effects of EU policy interventions upon national networks.

What is institutional design?

As the words indicate, institutional design is aimed at changing the institutional characteristics of — in our case — networks. Institutional design can roughly be described as interventions that try to change the institutional structure, that is, the set of rules used in policy networks (Klijn and Koppenjan, 2006). It is not directly aimed at the process of interactions or concrete outputs, but at the set of rules which regulate these interactions and the way in which outcomes are produced. As such, institutional design is an indirect way of governance although certainly not an unimportant one.

The 'quest for institutional design' is undoubtedly related to the view held by many politicians and administrators that the outcomes of public policy, as well as the way chains of actors deal with societal problems, have been unsatisfactory. It is also, however, related to the growing importance of (dealing with) complex problems. The more we need innovative solutions, which require the cooperation of many actors from different sectors, and the more problems are experienced, which seem to be difficult to address in the existing networks, the tendency to restructure networks or initiate large-scale operations becomes greater. The pressing problems of the diminishing number of fish in the North Sea is an example of a problem that from the perspective of the European Union requires radical measures. The EU actively tries to intervene and change national fishery networks in order to change ideas and behaviour in the long term.

The content of this article

There are thus important reasons to look at the phenomenon of institutional design more closely, for both theoretical and empirical reasons. We will first explore the phenomenon theoretically. We build on network theory (Hanf and Scharpf, 1978; Koppenjan and Klijn, 2004) to work out a conceptual scheme with which we can analyse interventions in the institutional characteristics of networks. With this conceptual scheme we analyse the institutional design interventions of the European Union in the national fishery networks. In this case we trace the influence of these interventions on the Dutch fishery network between 1990 and 2000. We will present a detailed analysis of the changes in rules within the network and try to assess the impact that the EU interventions have on that change. The rules and changes in rules are treated as the dependent variable in this analysis, while the changes in the strategies of the actors (partly) in reaction to the interventions of the EU are treated as the independent variable.

As has already been mentioned, the second section of this article will focus on the conceptual framework we have developed. In section 3 we discuss the Dutch fisheries network and its relation to the European Union. A sketch of EU interventions and the developments in the Dutch fishery network follow this. We then analyse the results of the process of institutional redesign (section 6) by comparing the sets of institutional rules in 1990 and 2000. Finally, we address the consequences and impact of the EU intervention especially for the Product Board, a typically Dutch arrangement (section 7), and reflect on the potency to use institutional design as a governance strategy (section 8).¹

2. Institutional design in networks: an analytical perspective

Institutions structure the behaviour of actors. They set conditions for interactions, shape perceptions of actors, limit their strategic actions and construct their evaluation and appreciation mechanism. Looking at the institutional characteristics of networks is essentially looking at a supra-individual explanation for the behaviour of actors (Scott, 1995). It is not the case that actors or their actions do not matter but actors act within bounds formed by institutions. Institutions are ordering principles in a complex reality.

Institutions as rules: formation and change

Institutions and institutional arrangements are often regarded as sets of formal and informal rules (see Ostrom, 1986; March and Olsen, 1989; Klijn, 1996, 2001; Scharpf, 1997; Jentoft, 2004). Scharpf (1997: 38) defines institutions as 'systems of rules that structure the courses of actions that a set of actors may choose'. Institutions are thus sets of rules, and therefore networks must also be considered institutions. Each network not only has its own history in which it is being shaped and changed, but also can be distinguished from other networks by its unique set of rules.

Within networks, actors interact in a related series of interactions that we can define as games. In these games actors and rules from the network (but sometimes more than one network) are 'activated' around a concrete issue (for an elaboration, see Van Bueren et al., 2003). Rules are, however, also applied, reinterpreted and, in the longer run, changed.

Although there are of course situations where rules are consciously formed in games, which have been devised for that purpose (think of establishing laws for example), rules are usually formed as a by-product during interactions (Knight, 1992; Klijn, 2001). In other words, rules may be the product of conscious design behaviour by an actor – usually a public actor – but even then they are only rules if the other actors in the network recognize them as such and keep to them. Rules that are broken by the actors, either consciously or unconsciously, or are not (or are no longer) complied with, lose their validity (Duintjer, 1977; Burns and Flam, 1987). This also clarifies under which conditions rules may change (Koppenjan and Klijn, 2004). We identify three possibilities.

First, rules change as a result of a conscious action (design/intervention) by an actor, provided that this intervention is perceived to be legitimate by other actors in the network, and is at least complied with (note that this is not necessarily in a literal sense. We will return to this later).

Second, they can change as a result of reinterpretation by actors; if a number of actors start to interpret existing rules in a different way (in terms of a judge who tries to apply abstract rules to concrete offences we could say: create a different jurisprudence), rules will change (Burns and Flam, 1987; March and Olsen, 1989).

