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the case of Femern Belt Forum

Fotel, Trine; Sørensen, Eva; Torfing, Jacob

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CENTER FOR DEMOKRATISK NETVÆRKSSTYRING

WORKING PAPER SERIES

Measuring the Democratic Anchorage of Governance Networks: the case of the Femern Belt Forum

TRINE FOTEL, EVA SØRENSEN AND JACOB TORFING

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CENTER FOR DEMOCRATIC NETWORK GOVERNANCE

ROSKILDE UNIVERSITY, BUILDING 25, P.O. BOX 260

DK-4000 ROSKILDE, DENMARK

WWW.RUC.DK/DEMNETGOV

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Abstract

There has been a growing debate about the democratic problems and potentials of governance networks among political scientists and public managers. While some claim that governance networks tend to undermine democracy, others argue that they have the potential to improve and strengthen democracy. This debate is found wanting in two respects. First of all, there has been far too little discussion about what democracy means in relation to pluricentric governance networks. Second, the current debate builds on the assumption that it is possible to give a clear-cut answer to the question of the democratic problems and merits of governance networks. This assumption is highly questionable, and prevents a more nuanced assessment of the democratic performance of governance networks. As such, it diverts the focus of attention away from the fact that governance networks may be democratic in some respects, but undemocratic in others. Henceforth, in order to make a more precise assessment of the democratic quality of governance networks we need to develop normative criteria that permit us to measure the democratic quality of governance networks on different dimensions. Such criteria are developed and brought together in what we shall call a model for the democratic anchorage of governance networks. As illustrated by our qualitative case study of a multi-level and cross-border governance network involved in the recent decision to build a bridge between Denmark and Germany, the democratic anchorage model helps to assess the democratic performance of specific governance networks and to gain knowledge about the critical factors that determine their degree of democratic anchorage. Such knowledge is crucial for developing proactive strategies for enhancing the democratic performance of specific governance networks.

1. Introduction

The first decade of the new millennium has seen a growing debate among political scientists concerning the democratic quality of governance networks (Peters and Pierre, 2000; Warren, 2002; Sørensen, 2002; Grote and Gbiki, 2002; Skelcher, 2005; Benz and Papadopoulos, 2006; Klijn and Skelcher, 2007; Stoker, 2006; Newman, 2005; Sørensen and Torfing, 2005a). The initial governance debate in the 1990s was mainly preoccupied with demonstrating the significant role of governance networks in public governance and analysing their contribution to efficient and effective governance (Marin and Mayntz, 1991; Kooiman, 1993; Scharpf, 1994; Rhodes, 1997; Kickert, Klijn and Koppenjan, 1997; Milward and Provan, 2000). Empirical studies (Marsh and Rhodes, 1992; Marsh, 1998) showed that institutionalized interaction among interdependent, but operationally autonomous, actors played an important role, not only in the implementation of public policy, but also in the process of policy formulation and political decision making. This means that governance networks cannot be reduced to managerial arenas of pragmatic problem solving. They are deeply involved in political processes and power games through which the authoritative allocation of values is determined and this produces an urgent need for a systematic assessment of the democratic quality of governance networks. This has prompted governance researchers to consider whether governance networks weaken or strengthen democracy. The answers to this pertinent question differ considerably. While some researchers claim that governance networks represent a threat to democracy because they tend to undermine the principles and institutions of representative democracy, others argue that governance networks help to strengthen democracy because they remedy crucial shortcomings in representative democracy by enhancing participation, deliberation and contestation (Klijn and Skelcher, 2007; Sørensen and Torfing, 2007: 233 ff).

The growing interest in the impact of governance networks on democracy is important and necessary as it places the question of the distribution and exercise of political power at the heart of the research agenda and helps combating the unfortunate tendency to describe and analyse governance networks in purely managerial terms. However, the current debate about the democratic quality of governance networks is found wanting in two respects. First, there has hardly been any discussion of what democracy means in relation to network-types of governance. There has been some discussion of the inclusiveness and accountability of governance networks, but the discussion has not produced any clear understanding of how we define, assess and evaluate inclusiveness and accountability. Second, the debate on governance networks builds on the highly problematic assumption that it is possible to give a clear-cut answer to the question of whether or not governance networks are democratic. This assumption is problematic because it prevents a nuanced debate about when, how and why specific governance networks are democratic. As such, the debate tends to overlook the fact that some governance networks are more democratic than others. A detailed analysis of the democratic problems and merits of specific governance networks is necessary in order to be able to develop adequate strategies for improving their democratic performance.

A further advancement of the current debate about the democratic impact of governance networks requires the development of a specific set of criteria that permits us to measure the democratic quality of specific governance networks. In this paper we propose and elaborate a set of criteria that help to measure what we have elsewhere defined as the democratic anchorage of governance networks (Sørensen and Torfing, 2005b). The democratic assessment criteria will help to produce new knowledge about the various degrees of democratic performance of governance networks and will facilitate studies of the contextual and institutional factors that condition the democratic anchorage of different types of governance networks. Such studies will be extremely valuable in order to craft specific metagovernance strategies aiming to enhance the democratic performance of governance networks.

After having defined what we mean by governance networks and commented on the debate concerning their democratic impact, we present our model for the democratic anchorage of governance networks and use the basic dimensions of this model to elaborate a detailed set of criteria for measuring the extent to which governance networks are democratically anchored. We then use these criteria in an evaluation of the democratic anchorage of a multi-level and cross-border governance network that has been involved in the recent decision to build a bridge between Germany and Denmark – the so called ‘Femern Belt Bridge’. In the conclusion we briefly reflect on our attempt to apply the criteria for democratic anchorage in empirical analysis and compile a list some of the questions that remain to be answered in the search for ways of measuring the democratic performance of governance networks.

2. Governance networks

Governance networks seem to play an important role in public governance and their role is most likely going to augment as governance networks are increasingly seen as an effective and legitimate way of dealing with crosscutting and wicked problems (Van Heffen et al, 2000; Rhodes, 2000; Goldsmith and Eggers, 2005; Marcussen and Torfing, 2007). We are witnessing a persistent growth in joined up governance where public agencies form collaborative networks with each other; a proliferation of public-private networks and partnerships; and a surge in networked policy interaction among different levels of

governance. The various governance networks take many different forms. Some networks are highly formalized and mandated from above, while others are informal and self-grown. Some are open and inclusive, while others are closed and elitist. Some pursue broad society-wide policy goals, while others have a narrow focus on single issues. Some are preoccupied with policy formulation, while others are preoccupied with policy implementation. The plurality of governance networks is well documented and has led to the construction of different typologies (Marsh and Rhodes, 1991; Kickert, Klijn and Koppenjan, 1997).

Of course, one might ask whether the plurality and diversity of governance networks warrants a generic study of governance networks perceived as a distinct and unified phenomenon. Does it make sense to bring all the different kinds of networks together under the shared heading ‘governance networks’? We believe that it does, as there are some clearly discernable features of network-type of governance that permit us to define governance networks at a generic level. Hence, governance networks can be perceived as a relatively stable articulation of interdependent, but operationally autonomous actors who interact with one another through negotiations that take place within a regulative, normative, cognitive and imaginary framework, which is self-regulating within limits set by external forces, and contribute to the production of public purpose (Torfing, 2005). As such, the notion of governance network points to the existence of mutual, flexible and situated ties among relevant and affected actors from state, market and civil society, who choose to pool their resources and coordinate their actions in the pursuit of common understandings and shared goals that are deemed to benefit and have value for the larger public.

There is a general belief in the governance debate that the surge of network-types of governance can be explained by their contribution to an effective governing of our increasingly complex, fragmented, decentred and multi-layered societies. Without governance networks we would lack crucial information, fail to mobilize available resources and face serious coordination problems (Kooiman, 2000; Pierre and Peters, 2000; Klijn and Koppenjan, 2004). Those political scientists who have searched for ways of improving the democratic quality of governance networks have been driven by the assertion that governance networks are here to stay because we cannot do without them, and that we should, therefore, seek to minimise the negative impact they have on democracy as much as possible (Peters and Pierre, 2000). Others tend to view governance networks as a promising tool, not only for enhancing effective governance, but also for improving democracy (Warren, 2002; Cain, Dalton and Scarrow, 2003; Stoker, 2006; Sørensen, 2009). As such, it is argued that governance networks can help to strengthen the interaction between politicians and citizens between elections, supply additional channels of political influence to intensely affected citizens, mobilize and empower private actors, and facilitate dialogue and collaborative decision making among multiple demoi (Young, 2000; Sørensen and Torfing, 2005a, 2007; Dryzek, 2007; Esmark, 2007). However, regardless of whether governance networks are seen as a potential threat to democracy that should be mitigated, or as a promising contribution to developing a stronger democracy based on an active citizenship, there is a fundamental question that needs to be answered: *How do we assess the democratic performance of governance network?* In the attempt to answer this pertinent question we have developed a model for the democratic anchorage of governance networks. Instead of focusing on how governance networks might help to improve democracy at large, the democratic anchorage model aims to provide some basic criteria for judging the democratic quality of governance networks. The basic dimensions of the democratic anchorage model have already been

established (Sørensen and Torfing, 2005b), but the complicated process of turning the basic dimensions into a set of criteria that can be used in empirical assessments of specific governance networks is far from completed. The present paper aims to bring us a few steps ahead by developing a detailed set of assessment criteria and applying them to an empirical case.