Finally, sometimes rules change as a result of non-compliance or even conscious breaking of rules. If actors no longer comply with rules or even consciously break them and this stance is adopted by other actors and not followed up by effective negative sanctions, rules will lose their meaning. This process will usually be accompanied by the simultaneous formation of new rules (see Van Buuren and Klijn, 2004).

The conditions for change in rules can of course also occur simultaneously. The European Union usually tries to influence national networks by conscious action, but as a result of that actors may reinterpret existing rules. This also makes clear that the effects of institutional design are realized in a complex interaction process between conscious intervention, and interactions after that intervention in which various actors play their role. The effects of interventions are often a combination of conscious design and joint strategic actions and the reinterpretations of actors. The essence is, however, that rules in a network change and these changes can be traced by examining closely the construction and reconstruction process of the rules by the actors in the network. This reconstruction of the rules actors use, and their changes, also provides the analyst with information on the impact of interventions upon institutional design.

Institutional design: how rules are changed

Various management strategies, which are based on the changing of rules, can be distinguished. These strategies may be classified into three categories (Koppenjan and Klijn, 2004).

The first category of strategies is aimed at the *network composition*. These are strategies which focus on changing or influencing the composition of the network. Based upon the premise that the composition of the network has an influence upon the interactions occurring within it, the aim is to introduce changes that effect this composition and thereby stimulate different interaction patterns and outcomes. There are various ways in which the composition of the network may be changed. For example, strategies aimed at consolidating or changing actors' positions or adding new actors. However, strategies may also be aimed at changing the access rules for actors or influencing the network as a whole by promoting network formation, self-regulation, or modifications to the system.

The second cluster of strategies is aimed at the *network outcomes*. These strategies try to influence the standards or the logic of costs and benefits in a sustainable way so that games within networks evolve in a different way. This is because other strategic choices are made. The point of intervention here is thus not the actors, as in the previous set of strategies, but their choices. This means influencing both actors' strategic choices and the outcomes resulting from them, in a sustainable way. The most important institutional design strategies in this category are strategies to change the pay-off structure, such as changing professional codes, morals and strategies, and thereby changing the evaluation criteria of actors.

The final category of strategies is aimed at *network interactions*. These strategies try to influence the interactions between actors in a sustainable way. These strategies are aimed at influencing rules which regulate the process in networks, and in this way, try to facilitate interactions to put them in a framework or to make linkages. Strategies in this category include developing conflict settlement mechanisms or introducing certain procedures into interactions. Certification or influencing supervisory relationships also fall into this category.

These strategies are aimed directly at changing rules either by direct intervention upon the rules or by affecting perceptions of actors and their strategies. In this article

we focus on the institutional design interventions of the EU in the Dutch fisheries network on the one hand and the effects, that is the changes in rules, on the other hand. We view the fisheries network in a relatively limited sense. The central actors are the Fisheries Directorate of the Ministry of Agriculture, the Dutch Fish Product Board, the overarching organizations in fisheries (the sector organizations) and (since the 1980s) the European Union (i.e. its Directorate General for Fisheries). Recently, nature and environmental interest groups want to join the network, a desire supported by the 'green policies' of the EU.

Types of rules: the focus of analysis

To study the institutional structure of a network and changes in that structure, we need to analyse and describe the types of rules and their content. Various examples are available in the literature (see, e.g. Kiser and Ostrom, 1982; Ostrom, 1986; Burns and Flam, 1987; Klijn, 1996; Scharpf, 1997). For the purpose of this article, i.e. studying the changes in the Dutch fishery network as result of interventions of the European Union and, given the complexity of this (the changes in the fisheries network in the past ten years), we limit the analysis to three categories of rules (see also Klijn, 2001).

First, we discern *domain rules*. These determine the division of tasks in the institutional system. Laws and regulations determine the tasks of the Product Board (see section 3). The same holds for the tasks of governments. Statutes of private organizations also define objectives and tasks. Informal domain agreements may also have the status of rules. The position of actors is determined as much by implicit and shared rules about mutual positions in the institutional system as by the formal division of tasks.

Second, there are *interaction rules*. These, among other things, determine what information is exchanged and how this is done, the consultation patterns between actors, and how collective decisions are made.

Finally, we focus our attention on *evaluation rules*. These are rules upon which actors evaluate the outcomes of their actions, the procedures to be followed, and the products that are realized. In this specific network, they are especially concerned with what is considered good fisheries policy and how it is made.

These rules structure the network. Institutional design is aimed at changing these rules. We can specify institutional design strategies in the light of the different types of rules. Domain rules are the main rules affected by design strategies that are focused upon network composition. In contrast, interaction rules are mainly affected by design strategies that are focused upon network interactions, and institutional design focused upon network outcomes is, of course, intended to change the evaluation rules.

The research method

A difficulty in the reconstruction of rules is that they do not exist 'out there' but are shaped by actors and, as a result, are a social construction. By necessity, a reconstruction of rules is therefore the reinterpretation by the researcher (see Klijn, 1996; Scharpf, 1997). The reconstruction of formal rules is, obviously, much easier.

For this article the rules have been reconstructed through interviews with 28 actors in the fisheries network such as associates of the Product Board (PB) (see section 3), civil servants of the ministry, and representatives of fisheries organizations (Van Buuren, 2002). These were among the most influential people in the network and all had prominent positions in one of the major organizations in the network. In these interviews, we encouraged interviewees to explicate all sorts of formal and informal agreements about division of tasks, types of interaction and methods of evaluation. Especially important was the question of why they regarded certain actions as self-evident and disapproved of other actions. Implicit assumptions about 'legitimate behaviour' were in this way uncovered. By way of controlling, we asked whether the interviewees could identify with and recognize the reconstructed rules. In addition, a large number of policy documents were examined. From these we deduced the impact of European policy interventions on the institutional arrangements in the fisheries network. Finally, a brief survey was sent to all members of the co-management groups (67 people). Of these, 36 responded (53.7 percent). The questions were mainly concerned with the functioning of these quasi-autonomous groups of fishermen (see section 3) and the relations of the fisheries organization with the PB (Van Buuren, 2002). The data from this survey have been used only sparingly.

3. Europe and the Dutch fisheries sector

In this article, we address the impact of European interventions on institutional changes within the Dutch fisheries network. The study focuses on the European interventions over the period of the past ten years. After all, with its active fisheries policy, the EU has had — directly and indirectly — substantial influence on the positions and relations within national fisheries networks. To focus our analysis, we look especially at the changing position of the PB as a consequence of this European involvement.

Characteristics of the Dutch fisheries network

There are few Dutch policy sectors that, in recent years, have been subject to the kinds of pressures experienced in the fisheries sector. At the beginning of the 1980s, the fisheries network could be characterized as a 'fisheries policy community'. The Ministry of Agriculture, Nature Management and Fisheries operated as a clientele department and developed policy in the interest of the fisheries. Consultation with the sector was institutionalized in a public corporation: the Dutch Fish Product Board.

The Dutch Fish PB is characteristically Dutch, although in other European countries there are comparable intermediary organizations. The Fish PB was created in the 1950s together with other PBs with the enactment of the Corporate Association Act. The essence of this act was the creation of organizations that would be involved in policy-making on behalf of a specific policy sector. The management of these organizations consisted of representatives from sector organizations and observers from relevant ministries and the Social-Economic Council (an advisory body for the cabinet on social-economic policy). The corporation's task is to support the sector

with issues of promotion, research and administration. They also have to support government in the implementation of policy and regulation and are involved in policy-making. They provide a platform for the sector's discussions with government about policy plans. The corporation also has regulative authority and can impose binding regulations upon companies. The PB thus provides a link between the sector (mainly the fishery organizations) and the government. Personified by their chairpersons, the fisheries organizations, namely the Dutch Fishery Association and the Federation of Fisheries Associations, had strong advocates with substantial public exposure (Van der Kroon, 1994). Together, they have sought out the best for the sector.

The EU and the Dutch fisheries network in the 1980s

This image of a corporatist policy sector was severely challenged in the 1980s. In 1977, European quota regulations were established, and suddenly fishermen were required to decrease their catches. The shift from fishing to control proceeded with difficulty, and regulation was massively evaded. Following a European evaluation in 1983, a parliamentary inquiry committee was established. This committee concluded that civil servants and political officeholders had worked too closely with the interests of fishermen and their industry. The fisheries interest was too quickly viewed as synonymous with national interest (Hoetjes, 1993).

Strict measures politicized the relations. Real physical battles occurred between fishermen and the police (Kickert, 2002). In 1989, the Minister of Agriculture was forced to resign because regulations were still not sufficiently followed. His successor hoped to solve these problems. On his initiative, and together with the Dutch Fish PB and the fisheries industry, an effort was made to establish a system of co-management to strengthen the control of the fishing quota, the Biesheuvel system. Fishermen received responsibility for quota control. They formed groups in which the quota were distributed and controlled. In the first instance, oversight and sanctioning was the responsibility of the management group itself. Trust was slowly re-established and quota control became increasingly de-politicized. The fisheries sector remains an independent, closed sector.

With the specific national implementation strategies for the quota regulations, the institutional impacts of the EU interventions in the Dutch network remain limited. The main effect was the diminishing position of the Dutch Ministry of Agriculture. But the internal relationships did not change spectacularly.

4. EU interventions and developments in the Dutch fisheries network 1990–2000

From the early 1990s, the position of the European Union in the national fishery policies became stronger and stronger. On four items, the network was put under pressure and changed considerably. We summarize these four interventions and their context in Table 1.