3. The democratic anchorage of governance networks

The basic argument underlying the democratic anchorage model is that the democratic performance of governance networks can be ensured by anchoring the interactive policy making in the network in a series of relevant political constituencies that can help to lend democratic legitimacy to the network and in a democratic grammar of conduct that provides a normative yardstick for assessing the institutionalized negotiation among the network actors. As such, we shall claim that governance networks are democratically anchored to the extent that they: 1) are controlled by democratically elected politicians; 2) represent the membership basis of the participating groups and organisations; 3) are accountable to a territorially defined citizenry; and 4) facilitate interaction in accordance with a commonly accepted democratic grammar of conduct.

The first anchorage point expresses the need to establish a close linkage between representative democracy and governance networks so as to ensure that the decisions of democratically elected politicians are not undermined by mandated or self-grown governance networks. However, as persistently argued by several theorists of democracy, the institutions of representative democracy are not capable of providing an undisputed source of democratic legitimacy as the link between voters and elected politicians has been systematically weakened by a decline in party membership, declining voter turn-out and the pervasive role of mass media in organizing political communication between the people and its representatives (Barber, 1984; Bobbio, 1987; Pitkin, 2004; Hirst, 1994; Stoker, 2006). Therefore, we propose that this first anchorage point is supplemented by other anchorage points that derive democratic legitimacy from the membership basis of the groups and organisations that the network actors claim to represent, from the citizens bound by the decisions of the network, and from a grammar of conduct that regulate the way in which network actors interact with each other. In fact, the model builds on the assumption that neither of the four anchorage points alone can ensure the democratic quality of governance networks. The four anchorage points compensate each others' shortcomings and together they provide a strong source of democratic legitimacy.

The four anchorage points re-invoke classical themes in liberal theories of democracy. However, as we shall see, it is necessary to reformulate the classical notions of liberal democracy in the context of governance networks and in the light of new theoretical insights. Let us consider each of the four anchorage points in turn.

3.1 Anchorage in democratically elected politicians

The basic rationale for anchoring governance networks in democratically elected politicians is that government control with governance networks helps to make sure that the public policy and governance produced by these networks is in line with the popular will expressed by the political majority of elected assemblies. Hence, elected politicians can lend democratic legitimacy to governance networks in so far as they are capable of controlling the formation, functioning and development of governance networks.

Now, the problem is that the very idea that elected politicians can *control* public governance is flawed. As evidenced by numerous policy and implementation studies in liberal democracies, the actual possibility of exercising top-down political control is limited (Lindblom, 1968; Lipsky, 1980; Behn, 2001). Contrary to what was originally suggested by Max Weber (1920) and Woodrow Wilson (1887) bureaucracy has failed to grant the elected politicians the means to ensure thorough control with the actual outputs and outcomes and, so far, the efforts to find new and alternative means to ensure control have been unsuccessful. The New Public Management reform programme is the most recent attempt to enhance political control with public governance from above. It aims to control outputs and outcomes by combining delegation and decentred self-governance with target steering, performance measurement, and economic incentives. However, control effects are limited due to the surge of unintended consequences such as blindness to that which cannot be measured, the surge of strategic gaming aiming to exploit the provided incentives, and a massive crowding out of normative and professional standards as constraints on the behaviour of street level bureaucrats (Sørensen, 2007; Stoker, 2008). In addition, the proliferation of quasi-autonomous agencies and institutions seems to make political control even more difficult.

The limit of the traditional notion of political control, which has been recognized, but not removed by the recent spell of New Public Management, becomes even more apparent in the context of interactive forms of governance through different kinds of networks. Governance networks are defined in terms of their capacity for self-regulation and the attempt to control governance networks through top-down steering based on rules, commands, narrow targets and tough sanctions will not only undermine their self-regulatory capacity (Mayntz, 1991: 10), but will also be met by fierce resistance by the network actors, reduce their motivation to participate and encourage them to play safe and avoid risks. Hence, we need to rethink the notion of political control in order to understand how politicians can monitor and influence governance networks through more subtle and indirect forms of regulation that respect the self-regulatory character of networks.

Following this line of argument, the governance network literature has aimed to reformulate the notion of political control in terms of *metagovernance* defined as the ‘regulation of self-regulation’ (Kooiman, 2003; Jessop, 2002: 240 ff; Kickert and Koppenjan, 2004; Sørensen and Torfing, 2007). A reading of the literature on metagovernance points to four main forms of metagovernance by which elected politicians can metagovern governance networks:

1. *Network design* that aims to influence the scope, character, composition and institutional procedures of networks
2. *Network framing* that seeks to determine the political goals, fiscal conditions, legal basis, and discursive story-line of networks
3. *Network management* that attempts to reduce tensions, resolve conflicts, empower particular actors, and lower the transaction costs by providing different kinds of material and immaterial inputs and resources
4. *Network participation* that endeavours to influence the policy agenda, the range of feasible options, the decision making premises, and the negotiated outputs and outcomes.

The first and second forms of metagovernance are performed ‘hands-off’, i.e. at a distance from the self-regulating governance networks, whereas the third and fourth forms are carried out ‘hands-on’, i.e. through a close interaction between the metagovernors and the individual governance networks. Moreover, the first and fourth forms of metagovernance appear to be relatively interventionist as the metagovernor seeks to influence the content of what is being self-governed by the network. By contrast, the second and third forms of metagovernance seem to be comparatively less interventionist as they merely aim to define a space for self-governance and support the governance network’s self-governed activities what ever the content might be. An overview of the basic characteristics of the four different forms of metagovernance is provided in table 1:

Table 1: Overview of the basic characteristics of the main forms of metagovernance

	Strong intervention	Limited intervention
Hands-off	1. Network design	2. Network framing
Hands-on	4. Network participation	3. Network management

Metagovernance of governance networks is most successful in securing well-functioning governance networks when combining all the available forms of metagovernance. In particular, metagovernors need to combine ‘hands-off’ and ‘hands-on’ metagovernance since the two kinds of metagovernance tend to rely on each other in order to be effective. The New Public Management reforms have focussed exclusively on hands-off metagovernance in an effort to develop self-regulating public markets and self-governing agencies through the design of competitive games. The result has been widespread distrust, mounting conflicts and lack of ownership – problems that can only be ameliorated through hands-on metagovernance. Likewise, efforts to metagovern hands-on through participation in and management of networks are ineffective if the governance network is poorly designed and lacks a clear purpose. These experiences suggest that hands-off and hands-on forms of metagovernance must supplement each other in order for metagovernance to be successful.

Metagovernors must also combine forms of metagovernance that differ in terms of how much they intervene in the interactions of governance networks. This will enable them to respond to the key challenge of how to avoid both over-regulation and under-regulation of governance networks (Kooiman, 1993: 255). There are no ways of precisely determining the tipping point where metagovernance either becomes an unbearable straight jacket for the relatively self-regulating governance networks or becomes insufficient to ensure a reasonable degree of coherence and coordination between representative democracy and the interactive policy making in specific governance networks. Nevertheless, if the metagovernors combine and balance interventionist forms of metagovernance with forms of metagovernance that are less interventionist, the chance of avoiding over- and under-regulation will tend to increase.

The key question then becomes how we measure the extent to which governance networks are metagoverned by elected politicians. Here it might help to think about when and how things can go wrong. Hence, the elected politicians might not be aware that a particular governance network exists. This will make it impossible for them to exercise metagovernance. The politicians may not want to take responsibility for metagoverning

governance networks within their jurisdiction, and they may fail to clarify whether the different governance network are ‘high politics’ and therefore need a careful metagovernance, or whether they are ‘low politics’ bordering on administrative coordination, and therefore need less, or no, metagovernance. Missing or inadequate information about what is going on in the governance network will also prevent the exercise of metagovernance, and the absence of clear objectives and a failure to understand how these objectives can be achieved through a combination of different forms of metagovernance will undermine the effectiveness of actual attempts to metagovern the governance network. Last but not least, it is a trivial fact that politicians are overburdened and often leave metagovernance to the public administrators. Failure to coordinate with the public administrators creates an imminent risk of inconsistent and conflicting messages from the public metagovernors that will seriously hamper the effects of metagovernance.