Table 1 Characteristics of the EU institutional design interventions

Institutional design intervention	Type of intervention	Main rules affected (see section 5)	Comments
1. Fish quota and downsizing catch of fish	Mainly aimed at network outcomes and a little bit on network composition	Changing evaluation rules (what is profitable and good in the network). Indirect: emphasizing the domain rule of the EU	Unilaterally top-down measures to limit fish catch. Bypassing the Ministry of Agriculture
2. Stimulating green issues in fisheries	Mainly aimed at network composition (stimulating access of other groups)	Introducing new actors weakens existing domain rules of PB, sector and ministry.	Encouragement to take ecological issues into account in fishery policy and politics
3. Stimulating private organizations and producer organizations	Aimed at network composition (strengthening actors and changing relations between actors in network)	Changing domain rules: strengthened for private organizations, weakened for PB	By stimulating the private organizations the EU explicitly ignores the PB
4. Free market policy	Mainly at network interactions and indirectly on network composition	Weakened domain and interaction rules that were in favour of PB. Strengthened domain rule of private organizations.	This is a general policy of the EU not specifically targeted at the fishery network. It does, however, include ignoring and bypassing the traditional Dutch organization of the PB. This forms an extra impetus for the national debate about the PB structure

The EU and quota regulations

European quota regulation, partially a result of alarming data about the deteriorating numbers of fish, was strengthened substantially in the 1990s. In addition, the EU developed an extensive package of auxiliary policies, such as, for example, technical measures (about the allowed width of meshes) and sea-day regulations (the number of days that fishermen can fish at sea), in order to reduce the amount of fishing. Its 'top-down' manner of administration — with little attention given to national administrative culture — is not appreciated. 'The Commission is just muddling along', an associate of the PB remarks: 'they (the fishermen) are heard, but no one listens'.

The EU overrules the national government and doesn't reckon with the Dutch consensual approach. Its top-down approach and the power to enforce compliance (because of the rather docile attitude of the national government, after the trauma of the 1980s), gave the EU a powerful position within the Dutch network.

New issues in the fisheries network: nature and the environment

An important development in European fisheries policy, and thus in national policy, is the increased attention given to the issue of 'nature and the environment'. In the annual reports of the PB, a steady increase in the number of national policy initiatives in this area is evident (Van Buuren, 2002). European attention to the ecological values in fisheries policy forces the department to also pay structural attention to this. Specific nature areas are introduced, as well as ecological indicators, ecosystem targets, an action on plan biodiversity and the precautionary principle.

It is not so much the 'greenification' of fisheries policy that puts pressure on mutual relations, but more the manner in which it is implemented. The sector perceives the stream of initiatives, such as the policy memo 'Sea and Coastal Fisheries' (see Ministerie van Landbouw, 1993a, 1993b), the establishment of ecosystem objectives and the policy brief on the welfare of fish, as administrative overdoses. One respondent remarked:

The sector is confronted with too many initiatives . . . Hence, such a sector is confronted with ecosystem objectives [initiative of the Ministry of Public Housing, Planning and Environment] and the next day with the fifth memo on planning [initiative of the Ministry of Housing] that also contains all sorts of planning regarding the North Sea. And then someone appears who says: I also have Ecological Quality Objectives [policy plan of the Ministry of Economic Affairs]. They do not know what to do with it.

Changing relations in the network: professionalization of the sector

Since private parties were also involved, the PB faced challenges from the private sector as well. In the 1990s, fisheries organizations experienced greater professionalization. To a large extent, this was a consequence of European policy regarding producers' organizations. The EU, in the Common Market Policy, gave these voluntary associations of fishermen various market organizing authority. Thus, some tasks of the PB became superfluous and were abolished. Professionalization also occurred in the Biesheuvel groups. Together with the producers' organizations, they were able to implement the quota regulation and the market organization. The sector itself initiated consultation among producers' organizations so that other committees, led by the PB, ceased to exist or lost their functions. As a result, the PB lost part of its influence upon cutter-rigged issues. In addition, because of these developments, the PB could no longer effectively coordinate the Biesheuvel system. The group meetings, chaired by the PB, were convened more infrequently. The fisheries organizations themselves acquired the means to expand their secretarial function so that their representatives (some individuals who have leading positions) had more time to build and expand the fisheries lobby.

The results of our survey supported these conclusions. The respondents are not satisfied about the way the PB defended their interests. The producers' organization is seen as becoming more and more important. In their concrete actions, we see an increased use of 'own' organizations and a neglecting of the fish PB (see Figure 1).

Many in the fisheries world regarded the producers' organization as the organization of the future, and they wanted to invest in this, at the cost of the PB. The joint meetings of the producers' organizations gained in importance.

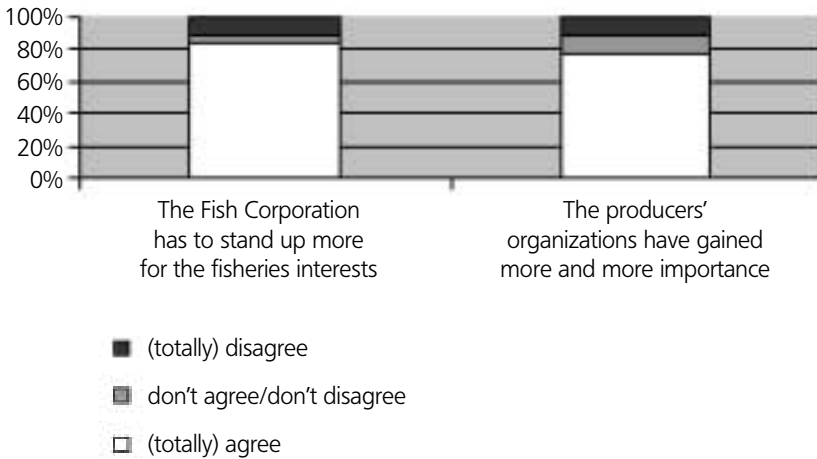


Figure 1 Opinions of the sector about the Fish PB and producers' organizations ($n = 36$)

The PB, on the other hand, increasingly profiled itself as a vanguard institute that desired to fulfil a meaningful role for the sector and the ministry. It sought to facilitate the transformation to a more durable fisheries sector. To that end, it developed various initiatives, but the scepticism in the sector greatly inhibited this.

The PB attempted to streamline negotiations between sector and government and to integrate it through its own channels. But this was not always successful since it met with resistance from the sector and with pragmatism in the ministry. In the development of the Biesheuvel system, we can certainly recognize that the PB was marginalized and forced to give up its role almost entirely.

The Dutch Fish Product Board in a free market

The battle faced by the fisheries sector was intensified by the political discussion about the public corporation system in the 1990s. An important argument in favour of revising the system was the relation of the PBs to European regulations. The concern was that the Dutch Product Boards were not tailored to European policy, which favoured free market objectives and market organization through private producer organizations. A public organization had no place there. As a result, a number of competencies were removed from the PBs.

The PB doesn't fit within the European doctrine about the role of government in relation to the free market. It is an intermingling of public and private elements and a 'not-allowed' association of private businesses. In their policy the EU obviously neglect the PBs. The former chairman of the Fish PB participates in European policy processes as the representative of the united private fisheries organization. Otherwise, he would not be allowed to participate!

This change was part of a much larger (national) debate about the manner in which the relations between the government and the private sector were shaped. In

part as a consequence of this argument, the PB system came under pressure during the so-called Purple cabinets (1994–2002; in which socialist, liberal and democratic parties governed together). Consequently, the Fish PB had to prove itself time and again (SER, 2000). The sector had already criticized the way in which the Fish PB exercised its duties (see below), and this critique became more vehement as a result of this development. Because of the PB discussion and the resulting limitations on its functioning, the PB gradually lost its added value for the fisheries. For example, the obligation of the ministry to request advice about intended policy from the PB was abolished and oversight on the regulative competency of the PB was strengthened. The informal patterns of mutual contacts and information exchange between the Fisheries Directorate and the PB continued to exist, but the discretion of the latter was decreased.

Conclusion: a network under pressure

An important consequence of European involvement in Dutch fisheries was that the network was put under pressure in the 1990s. Partly by connecting to existing developments (the discussion about the position of the Fish Corporation and the professionalization of the sector), but also partly by self-imposed developments (quota regulation, greenification), the EU interventions heavily affect the institutional relations in the network. We will explore the consequences in the next section.

5. Changing rules in the fisheries network

As indicated in section 3, the EU stimulated a change trajectory in the Dutch fisheries network. The network was broken open effectively and the room to deal with issues internally in a discrete manner was diminished. Some interventions were further enhanced by network internal developments (professionalization of the sector, discussion about the PB). The classic corporatist rules in the network were hollowed out as a result of all these developments. The consequences of the (direct and indirect) interventions of the EU in the institutional structure of the fisheries network, that is the basic rules of the network, are analysed in this section.

Domain rules in 1990: live and let live

The most important domain rules in the early 1990s expressed a 'live and let live' attitude in the fisheries. Everyone knew their place in the corporatist network, and national regulations were made in consultation. The PB's role as platform placed it in an advantageous position in policy advising. Its standpoints were developed in intensive consultation with the sector. Despite this, the PB was not exactly appreciated in the fisheries sector. Fishermen were averse to any type of governmental interference. They could not get around the PB or influence it, but they could organize themselves. In their perception it was a costly institution. The 'live and let live' doctrine culminated in the rule: What can be done privately must be done privately. Initially the EU held back, with the exception of the quota regulation and the market organization. The Ministry of Agriculture held political primacy, but used it cautiously because it valued support for its policies (see also Bekke et al., 1994).

Changes in domain rules

The various developments in the fisheries network during the 1990s had important consequences for the domains of the various actors in the network. The EU was able to unilaterally expand its domain. The ministry, as a consequence, lost much of its policy discretion. The sector and the PB complained, but were unable to turn the tide. While the 'purple polarization' and the 'greenification' basically amounted to an interventionist strategy on the part of the Ministry of Agriculture, the EU ultimately overrode them. As a consequence of the PB debate, the PB lost influence:

When I came here [some 20 years ago], the Industrial and the Product Board were 'gentlemen' of great authority. They had real influence because of their formal authority. This was a public corporate organisation. They determined what happened. But all that is gone.