Reversing the arguments about metagovernance failure permits us to formulate a list of positively formulated norms that can help us to measure whether governance networks are democratically anchored in elected politicians. The metagovernance norms are summarized in proposition 1.

Proposition 1. Democratic anchorage in elected politicians can be measured by paying attention to the following norms:

- The elected politicians must be aware of the presence, role and character of the governance network in question, and have access to information about its processes, outputs and outcomes
- They must assume the role of metagovernors and decide how important it is to metagovern the network in order to ensure its sustainability, influence its processes, outputs and outcomes, and enhance its democratic performance
- They must define the objectives of their metagovernance and combine different forms of metagovernance to achieve these objectives
- They must cooperate with the public administrators in order to develop a joint metagovernance strategy and coordinate their actions

3.2 Anchorage in the membership basis of participating groups and organisations

The rationale for anchoring governance networks in the membership basis of participating groups and organisations is that the members of these groups and organisations constitute a ‘demos’ of directly affected people that the different network actors must represent in order for the governance network to obtain democratic legitimacy (Sørensen and Torfing, 2003: 617). Governance networks provide an arena for negotiated interaction between actors who implicitly or explicitly represent a plurality of informal groups and/or formal organisations. The interactive policy processes in governance networks are democratically legitimate in so far as the participating actors represent the interests, preferences and opinions of the members of these different groups and organisations.

However, the classical notion of *representation* is problematic as it wrongly assumes that a pre-defined interest or preference is reproduced in an undistorted way at the level of representation (Laclau, 1993; Saward, 2005). The idea of an unbiased one-to-one representation of a pre-given interest or preference is not only difficult to realize in network-based policy processes, but is also theoretically flawed as it presupposes the presence of a fully constituted object of representation and assumes that the process of representation does not add anything to the object of representation. By contrast, we shall contend that the interests and preferences to be represented are never fully constituted since they are formed within a particular discursive context that is constantly destabilized by dislocatory events that reveal the ultimately undecidable character of all social and political identities. As such, the interests and preferences of political actors are always marked by the non-totalizable openness of the policy discourse in which they are formed (Laclau, 1990, 1993).

The ultimate failure to construct a fully constituted preference or interest means that the performative act of representation in governance networks becomes constitutive of the interests and preferences that it represents. The interests and preferences of the participating groups and organisations are defined by the way they are articulated by their representatives in the governance network. There might be a discrepancy between how these preferences and interests are conceived and articulated within the membership basis and how they are constructed in the representational space of the governance network. However, the constructed representations cannot be seen as a mere distortion of some primordial object since there never was a fully constituted interest or preference in the first place, but only a vague and ambiguous ensemble of conceptions, wants and beliefs. Therefore, the relation between the network representatives and the constituency that they claim to represent must be evaluated in terms of the degree to which the represented identify with the representatives (Saward, 2005). The crucial question is not whether the discursive forms of representation in the governance network distort some true and original interest or preference, but rather whether those who the representatives claim to represent identify themselves with the performative act of representation (Torfing, 1999: 183 ff).

The crucial challenge for the attempt to democratically anchor governance networks in the membership basis of affected groups and organisations through the establishment of a relation of representation is to avoid tying the representatives on their hands and knees through the issuing of closely defined mandates. It is virtually impossible to participate in political negotiations within a governance network on the basis of a closely defined mandate. Participation in governance networks not only requires the ability to give and take in relation to a given set of preferences or interests, but also the possibility of developing and responding to new political initiatives that modify and change the articulated preferences and interests through power-ridden forms of deliberation. Therefore, the best way of ensuring representation is through an ex-post critique of the way in which the representatives represent and pursue particular interests and preferences. In representative democracy such an ex-post critique is institutionalized through the ballot box, but when it comes to governance networks this is not an option. Here ex-post critique must take place through the presence of situations in which the network actors are forced to create and recreate points of identification for the groups and organisations they claim to represent.

However, capacities and opportunities for ex-post critique are just one among several conditions for ensuring *identification* with the representatives in governance networks. First

of all, the participants in the governance network must advance more or less concrete and direct claims to represent specific groups that are affected by the negotiated interaction in the governance network (Saward, 2005: 191). The advancement of such claims is important in order for the network actors to become recognized as a legitimate player by the other actors in the network. However, it is not enough that the other network actors envisage these claims to represent. The represented groups and organisations must be aware of the claims to represent and must identify with these claims by constructing a 'we'-relationship to the representative. The 'we'-identity does not construct a complete identity, but rather a 'sameness' that permits disagreements up to the point where the 'we' is replaced by an 'us' and 'them' division. The represented groups and organisations must have the necessary capacities to critically evaluate the way in which the representatives construct and pursue particular interests and preferences and there must be regular opportunities for the represented to assess the performance of their representatives and express grievances and criticisms. Identification can be maintained despite of criticisms if the representatives demonstrate their willingness to listen, learn and adjust their performance in the governance network, or persuade the critics to change their views.

We can now propose a list of positively formulated norms that can help us to measure whether governance networks are anchored in participating groups and organisations. The norms are summarized in proposition 2.

Proposition 2. Democratic anchorage in participating groups and organisations can be measured by paying attention to the following norms:

- Network actors must advance claims to represent specific groups and/or organisations
- The represented groups and/or organisations must be aware of these claims and accept their validity by constructing a 'we'-relationship to the representative(s)
- The represented groups and/or organisations must have the capacity and opportunity to critically evaluate the way that their interests and preferences are constructed and pursued by the representative(s)
- The representative(s) must be sensitive to criticisms from the represented

3.3 Anchorage in a territorially defined citizenry

The basic rationale for anchoring governance networks in a territorially defined citizenry derives from the fact that democratic legitimacy is not only obtained by being accountable to a demos constituted by the groups and organisations that are directly affected by the decisions made by a particular governance network. Governance networks must also be accountable to a wider territorially defined demos constituted by citizens who are indirectly affected by the decisions made by the governance network, for example, because the decisions affect the overall allocation of resources, or because they have repercussions for other policy sectors. The citizens who live within the local, regional, national or transnational territory in which a certain governance network is setting the agenda or making binding decisions should be able to hold that particular governance network accountable for its policy outputs and policy outcomes. Of course, the elected politicians help to anchor governance networks in the territorially defined citizenry, but there is a long way from a group of concerned and

discontented citizens to the responsible governance network, if the citizens have to seek influence through the election of politicians who may or may not metagovern the governance network. Indeed, citizens should have a shorter and more direct way of holding a particular governance network publicly accountable for its contribution to public governance.

The classical notion of *public accountability* assumes that the responsible political decision makers can be identified and held to account for an inappropriate policy output and an unacceptable policy outcome. However, the problem with this assumption is that the presence of complex causalities often makes it impossible to determine the reason why an attempt to solve a problem or exploit new opportunities fail. There is always the possibility that contingent circumstances beyond anyone's control caused the policy failure. Even in those cases where the policy outcome seem to derive from a certain policy output the causal link between the policy output and the policy decisions that brought it about can be highly uncertain as political decisions are often ambiguous, inconsistent and subject to competing administrative interpretations. As such, the idea of a one-to-one correspondence between decision, output and outcome is problematic.

This fundamental causality problem related to the traditional notion of accountability undermines the well-established claim that representative democracy is capable of ensuring a high level of democratic accountability. However, the difficulties with ascertaining democratic accountability becomes even more outspoken with regard to governance networks. First of all, it is often hard to identify clear-cut decisions in governance networks as decisions are a result of complex and informal interactions in which problems, solutions, decision-making premises and implementation strategies are loosely coupled and subject to ongoing revisions. Second, if and when policy outputs are visible it is often difficult to establish who precisely were responsible for making the policy decisions. Governance networks seldom retreat to voting, but the network actors tend to bargain and deliberate until there is established a 'rough consensus' in terms of a satisfactory decision that is tacitly accepted, despite minor protests and grievances. This makes it difficult to see who supported a particular policy decision. A solution could be to hold the whole governance network to account for a particular output or outcome, but that could be seen as unfair by those who tacitly accepted the decision, despite serious reservations and persistent criticisms. Finally, no matter whether it is the individual network actors or the whole governance network that are held to account, the attempt to sanction problematic and inappropriate decisions is exceedingly difficult. Since the network actors are not elected, but most often appointed, or even self-appointed, they cannot be voted out in the next election. There might be other ways of excluding individual network actors, but many organisations tend to monopolize representation of particular groups and this renders it impossible to find qualified substitutes for those who are excluded. Politicians might choose to cut back funding and reduce the scope and influence of governance networks that are responsible for clear and discernable policy failures. However, such a reaction will merely tend to dismantle the governance network and replace it with more hierarchical forms of top-down government. A less drastic response would be for the politicians to publicly scorn the governance networks through what is generally known as 'naming and shaming'. Although this might be a viable strategy in terms of ensuring the survival of the governance network, the effect will often be rather limited as the scope of the network actors to plead 'not guilty' is relatively large.