The strong involvement of Brussels forced the Fisheries Directorate to transform itself from a sector directorate to a more neutral policy directorate. As a result, relations with the sector became less intimate, and the sector was forced to learn to deal with its own problems, such as fisheries issues addressed by other ministries (e.g. social-economic issues).

The rule 'What can be done privately, must be done privately' was upheld, and obviously especially by the private parties. They managed to enhance their domain with the help of the EU and were no longer as dependent upon the PB:

Hence we can also get finances through the avenue of private Producers Organisations in order to professionalise the organisation. Thus the argument of the PB [that they are the only one who have the means to make joint action possible] is no longer as strong.

The most important changes in the domain rules are provided in Table 2.

Interaction rules: corporatism in optima forma

The interaction rules 'regulated' the relations between actors in the fisheries network. The PB offered a consultation platform for the sector (the Committee for International Affairs for issues concerning the market organization and the Cutter Committee for cutter-rigged boats). The PB also provided a platform for consultation between minister and sector in the 'Regular Supply Consultation'. The relation between the ministry and the PB took the shape of the latter having the right to advise with regard to intended policy and oversight of the ministry on regulations by the PB.

Changes in interaction rules

The political debate about the organization of the representation of the private interests by the PB changed the relations between the ministry and the PB, especially because the obligation of advising was abolished. Requesting advice became voluntary: 'Presently it is nothing more than a neighbourly service. It is much more like "Let us not start on the wrong foot with this regulation. Let's ask advice." But I must say, this is not the standard', according to a civil servant from the Agriculture Ministry.

The professionalization of the sector resulted in preference being given to interactions internal to the sector over interactions through the PB. The sector considered

Table 2 Changing domain rules

Domain rules		
1990	Within policy discretion defined by national governments, the EU sets frameworks for national fishery policies. This is especially with regard to market organization, capacity reduction and catch regulation	Emphasized
2000	Within the room for policy discretion defined by national government, the EU determines national fisheries policy	
1990–2000	The Ministry of Agriculture is responsible for national fisheries policy within the framework set by the EU	Unchanged
1990–2000	The PB represents the interests of the sector, taking general interest into account, supports the sector where it considers it necessary and cooperates in the implementation of government policy	Unchanged, but contested
1990–2000	The sector organizations look after the interests of their members, the fishermen	More strictly enforced
1990–2000	The fisherman is king on his ship and does not wish to be under patronage when unnecessary. It is necessary to convince him of the use of intended measures	Unchanged
1990–2000	What can be done privately must be done privately. Only when a task cannot be performed by private actors can it be the responsibility of the PB	More strictly enforced
1990–2000	Branch organizations have a decisive voice in the activities of the PB (veto power)	Unchanged
1990–2000	The PB prepares common sector standpoints and represents these	Unchanged
1990–2000	Branch organizations have the right to independently take their own standpoint	Unchanged
1990	Within the frameworks set by government the PB has an autonomous regulative authority. The board determines the more detailed content of policy. Government oversight is marginal	More restrictively interpreted
2000	Within the boundaries set by national government the PB has autonomous regulative authority	
1990–2000	Public primacy: national government determines to what degree it will take responsibility for the content and implementation of its policy	Emphasized
1990	The Fisheries Directorate takes care of the fisheries interests within national government	
2000	The Fisheries Directorate focuses on general policy; the sector looks after the fisheries interest in the Ministry and elsewhere	Changed
1990	The PB can advise government about intended policy and regulation	Changed
2000	When considered necessary, the Ministry will request advice from the PB	
2000	The producer organizations operate in a market organizing manner and 'manage' the catch regulation together with the group	New

Table 3 Interaction rules in the fisheries network

1990	In PB's International Affairs Committee, market organization is discussed. Producer Organizations (POs) are represented there. Together they determine the standpoint with regard to Europe. In the PB's Cutter Committee, the sector determines its standpoints on cutter issues	Changed
2000	In the producers' meetings the sector regulates as far as it can matters concerning cutters	
1990–2000	The Supply Issues Committee addresses all issues concerning supply	Weakened
1990–2000	In the regular supply meeting with the minister, the sector discusses the entire state of affairs with the government	Unchanged
1990	Agreement with ordinances from the ministry involved is sufficient for an ordinance to be passed	
2000	Agreement with the Social-Economic Council, the European Commission and the ministry involved is necessary before a regulation is enacted	Changed

the Producers' Organization consultation sufficient for regulating its affairs (concerning fishing quotas and market regulation) in the direction of 'Brussels'. The PB became increasingly marginalized as a platform for the sector.