However, the problems related to meeting the democratic demand for the public accountability of governance networks should not make us give up the fundamental ambition of facilitating *public contestation* of political decisions taken by governance networks. Facilitation of public contestation is a must if we are to prevent governance networks from degenerating into closed and secret clubs that operate in the dark and without public approval (Fox and Miller, 1995: 118 ff; Newman, 2005; Dryzek, 2007). Public contestation basically involves public debate and critical scrutiny of the ways policy problems are defined; the listing and framing of alternative policy options; the procedures that lead to the choice of a particular option; and the direct and indirect results of the implemented policy. In other words, governance networks and the participating actors must provide public accounts of why, how and with which result they do what they do, and they must engage in public dialogue with their opponents and be sensitive to the criticisms that are raised. What we are talking about here is a new kind of narrative accountability whereby the governance network's accounts are publicly contested by critical counter-accounts (March and Olsen, 1995: 141 ff).

The relevant counterpart of the governance network is the accountability holding citizens within a certain territory, but we should not be under the spell of the illusion that all citizens will have their eyes tightly fastened on the decision making, policy outputs and policy outcomes of a vast number of governance networks in order to criticize what they find wrong or wanting. We will have to content ourselves with the critical engagement of mass media, scientific and professional experts, interest organisations, social movements, competing governance networks, and politically interested and empowered individuals. Public audit and critical scrutiny require a certain amount of resources, capacities and political interest, which we cannot commonly expect to find among ordinary citizens, and least of all in unorganized groups of citizens with low education and income. The public contestation of a governance network is therefore often carried out by a diverse group of more or less organized elite citizens. The active engagement and critical scrutiny on the part of different kinds of sub-elites (Etzioni-Halevy, 1993) is of central importance to a successful democratic anchorage of governance networks in a territorially defined citizenry.

There are three crucial requirements that must be fulfilled in order to facilitate public contestation of the narrative accounts produced by governance networks and the participating organisations and groups. The first requirement is transparency. Governance networks and their tasks, remit and composition should be fully visible to the general public, and they must produce regular public accounts for why and how they arrived at particular decisions, and what the results have been. The public accounts should be comprehensive, informative and accessible for lay people. Overly brief policy statements, misleading figures and arguments, and a specialized, or technical, jargon will leave the citizens in the dark as to what goes on in a governance network.

The second requirement is access to public dialogue with governance networks. The narrative accounts of the deeds of various governance networks can be made publicly available on the internet, or through policy reports, hearings, press meetings, mass media coverage, or availability of the key network actors in accessible public spaces where they can meet the citizens face to face. If there are citizens who, at some point, want to take issue with the figures, arguments and stipulations presented in the publicly available network accounts, they must have the possibility for engaging in a dialogue with the members of the governance

network in question. The citizens should be able to ask questions, raise concerns, advance criticisms and organize protests, and the members of the governance network should respond by giving additional accounts that address the issues raised by the citizens.

The third requirement is responsiveness on the part of the governance network. It does not help much to foster a critical dialogue between the members of a governance network and a territorially defined citizenry, if the former are unwilling to take eventual criticisms into account by adjusting the course of action. Public contestation is reducible neither to the repressive tolerance of critical voices nor to a polite dialogue with no effect. Public contestation must be played out in a way that promotes responsiveness on the part of the governance network. Just as the critical citizens must be prepared to learn that their criticisms are ill-founded or misguided, governance network actors must be prepared to respond positively to constructive proposals, to make concessions, or at least to compensate the losers. One of the ways of promoting a two-way responsiveness is to ensure that the dialogue between citizens and a governance network is initiated in the early stages of the policy process and continued later on. If the public contestation emerges in the final stages of the policy process where carefully calibrated compromises have been formed and political deals have been struck, the propensity of the network actors to listen to criticisms and consider new alternatives will be extremely low.

The three requirements presented above help us to measure the degree to which governance networks are democratically anchored in indirectly affected citizens and sub-elites who subject the outputs and outcomes of the networked policy process to public contestation. As such, we can now draw up a list of norms for measuring the democratic anchorage of governance networks in the territorially defined citizenry. The norms are summarized in proposition 3.

Proposition 3. Anchorage in a territorially defined citizenry can be measured by paying attention to the following norms:

- The tasks, remit and composition of a governance network must be fully visible to the general public
- The governance network must produce regular narrative accounts that seek to justify its decisions, actions and results in the eyes of the broader citizenry
- The participants in the governance network must engage in a constructive dialogue with those who are publicly contesting their decisions, actions and results
- The governance network must show some level of responsiveness towards criticisms and alternative proposals raised in the public debate

3.4 Anchorage in democratic rules and norms

The basic rationale for anchoring governance networks in democratic rules and norms is to ensure that governance networks are not only democratically anchored in external political constituencies, but also in a set of democratic standards regulating the processes and interactions that take place within the network. The democratic quality of a governance network also depends upon the degree to which the network actors follow rules and norms

inherent to a democratic grammar of conduct (Mouffe, 1993). In the same way as the call for 'justice' provides the basis for the deconstruction of actual 'laws' that are never just enough (Derrida, 1992), the call for a 'democracy-to-come' provides the basis for the deconstruction of historical forms and accounts of democracy (Derrida, 1994). However, in order to assess the democratic character of actual forms of governance, we need to invest the ungraspable vision of a 'democracy-to-come' in a set of contingent democratic standards that can be used in concrete evaluations and assessments. The democratic rules and norms that are relevant for an assessment of the structure, functioning and outcomes of governance networks can be derived from many different currents of democratic theory. Some can be traced back to the aggregative and integrative strands of liberal democratic theories (March and Olsen, 1989), whereas others are rooted in the new post-liberal theories of democracy (Sørensen and Torfing, 2005a). The interweaving of theoretical discussions of how to define democracy and political discussions of how to institutionalize democratic forms of governance in the present societies means that democratic rules and norms are subject to endless dispute. Hence, the attempt to draw up a complete or unbiased list of democratic norms and rules is doomed to fail. At best we can draw up an open-ended list of relevant and commonly accepted, but ultimately contingent, rules and norms that can help us to assess the democratic performance of governance networks.

However, admitting the incomplete and ultimately political character of the democratic rules and norms that constitute the democratic grammar of conduct in most Western societies still leaves us with another and even more delicate problem of what it means *to follow democratic rules and norms*. We might be able to show that some rules and norms are relevant, consistent and necessary for ensuring democratic decision making in governance networks, but we cannot expect governance networks and the political actors, who inhabit them, to follow such rules in a mechanical way. Ludwig Wittgenstein (1986) has taught us that rule-following is not as simple as it may seem. When the network actors have succeeded to match a given situation with a certain rule, defined by an institutionalized logic of appropriateness (March and Olsen, 1989), the problems have only just begun. For as Wittgenstein (1986) demonstrates, rules are structurally ambiguous and there are always numerous ways to follow a particular rule. The search for another rule that can help us to clarify the content of the first rule leads to an infinite regress which we can only avoid by making our own constitutive reformulation of the different rules we encounter on our way. In that case rules become merely an instance of their usage, although there are clearly limits to this usage since the actors must be able to show that they act in accordance with the rules they encounter (Staten, 1985). This means that the democratic rules and norms that are supposed to govern political institutions, and hence also governance networks, can only be followed in and through a concrete and situational re-enactment.

The democratic grammar of conduct that is supposed to govern the pragmatic and contextual re-enactment of rules and norms includes three kinds of normative regulations that relate to the formation, functioning and outcome of governance networks. The *first* kind of normative regulations relate to the democratic demand for the inclusion of the affected actors. The norm that the affected actors should be able to influence the decisions that affect them is inherent to the democratic idea of the self-government of the people. In territorially defined representative democracies the contingent and political character of the demarcation of the affected in terms of all the competent citizens within the national borders is less apparent than in the functionally defined governance networks. Who are affected by a governance network,

how intensely they are affected, and whether or not they are sufficiently affected to become included in the governance network is a highly contested issue that is frequently subject to fierce political battles. Since governance networks are always predicated on the inclusion and exclusion of more or less affected actors and since formal inclusion does not guarantee political influence, we need to further qualify the generally accepted norm about the inclusion of the affected actors (Young, 2000; Fung and Wright, 2003; Saward, 2005; Dryzek, 2007; Sørensen, 2008). The first rule should be to ensure that there is an ongoing debate about who should be included and excluded. The lines of demarcation that separate the inside from the outside should not be determined once and for all, but should be constantly renegotiated. The second rule is that the negotiated criteria of inclusion and exclusion are transparent and consistently applied. The excluded actors should be able to discern and contest the reasons why they are not included. The third rule is that all the intensely affected actors that can and will contribute to the networked policy process are included in the network. Of course, everything will depend on how the 'intensity' of the affectedness is determined. In most cases 'intensity' will be a matter of degrees, and the same goes for inclusion as it is possible to distinguish the core group of participants from more peripheral groups of participants. Therefore, the rule might be that the more intensely affected an actor is, the closer to the core group of participants the actor should be. The final rule should be that none of the formally included actors must be marginalized in a way that systematically prevents them from influencing the actual decisions of the network (Young, 2000). Hence, the political agenda and the story-line, which defines the policy problems and the range of appropriate policy solutions, should be defined in broad terms that are open for reformulation and reinterpretation, and thereby facilitate actors with different views and preferences to put forth claims and ideas that are deemed valid and not a priori excluded from the table of negotiation (Hajer, 1995; Torfing, 2007).

The *second* kind of normative regulations concerns the demand for democratic deliberation based on agonistic respect for other people's opinions; commitment to reach a rough consensus; and a relatively transparent decision making process. All the actors in the network should have an opportunity to express their views without being censored by demands that one should be reasonable, articulate, moderate, civilized, etc. (Young, 2000), and if they cannot find adequate support for their views they should be free to leave the governance network and form, or become part of, another network. Moreover, network actors with conflicting views should not treat each others as enemies to be extinguished by all possible means, but rather see each other as adversaries who might strongly disagree with each other, but who respect each others' right to voice an opinion (Mouffe, 2005). The network actors may attempt to influence each other by means of controlling the agenda setting, persuading and confronting each other, or manipulating their opponents' subjective perception of their interests (Lukes, 1974). But no matter how much they struggle and bargain with each other, they should be committed to try reaching an inclusive compromise in the shape of a 'rough consensus', where minor differences and grievances remain, but are tolerated. Finally, decisions about public policy and governance should be reached through a relatively transparent process where everybody knows the terms of the debate, the options and the final decisions. Hence, standard procedures for ensuring decision making transparency through written agendas and minutes and a clear and visible leadership should be observed.

The *third* kind of normative regulations concerns the demand for a democratic improvement of the interactive system of governance. This can be obtained by ensuring that the

interactions within the governance network contribute to developing the democratic identities of the participating actors and to augmenting their political empowerment. It can also be obtained through self-reflexive political processes that stimulate an active search for new democratic mechanisms that can contribute to a further democratization of the public policy-making processes. Democracy never reaches a final form, neither as a perfect set of institutions, nor as a regulative idea. Democracy must be constantly developed through a plurality of creative, partial and experimental methods, and governance networks should be judged on their ability to facilitate such a development (Dewey, 1927).

The three kinds of normative regulations help us to measure the democratic anchorage of governance networks in a democratic grammar of conduct. The norms for measuring the degree to which governance networks are anchored in a set of democratic rules and norms are summarized in proposition 4.

Proposition 4. Democratic anchorage in democratic rules and norms can be measured by paying attention to the following norms:

- Inclusion and exclusion must be subject to ongoing negotiations and these negotiations should result in explicit criteria for inclusion and exclusion that should be consistently applied in relation to all potential actors
- The degree of inclusion in governance networks should be a function of the intensity of the actors' affectedness and the included actors should be able to influence the decisions made by the governance network
- The deliberation within governance networks must be governed by a democratic ethos that ensures agonistic respect, commitment to reach a rough consensus, and a relatively transparent decision making process
- Participation in the governance network must contribute to the enhancement of the political empowerment of the actors
- The governance network must stimulate democratic innovation through self-reflexive and experimental processes

4. Applying the democratic anchorage model

The four propositions outlined above aim to translate the key dimensions in the original model of democratic anchorage (Sørensen and Torfing, 2005b) into a more detailed set of democratic norms that can be used in empirical assessments of the democratic quality of governance networks. Evaluation of the democratic performance of governance networks is important in order to determine the democratic potential of the new interactive forms of governance. A democratic auditing of governance networks that provides a nuanced and contextualized understanding of their democratic merits and problems may also help politicians and executive managers to develop tailor-made strategies for improving their democratic quality.

In principle, a governance network can be evaluated on the basis of all the dimensions and norms explicated above, and as a general rule the more politicized a governance network is,

the more important it is that it performs well on the different dimensions and norms of the model. However, we cannot expect governance networks to perform equally well on all four dimensions. Not only have we set the bar high, but there are also structural conditions pertaining to their form and functioning that will prevent governance networks from doing equally well in relation to all four anchorage points. Hence, when evaluating and comparing the democratic anchorage of different governance networks we should bear in mind that certain types of governance networks are likely to do quite well in relation to certain anchorage points while doing less well in relation to other anchorage points. In other words, we need to contextualize the assessment of the democratic anchorage of governance networks in order to make sure that we focus on the most pertinent anchorage points in our empirical assessment of a particular governance network.

Now, the fourth anchorage point that insists that the negotiated interaction within a governance networks should be anchored in a democratic grammar of conduct is relevant and important in relation to all kinds of governance networks. Hence, a governance network that fails to re-enact commonly accepted democratic rules and, therefore, tend to make undemocratic decisions is highly problematic and calls for some kind of political intervention. However, the relevance and importance of the other three anchorage points depend on the form and functioning of the governance network in question.

The first anchorage point that emphasizes the need to anchor governance network in metagoverning politicians is more relevant for governance networks that are mandated from above than for governance networks that are self-grown from below. As such, it is will often be very difficult for elected politicians and public managers to metagovern self-grown governance networks that merely consist of individual citizens, civil society organisations and private business firms. From a democratic point of view, metagovernance strategies aiming to ensure the three other anchorage points might be badly needed, but public authorities will have great difficulties legitimizing even the most indirect and subtle forms of interference with a private, self-grown governance network. The exceptions to this general rule are those cases where an overly private, self-grown governance network is publicly funded, has been delegated competence to solve public tasks, or tend to make political decisions of great importance to the wider community. In these cases public metagovernance is important and warranted, but private, self-grown governance networks that are merely engaged in a self-regulated governance of civil society should enjoy an outstretched autonomy and, therefore, cannot be expected to perform well in relation to the first anchorage point.

The second anchorage point that aims to anchor governance networks in the membership basis of the participating groups and organisations is more relevant for governance networks engaged in policy formulation than for governance networks that are merely engaged in knowledge sharing or policy implementation. Hence, if the governance networks make authoritative decisions that are important for the groups and organisations that are represented in the governance networks or if these groups and organisations are expected to deliver active support and resources to the governance network, then the anchorage of the network actors in their hinterland is extremely important. By contrast, if the governance networks are merely preoccupied with exchanging relevant information, or coordinating the actions of different groups and organisations in order to prevent implementation problems, then a firm anchorage in the membership basis is maybe not so important, although one might argue that anchorage

in the membership basis is always important and that it is up to the members themselves to determine how much attention they will pay to an implementation network.

The third anchorage point that insists on anchoring the output and outcome of governance networks in a territorially defined citizenry is highly relevant for governance networks that are involved in decision making with widespread repercussions for other policy areas and large sections of the population within different jurisdictions. By contrast, governance networks that deal with relatively isolated problems of little concern for lay people cannot be expected to be firmly anchored in a critical public scrutinizing the policy decisions of the network.

Although it is impossible to make hard and fast rules for the relevance of the different anchorage points, the reflections presented above make it clear that the application of the elaborated model of the democratic anchorage is by no means a mechanical and instrumental endeavour. The democratic anchorage model provides a list of norms that are relevant and important for the measurement of the democratic quality of governance networks, but the application of the model and the evaluation of the results, which will always be mixed and a matter of degrees, should always be contextualized and take into account what kind of governance network that we are trying to assess.