Evaluation rules: fisheries interests are general interests

The relevant evaluation rules (with which those involved evaluate the results of policy type interactions in the fisheries network; see Table 3) assume strongly that fisheries policy and fisheries interests are synonymous. Furthermore, actors regard it as self-evident that the results of policy processes are only good when accepted by the sector.

These rules remained almost implicit until their validity became the subject of discussion. This was especially the case with the 'support rule'. Tinkering with this rule determined the problems in the 1980s (quota management) and the solution direction in the 1990s (co-management). One respondent remarked: 'In the end, the government has the authority to push issues through but to a large extent, it will consider what support it has.' In general, this rule remains in the fisheries network (Dorren, 1996).

The problems in the 1980s were mainly a consequence of the fishermen's perceptions about the lack of legitimacy of European regulations. Also, policy did not serve the short-term interest of the fishermen. One of their leaders said succinctly: 'If it is not between the ears of the fishermen, you need one-on-one supervisors. Otherwise it is simply not going to work.'

Changes in evaluation rules

The self-evidence of the notion that the fisheries interest must be served by fisheries policy clearly diminished as a result of EU interventions and the discussions about the environment. The standard of good fisheries policy clearly shifted although there was

Table 4 Changing evaluation rules

1990	Policy is for and by the fisheries. Fisheries policy serves the fisheries interest. An efficient exploitation of the 'sources of the sea' is the objective	
2000	Fisheries policy serves both the nature and the fisheries interests. Attempts are made to reconcile fisheries interests with ecological values. A sustainable, ecologically responsible fishery is the objective	Changed
1990–2000	Support in the sector for policy intentions must be pursued as much as possible. In order to get this there is regular and ad hoc consultation with the sector	Unchanged, ambiguous
1990	Policy is legitimate when fisheries sector and politics agree	
2000	Policy is legitimate when sector, politics and society (nature interests) all agree	Changed

no unanimous agreement about its direction. In this sense, a development can be seen from a more or less uniformly shared understanding about the standard of good fisheries policy to a different somewhat ambiguous standard that was, at least, broader. The support rule was still relevant, certainly in the eyes of the sector, but not at any price. In sum, the EU adds some important evaluation criteria to the national policy discourse. Table 4 provides an overview of the changes in these evaluation rules.

Conclusion

In general, we see how the fishery network is broken open by the interventions of the EU. The position of the Product Board is severely challenged by a professionalized sector and the much broader task orientation of the ministry. The interventions of the EU have dramatically changed positions and interaction rules. In the next section we analyse the specific dynamics of institutional design and make some general conclusions.

6. The impact of institutional design

From a comparison of the two sets of rules, the effects of the intervention of the European Union become clear. Many domain, interaction and evaluation rules changed during the period 1990–2002. However, the patterns in which the institutional changes occurred were not always the same. Some rules changed very clearly, while others became ambiguous. There were a lot of complications when the EU tried to restructure the Dutch fisheries network.

Patterns of change

Sometimes it happens easily: the professionalization of the private organizations is an example of a rather successful intervention, which supported developments already under way in the network. But the discussion about the quota raised heavy protest from the Dutch fishery network. Only through a long process of pushing and pulling

(one has to take into account that the first intervention dated from the early 1980s), did the EU succeed in getting the position it needed to effectively implement its policy ambitions. And this position is still not undisputed. Thus if we look at the experiences in the Dutch fisheries network we can see an important distinction in the dynamics of institutional design. When an institutional intervention hooks onto a current development within the network acceleration can take place. When an intervention opposes such a development, much more energy is needed to realize a restructuring of the network.

The second observation would be that the outcomes of a process of institutional design couldn't be known in advance. Actors react strategically to these attempts, try to make an interpretation of the intervention and thereby shape and change interventions in institutional design. So the evaluation of strategies of institutional design requires a careful look at the developments and changes in rules in the networks and the strategic patterns that are the result of institutional design interventions. One also needs a picture of the trajectory in which changes take place. In this article this is attempted by studying the changes in rules over time. It could of course be desirable to extend this analysis through a more dynamic and long-range view of the actors' strategies and the patterns than we have been able to undertake here.

Unintended or intended?

Some of the institutional design strategies are not always an intended policy strategy. A key objective of the EU is realizing a free internal market. Product Boards don't fit with this image and the EU left the PBs alone. They were neglected. But when a discussion in Dutch politics arose, the arguments of Europeanization and the free market were used in order to diminish the position of the PBs. In other words, European arguments were used in order to realize national policy ambitions. In Table 5 we summarize the differences in types of institutional design attempts and their effectiveness.

7. Institutional design: some reflections

We have seen that the European interventions in the Dutch fisheries network have restructured the network in an important way. They reinforce existing developments, bring about new trends and bend existing trends in other directions. By doing so the fisheries network is restyled in a relatively durable way. New or changed relations are crystallized, other power dependencies have developed, new actors have entered the network, and other criteria are introduced with regard to the interactions between actors and the output of their collective actions. In this concluding section we reflect upon our empirical findings and on the idea of institutional design.