5. Measuring the democratic anchorage of the Femern Belt Network¹

The proof of the pudding lies in eating it. Therefore, we shall aim to show how the normative criteria that have been elaborated above can be applied in an empirical measurement of the democratic anchorage of a specific governance network. The governance network that we have chosen for this purpose is the Danish ‘Femern Belt Forum’ that has played an important role in promoting the recent decision to build a bridge between Denmark and Germany.

The first concrete effort to reach an agreement about a bridge over the Femern Belt separating Denmark and Germany was made at a summit meeting between the Danish Prime Minister Anders Fogh Rasmussen and the German Chancellor Angela Merkel in 2006, but despite high hopes on the part of the governance network there was not reached any agreement. This led to a high level of frustration among the network actors who felt that they had been very close reaching the goal that they had worked for since the early 1990s – and then failed in the end. However, frustration was turned into applause and victory on the 29th of June 2007 when a bilateral government agreement to build a Femern Belt Bridge was finally signed. The bilateral agreement states that the new Femern Belt bridge is to be paid for by user fees (bridge toll) and that the Danish government will cover all costs in case of unforeseen fiscal problems. The EU has promised to cover 20% of the total costs.

The history of the Femern Belt project is intriguing. The suggestion of building a bridge between Germany and Denmark goes a long way back. The first idea of a bridge over the Femern Belt emerged in the 14th century, and the more concrete plans to establish a road connection all the way down from the north of Scandinavia to Germany were advanced as early as 1914 (Bech, 1914). The plans were further developed in the 1940s and 1950s (Danish Railroad Company, 1940; Erngaard, 1952), and after a relatively quiet period in the

¹ The empirical data on which this analysis is based has been collected over a two year period and includes qualitative interviews, document studies and observations of meetings and events.

1970s and 1980s the idea of a Femern Belt bridge resurfaced in connection with the building of the Big Belt Bridge and the Oresund Bridge in the 1980s and the 1990s. The building of the Oresund Bridge connecting Denmark and Sweden meant that the Femern Belt Bridge could be re-launched as the 'missing link' that needed to be built in order to realize the old dream about a road connection between Scandinavia and Germany.

In the early 1990s a group of local actors in southern Zealand, and the small islands to the south of Zealand, formed a governance network with the declared goal of lobbying for the building of a bridge between the small Danish town Rødby and the Femern peninsula in Germany. The initiative to the formation of the network was taken by some of the local mayors and a group of public administrators in the County, who saw a Femern bridge as a central means to promote economic growth in the southern region of Zealand that was suffering from economic decline and mass unemployment. The Femern Belt network aimed to influence the politicians in the national parliament and the national government who – apart from the Minister of Traffic, Flemming Hansen who strongly supported a Femern bridge – had shown a limited interest in the project. The reluctance of the political parties in the Danish parliament was due to the fact that most of them had members of parliament from Jutland who saw highway construction in Jutland as the most important infrastructural task. In order to influence the government, the county asked the former Minister of Industry, Nils Wilhjelmsen, to chair the Femern Belt Forum. He had strong connections to influential national politicians, and his ability to negotiate and get results was widely recognized. The multi-level governance network, which was initially called the 'Idea Committee for Infrastructure', was formally established in 1994 (County of Southern Zealand, 2000), and has been active ever since, although it has undergone several reorganisations.²

In the beginning of 1990s the governance network was met by political opposition on the Danish side from environmentalists, ferry workers and some members of parliament who for different reasons were against a bridge. However, the opposition on the Danish side was relatively moderate. The much stronger opposition came from Germans who either found a bridge to Denmark useless, or feared that a bridge would have negative effects on tourism. While the Danish opposition has remained marginal and even diminished over the years, the main challenge for the governance network, apart from increasing the active support for the project among the politicians in the Danish parliament, has been to convince the people on Femern that a bridge to Denmark is a good idea. In order to do this the Femern Belt Forum has worked closely together with a recently formed 'Femern Belt Forum' on the German side. The intensified cross-border cooperation has aimed to build a 'mental bridge' between the two countries (Forum Programme, 2003). The German resistance is still there, but after the bilateral agreement to build a Femern Belt Bridge was signed, the discussion has changed from the question of whether or not to build the bridge to the question of how to prepare the cross-border region for the new bridge, both in the immediate construction phase and in the time after that. The main issues in the current debate are how to avoid bottlenecks in the

² The first reorganization took place in 2001 when a small Executive Committee is formed. The second reorganization took place in 2003 when the network was re-named as the Femern Belt Forum and became supported by its own administrative secretariat (Raahavegaard). The last reorganization took place in 2006 after a huge amalgamation reform that reduced the number of municipalities from 275 to 98 and replaced the old 14 counties with 5 new regions. This reform triggered a re-composition of the Femern Belt Forum and the establishment of a new competing network named 'Ad hoc-committee Femern Belt' initiated by one the new and larger municipality in Lolland where the bridge will begin.

labour market and how to ensure that the bridge will foster a sustained economic growth in the local communities.

The latest development has been that a small opposition in the Danish parliament consisting of the right-wing Danish People's Party, the social-liberal Radical Party, and the left-wing Socialist People's Party has tried to raise doubt about the bilateral agreement. The Danish People's Party has requested a renegotiation of the bilateral agreement in order to enhance the financial commitment of the Germans. The Radical Party has suggested that the location of the bridge is changed, and Socialist People's Party questioned the economic realism in the project (Folketingstidende, 2007). However, the opposition to the Femern bridge only represents a small parliamentary minority and it is not regarded as a serious threat to the represents a minority in the parliament, and is not regarded as a serious threat by the supporters of the Femern bridge. Nevertheless, the actors in the Femern bridge network are rather tense. They are afraid that something might stall the process again. Consequently, all opinions and events that challenge the bilateral agreement are viewed with great suspicion.

The Femern Belt Forum brought together a large number of public and private actors in a multi-level governance network that was highly successful in lobbying for a Femern Belt bridge. In that particular sense we might judge the governance network to be effective, but the crucial question remains: to what extent was the high-profiled governance network also democratically anchored? We shall briefly evaluate the governance networks in relation to the normative criteria spelt out above.

Now, building a bridge over the Femern Belt is a highly controversial decision due to the uncertain economy and the uncertain effects on traffic patterns, environmental sustainability and regional development. With a length of about 28 kilometres the bridge will be one of the single most expensive infrastructure projects in Danish history. The Femern Belt Forum that has lobbied for the decision to build a Femern Belt bridge was formed by public authorities and it has had a considerable impact on policy making in both Denmark and Germany. The policy output will have a huge impact on citizens and corporate actors on both sides of the Femern Belt. As such, we can conclude that all the four anchorage points are relevant in the assessment of the democratic anchorage of the Femern Belt Forum.

1st anchorage point: Democratic anchorage in elected politicians

There is little doubt that the elected politicians at different levels have been aware of the presence and role of the governance network. Not only was the Femern Belt Forum a formal network initiated by local and regional politicians, but it was also highly visible in the sense that it contacted elected politicians at all levels, and at both sides of the border, through various kinds of lobbying activities such as petitions, meetings, conferences, etc.

However, the elected politicians in the government and the Danish parliament did not assume the role of metagovernors vis-à-vis the governance network. Due to the lobbying role of the governance network it was the governance network that contacted the national politicians rather than the other way around. Nevertheless, the political authorities at the local and regional level exercised metagovernance in several ways. A number of elected politicians from the local municipalities and the regional County participated in the governance

network;³ the County created an administrative support unit underpinning the network; and the new regional body called Growth Forum aimed to frame the activities of the governance network politically and economically.

The elected politicians and the public administrators at the local and regional level worked together to support the governance network on the basis of a clear understanding that the network was important in order to gain national support for a Femern bridge. In addition, the EU provided funding through its structural fund programme and knowledge through the production of expert reports.

The multi-level metagovernance exercised by political authorities at the local, regional and transnational levels is important, but it is significant that the national politicians, who were the ones to take the authoritative decision about whether or not to build a bridge across the Femern Belt, failed to metagovern the governance network. Hence, whereas the local and regional politicians, who were in favour of the Femern Belt bridge, joined the network and actively supported its lobbying activities, the national politicians who were the target of these lobbying activities did not try to influence what was going on in the governance network. The national politicians did not formulate any clear objectives and did not combine hands-on and hands-off metagovernance tools. The Ministry of Traffic issued a few comprehensive reports with calculations of the costs and estimation of the effects on the transport sector, but it did not really aim to metagovern the Femern Belt Forum. There were only a few individuals in the ministry who were interested in the Femern Belt project. Although these individuals became a part of a national network named 'Friends of the Femern Belt Bridge', the Ministry of Traffic did not call the shots and its prediction that a final decision on the Femern Belt bridge would be taken in 2000 was completely misguided and ridiculed afterwards by the local governance network.