Adapting rather than radically changing the rules: trajectories

The interventions of institutional design tend to occur within the existing sets of rules of networks and do not lead to an entirely new set of rules, which is of course not surprising (Jentoft, 2004). Institutions are relatively durable because they are an expression of underlying ideas and the solidification of them (Skogstad, 1998).

Table 5 Effects of EU institutional interventions

EU intervention	Against or with the 'flow' of the network	Institutional effects	Effective?
Fish quota and downsizing catch of fish	Against the flow	Over a long period (1970–2003) the closed fisheries network is opened and classical positions are changed	Yes, but only after a long period of pushing and pulling. And effects remain uncertain
Stimulating green issues in fisheries	More or less with the flow (also stimulates network internal development)	In a decade 'green evaluation criteria' became the only valid standards for evaluating fisheries policy.	The joint effort of the EU and nature organizations led to the opening of a closed ministry–sector network
Stimulating private organizations in fishery network	With the flow	Important: the private organizations become powerful players in the network, while the position of the PB marginalizes	Yes, the PB has a serious problem in finding new tasks with added value for the sector
Free market policy	Neither of these, pragmatic used to legitimate network internal development	New actors (POs), diminished position for PB and Ministry of Agriculture	Yes, a strong EU interventional policy results in large changes

Normally, this does set some limitations and narrows the possibilities of institutional design strategies. Politicians, in particular, do not always seem to realize this point sufficiently themselves. But the media also focus very much on the apparent measurements of politicians instead of the long trajectories which follow.

The other side of the coin of long implementation processes is that path dependencies are strong but they also mean that changes, once they are 'implemented', cannot be undone in an instrumental way. Past sets of rules simply do not exist anymore. It is thus very unlikely that the changed relationship between fishery organizations and Product Board will be restored in the old situation.

Normative and research implications of trajectories

This finding has two implications: a normative and a research implication.

The normative implication is that every initiator of institutional design should be very aware of what they are doing. After all, institutional design not only 'destroys' the existing social infrastructure and replaces it with a new one, but it is also a one-way street. If one regrets the changes made it is not possible to revert back to old positions (see Koppenjan and Klijn, 2004) as the empirical analysis in this article makes clear. This might be a reason for some hesitation with strategies of institutional design. Given the popularity of institutional design with politicians and the sometimes

confusing, opposite directions initiated in a relatively short period of time, this may not be a bad thing.

The finding that institutional design strategies reach their full effect slowly in long trajectories has the consequence that research about these effects of institutional design can only be examined by 'close reading'. If one wants to analyse the effects of institutional design interventions, a close look at the developments within networks and a good reconstruction of the rules and their changes, it is essential to get a realistic picture. The coping strategies of actors and their reinterpretation of existing rules, as well as the outcomes of that process, should be the focus of the analysis if we want to understand anything of institutional design. We think we have shown the value of such a 'close reading' in this article.

Institutional design: an effective strategy?

If we look at the design strategies used by the EU, it is clear that different types of strategies (aimed at composition, interactions or outcomes) are used at the same time in interventions. This has the consequence that research about successful institutional design should be looking more at the 'successful mix' of intervention strategies than the successful strategy. This is not so strange if one considers that the initiator seeks to enhance their changes as much as possible, and therefore will probably use more than one strategy at a time. This, of course, makes it difficult to assess the influence of each strategy on its own. But the suggested conceptual scheme in this article at least makes it possible to identify various types of strategies and the form they take in real life.

This aside, one can observe that the strategies of the European Union are certainly successful, although they are also supported by national developments. Although it is of course difficult to deduce success from one case, the persistence of the direction, the strong power of the European Union, and the fact that some of the changes were clearly 'with the flow' of the already existing developments of the Dutch fishery network all contributed to the success. In that sense it becomes clear that attempts at institutional design certainly can be successful, although they need time and consistency to create the desired effects. In the long run institutional design is possibly more effective than direct policy interventions. Since successful institutional design causes changes within embedded idea structures, power relations, and frames of reference, its effect is much more important than optimizing the behaviour of governmental actors within policy networks. This also means that institutional design could create much damage if the direction and implementation are wrong. We therefore return to an earlier remark of caution in this article: initiators of institutional design should carefully consider the directions and effects of their attempts because the effects could be very harmful and there is only a difficult way back.

Note

- 1 It is important to note that in this period the Dutch fisheries network was also influenced by national developments, other strategies of the national government, the rise of nature organizations, and the professionalization of the private sector organizations. These developments were strengthened by European interventions. It is difficult to separate these

two types of events. However, in this article we try to isolate the impact of European measures on the institutional characteristics of the network. In the case description we will specify what we see as the influence of European interventions and of national developments on the Dutch fisheries network. We analyse how European interventions amplify or dampen national developments. In the concluding part of the article we reflect on the question of whether the institutional changes we have seen were the effect of European interventions or of national developments.

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