In sum, we can conclude that the governance network has been democratically legitimized by the multi-level metagovernance exercised by the local and regional politicians and the transnational political authorities in the EU. However, democratic legitimacy could have been further enhanced if the national politicians had assumed responsibility for metagoverning the Femern Belt network. After all they were the key target of the lobbying activities of the network.

2nd anchorage point: Democratic anchorage in participating groups and organisations

In the negotiated interaction within the Femern Belt Forum it neither seems to be important who the network actors represent, nor whether they represent anybody at all. Representation is not an issue. The only thing that counts in the governance network is the knowledge, resources and energy that the different network actors bring to the table. However, the absence of explicit references to 'representation' in the network does not mean that the individual network actors do not claim to represent particular groups or organisations. Rather, it means that the network actors have free hands to construct themselves in terms of their representation.

As a result there are huge differences in how the network actors perceive their role as representatives. For example, there is a trade union leader who claims that he only represents

³ A member of parliament and member of the European parliament Freddy Blak was also a member of the Femern Belt Forum, but only in the initial stage.

himself, but another trade union leader claims that he represents both the regional labour market and the Regional Labour-market Council, which he is a member of and conceives as his hinterland. There is also a local business leader who claims to represent a number of specific business and employer organisations. He does not rely on their active support, but reckons that they will tell him if they disagree with what he is doing in the governance network. Finally, there is a large group of politicians from different local municipalities and from the Regional Council. They typically claim to represent the political body they come from, and this is important since there is an escalating struggle between the municipalities and the region about the future control with the Femern bridge project.

Unfortunately, our data material does not permit us to make a thorough evaluation of whether the represented groups and organisations accept the validity of the network actors' claim to represent them. However, so far there have not been any protests against the representatives in the governance network from the key stakeholder groups. Some of the local business men have contacted the business leader in the network about their growing concern for the emergence of bottlenecks in the local labour market, but that merely proves that they consider him as their representative. The absence of such protests might reflect that the stakeholders are ignorant of the governance network, but a more likely explanation is that the stakeholders feel that, until now, the members of the governance network have represented what all the stakeholders perceive as the common interests of all the stakeholders, namely the building of a bridge to Germany.

Now, what we can say something about is the degree to which the representatives have a regular contact with the groups and organisations that they claim to represent. A regular contact is important as it creates opportunities for the represented groups and organisations to critically evaluate the way that their interests and preferences are pursued by the representatives. Again we have varied picture. One of trade union leaders reports that he has a close and regular contact with his hinterland. He discusses the agenda and the upcoming issues and decisions with the other members of the Regional Labour-market Council. The business leader does not consult the organisations that he claims to represent, but merely anticipates their reactions. The politicians in the network participate in regular meetings in their respective political bodies, but these meetings do not provide opportunities for critical feedback. The municipal representatives in the network also participate in meetings in the Municipal Contact Council, and this is a potent strategic forum capable of critically evaluating their performance in the Femern Belt network.

There have been very few cases of dispute between the representatives and their hinterlands, but our impression is that the representatives have been sensitive to the criticisms that has been raised and tried to justify their actions and ideas.

In sum, we can conclude that democratic legitimacy has been enhanced by the relatively well-developed relations of representation between the individual network actors and the groups and organisations that they claim to represent. However, the political importance of the network actors' anchorage in represented groups and organisations is mitigated by the fact that the representation of different groups and interests hardly plays any role in the governance network because everybody agrees with its overall objective. Still, it is important for the democratic anchorage of the network that, with a few exceptions, there is a relatively close link between the representatives and the represented.

3rd anchorage point: Democratic anchorage in a territorially defined citizenry

The meetings in the Femern Belt Forum have not been open to the general public. They were in the beginning when the local press was invited to the meetings as a part of the network's strategy that aimed to mobilize local resources behind the Femern bridge project. But later when the network thought that the political battle was won, the number of participants was reduced and the local press was no longer a part of the network. However, the close relations to the overly positive local press persisted, although that did not necessarily enhance transparency. At least, there were a couple of incidents where the governance network tried to get the local press to scale down its coverage of the opposition to the bridge. Nevertheless, the local citizens had access to information about the network through the local press. A similar opportunity was not available to the rest of the Danish population since the national media did not cover the Femern bridge project very well. This can be explained by a certain fatigue after having completed two other large bridge building projects.

The interested citizens could get information about the Femern Belt Forum by visiting its homepage where the members and the organisational structure of the network were shown. One could also get access to a lot of highly relevant documents and reports about the Femern bridge project and get an overview of the activities organized by the network. However, critically to the issue of accountability, the agendas and minutes from the meetings in the Femern Belt Forum were not available on the homepage.

The governance network produced a number of written and oral reports about the Femern bridge project. In the beginning the story-line was that the Femern Belt bridge would transform the island of Lolland from an economy periphery to a prosperous economic centre without harming the environment and without any costs to the tax payers as the bridge would be paid for by user fees. Later the story-line focussed on how the cross-border region would cope with the bridge building project and reap the fruits of the bridge. The reports and discussions were relatively open in the sense that they addressed critical issues as long as they did not problematize the relevance of the bridge. All this changed in 2000 where the governance network believed that the Danish parliament would formally endorse the Femern bridge project. When this did not happen and the political process stalled, the governance network became extremely tense and much less tolerant vis-à-vis critical voices.

This change seriously affected the governance network's ability to engage in a critical dialogue with people contesting their story-line and people aiming to broaden the project by introducing new elements into the story-line. But although the story-line and the dialogue became more rigid, closed and totalizing, there was still a certain willingness to discuss with opponents. For example, a group of German critics from Femern were invited to a conference organized by the Femern Belt Forum to discuss the project. Hence, the dialogue with the territorially defined citizens on both sides of the border was still there, although the network actors found it increasingly difficult to respond to critical voices and alternative suggestions as there was too much at stake. For example, the location of the Femern bridge was not open to discussion, despite that there were good arguments in favour of changing it. The willingness to discuss with the opponents differed among the network actors. Some network actors continued to engage in a constructive and respectful dialogue with people outside the network. Others developed a much more condescending attitude claiming that they had 'wasted too much time on the critics', and that these 'spoke against better judgement'. There

was also an incident where some of the network actors declined an invitation to come to a meeting in Germany to discuss the project.

In sum, we can conclude that democratic legitimacy has been enhanced by the visibility and transparency of the governance network that permitted public scrutiny of its story-line and lobbying activities. The Femern Belt network is far from a hidden and secluded network where decisions are taken in smoke-filled rooms. There are reasonable good opportunities for the citizens to become learn about the network through the local press and the elaborate homepage. The more indirectly affected citizens have been able to raise criticism, and up to a certain point the governance network has engaged in a constructive debate with opponents. At the same time, there is considerable room for improvement on at least three different counts. First, there has been little coverage and debate about the Femern Belt bridge in the national press. Second, agendas and minutes from the meetings in the Femern Belt Forum have not been available on the homepage. Third, the governance network has deliberately aimed to close down the public debate in last couple of years out of fear of ‘unnecessary politicization’.

4th anchorage point: Democratic anchorage in democratic rules and norms

The criteria of inclusion and exclusion of network actors changed over time, but there was hardly any discussion of the criteria in the governance network and they were never made explicit. This has made it difficult for the world outside to understand who could become a part of the network and who could not. However, we have not heard of any actors that have been denied access.

The implicit criteria of inclusion were formulated by the chairman of the Femern Belt Forum, Nils Wilhjelm, who from the outset favoured a broad inclusion of all actors interested in improving the local infrastructure and building a bridge to Germany. As such, the governance network included people from the municipalities, the County, the labour market organizations, financial institutions, educational institutions, tourism, agriculture, local business, etc. Also the critics of the bridge project such as environmental groups, the local ferry companies, the national railway company (DSB), and the local press were included in the network. As the administrative leader of the secretariat remarks: ‘We believed that it was better to include them in the discussion than to have them standing at the sideline and shout at us’. The broad inclusion of interested actors was not motivated by democratic concerns, but was an attempt to build a broad political alliance. Later on, in 2000 when the network actors thought that the final approval of the Femern Belt bridge was near, the number of network actors was reduced and the governance network became less inclusive. This change was largely accepted by the participants since they believed that the job was done and it could now be left to a few lead actors to see the project through. After the disappointment with the failure to get the final approval the governance network again became more inclusive as it now incorporated a number of local and regional politicians who could resume the lobbying activities. Recently, after the final decision has been made, some of the network actors want to transform the Femern Belt Forum into a small implementation network based on experts and public administrators, while others seek to replace the Femern Belt Forum with a local network bringing together the most intensely affected actors from Lolland. The latter has stirred up conflicts with the politicians and administrators from the Zealand Region who claim that all citizens in Zealand are intensely affected by the Femern bridge project.

The varying degrees of inclusiveness should not make us forget that three important groups have been systematically excluded from the Femern Belt Forum. First of all, there have been no representatives of the Danish tax payers who are going to pay for an eventual economic deficit. Second, the business firms and transport companies from the other Scandinavian that stand to benefit tremendously from a Femern bridge are not represented either. Last but not least, the more reluctant and critical actors on the German side of the border were initially invited to some of the meetings, but cultural differences and political controversies made it difficult to sustain their participation. So they have also been excluded. Of these three exclusions, the latter is by far the most problematic, since of three excluded groups the German citizens on the Femern peninsula are more intensely affected than both the Danish tax payers and the Scandinavian business people.

To these external exclusions should be added the internal exclusions of those actors who are formally included, but tend to be marginalized in the decision making process. The public administrators and the labour-market organizations have the upper hand while the politicians and some of the other private actors have a hard time working their way through the piles of paper that are circulated in the network.

However, the negotiated interaction among the included actors has been governed by a set of commonly accepted rules that tend to ensure that everybody gets to talk and that other people listen and respond in a civilized way and with proper respect. There has never been any voting. Decisions are taken on the basis of deliberation, and consensus formation is easy as everybody agrees on the basic idea of building a bridge across the Femern Belt. Written agendas and minutes tend to ensure transparency in the internal decision making process.

Some of the network actors have probably been empowered by their participation in the network, but many of the key actors were already highly skilled and very competent when they joined the network. Technical skills and political competences are important due to the nature of the infrastructure project and the ambition to influence that national politicians and secure political support for the project. Some of the long lasting members of the governance network complain that some of the less experienced actors have too little knowledge of what is going on, and that might indicate that the empowerment effects have been limited.

The point where the governance network really fails is in relation to the demand for a self-reflexive contribution to democratic innovation. The Femern Belt Forum does not see itself as a part of a wider democratic process and does not address the issue of how its internal democracy is functioning and how it could be improved. The governance network conceives itself as a lobbying organisation which participates in a political game that it aims to win, and the forging of a strong and political alliance is more important than concerns for democratic innovation.

In sum, we can conclude that democratic legitimacy has been enhanced by the re-enactment of some commonly accepted democratic rules and norms, while the failure to comply with other democratic demands has pulled in the other direction. Hence, the network has included most of the relevant and affected actors on the Danish side of the border – even some of the critical voices were included in the initial phase in order to try to neutralize them and turn them into supporters. The internal interactions in the Femern Belt Forum have also been governed by democratic rules ensuring agonistic respect among the participants. However, there has been a problematic external exclusion of the critical actors on the German side and

a less serious internal exclusion of the politicians and some of the private actors who participated in the network. In addition, the empowerment effects have been limited and democratic innovations totally absent.

An empirical assessment of the democratic anchorage of a particular governance network is not worth much, if it fails to arrive at final verdict. However, the final verdict should capture both the positive and negative findings in relation to the four anchorage points in order to facilitate the development of proactive strategies for improving the democratic performance. So, let us briefly review the conclusions in relation to the four anchorage points and see where it leads us.

As for the democratic anchorage of the governance network in *elected politicians*, we concluded that the Femern Belt Forum was strongly anchored in metagoverning political authorities at the local, regional and transnational level, but that the national politicians, who were the primary target of the lobby activities of the network, failed to metagovern the network. The failure of the national politicians to metagovern the Femern Belt Forum is a serious drawback and, therefore, we will conclude that the democratic anchorage of the Femern Belt Forum in elected politicians is: **MODERAT**.

As for the democratic anchorage of the governance network in the *membership basis of the participating groups and organisations*, we concluded that there were relative strong relations between the individual network actors and the groups and organisations that they claim to represent. Although the representation of different interests hardly plays any role in the consensus-based Femern Belt Forum, the democratic legitimacy of the governance network is enhanced by the fact that the represented groups and organisations seem to identify with their representatives. Hence, we can conclude that the democratic anchorage of the Femern Belt Forum in the participating groups and organisations is: **STRONG**.

As for the democratic anchorage of the governance network in a *territorially defined citizenry*, we concluded that the visibility and transparency of the Femern Belt Forum facilitated public scrutiny of its story-line and lobbying activities and that the network, in the initial phase, tended to engage in a constructive dialogue with the opponents. However, the deliberate attempt to prevent public debate about sensitive issues in the last years up to the final decision, together with the scarce media coverage in the national press and the unavailability of agendas and minutes from the meetings in the Femern Belt Forum on the homepage, mean that we must conclude that the democratic anchorage of the Femern Belt Forum in a territorially defined citizenry is: **MODERAT**.

As for the democratic anchorage of the governance network in a *democratic grammar of conduct*, we concluded that in the initial phase the Femern Belt Forum was quite inclusive and that agonistic respect was ensured by the re-enactment of commonly accepted rules for how to conduct a meeting and facilitate an open discussion. However, the problematic external exclusion of the critical and intensely affected citizens from the German side of the border, the limited empowerment effects, and the absence of self-reflexive attempts to enhance or improve the democratic functioning of the governance network mean that we must conclude that the democratic anchorage of the Femern Belt Forum in democratic rules and norms is: **WEAK**.

The *overall verdict* is that the democratic anchorage of the Femern Belt Forum is: **MODERATE**. There is a strong anchorage in the membership basis of the participating groups and organizations and a moderate anchorage in both elected politicians and the territorially defined citizenry. However, the anchorage in democratic rules and norms is weak and leaves a considerable room for improvement.

6. Conclusion

This paper has aimed to link public administration research with political theory. The new interactive forms of governance through networks and partnerships are often reduced to non-political managerial mechanisms for pragmatic problem-solving and evaluated merely in terms of their contribution to an effective governing of society. By contrast, we have argued that governance networks are arenas of political power struggles and partake in the authoritative definition and allocation of values and that this calls for an assessment of their democratic performance. The democratic quality of governance networks can be analysed in terms of their democratic anchorage.

The argument presented in this paper has elaborated on the original model of democratic anchorage in three crucial ways. First, it has operationalized and contextualized the model in order to facilitate empirical analysis. Second, it has demonstrated how the democratic anchorage model can be used in an empirical case study of a governance network that has been formed in relation to a huge infrastructure project. Finally, it has shown how the qualitative measurement of the democratic performance of the Femern Belt Forum in relation to the four anchorage points can lead to a relatively clear verdict.

The empirical application of the democratic anchorage model has revealed three crucial merits of the democratic anchorage model. As such, the model seems to be helpful in structuring a multi-dimensional assessment of the democratic performance of concrete governance networks on the basis of an analysis of qualitative data. In addition, the model can provide a nuanced understanding of the strengths and the weaknesses in the democratic performance of particular governance networks. Last but not least, it can help identifying shortcomings that can be addressed by proactive strategies aiming to enhance the democratic performance of governance networks.

Some important tasks remain of which some are triggered by the empirical analysis presented above while others are of a more general nature. The empirical assessment of the Femern Belt Forum generates three crucial tasks. The first task is to further address the problems that arise from applying the democratic anchorage model in democratic audits of multi-level and cross-border networks. For example, it becomes much harder to evaluate questions about metagovernance and inclusion in multi-level and cross-border networks. The second task is to reflect on how we should handle the dynamic development of governance networks in the assessment of their democratic anchorage. As such, the result of the evaluation of basic dimensions of democratic anchorage will tend to differ over time. The third task is to develop empirical methods for measuring the degree to which the represented groups and organisations identify with the network actors who claim to represent them. In our analysis this proved to be quite difficult to assess.

Two final tasks of a more general nature should be mentioned. The first task concerns the development of a comparative approach to democratic auditing of governance networks that

can help identifying the structural and contingent factors determining the democratic quality of governance networks. The second task is to develop a systematic way of translating a critical diagnosis of democratic anchorage into proactive strategies for democratic metagovernors and into reflexive learning processes within governance networks.

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