

Explaining continuity and change in international policies

Issue linkage, venue change, and learning on policies for the river Scheldt estuary

1967-2005

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ABSTRACT

This paper aims to assess the explanatory power, and explore the compatibility of three major accounts of policy continuity and change in cross-border policy domains: Negotiation Analysis (NA), the Advocacy Coalition Framework (ACF), and the Punctuated-Equilibrium framework (PE). These frameworks are used to analyze policies for the river Scheldt estuary between 1967 and 2005. The estuary of the river Scheldt is partly situated in the Belgian region of Flanders and partly in the Netherlands. Major international policy issues in this estuary are the maritime access to the port of Antwerp, water and sediment pollution and estuarine rehabilitation. It will be shown that the negotiations on these issues are characterized by complex issue linkages, and that NA does very well in explaining both deadlocks and international policy agreement. However, unlike the ACF, NA does not specify how actors come to define their interests. Moreover, we will argue that learning across the pro-development Antwerp-coalition and the cross-border environmentalist coalition, accounts for a gradual convergence of Dutch and Flemish perceived interests. Finally, PE offers useful complementary insights as Scheldt estuary policies cannot be understood without addressing the interrelations

between the processes of negotiation, learning, the creation and enforcement of game rules, which have been going on in different venues simultaneously.

INTRODUCTION

Many policy issues, such as environmental degradation, transport or safety issues, are characterised by cross-border interdependencies, and therefore can be solved by joint international effort only. Reaching international policy agreement, however, is often a troublesome undertaking. Three theoretical frameworks that contribute to our understanding of international policy processes are Negotiation Analysis (Raiffa, 1982; Raiffa et al., 2002; Sebenius, 1992a and b), the Advocacy Coalition Framework (Jenkins-Smith and Sabatier, 1993; Sabatier, 1993 and 1998; Sabatier and Jenkins-Smith, 1999), and the Punctuated-Equilibrium framework (Baumgartner and Jones, 1993 and 2002; True et al., 1999). Whilst Negotiation Analysis (NA) was developed for analyzing negotiations in multi-actor settings in general, the Advocacy Coalition Framework (ACF) and Punctuated-Equilibrium framework (PE) were developed for explaining domestic policy making primarily. These latter frameworks, however, have become increasingly popular amongst scholars interested in international policy processes (Blatter, 2001; Richardson, 1996; Sabatier, 1998). NA addresses the processes of claiming and creating value, which can be distinguished in most negotiations, and the conditions conducive to multi-actor agreement or cooperation. With a focus on belief-coalitions, the ACF sheds light on the importance of ideas and policy-oriented learning for understanding policy continuity and change. Finally, PE draws our attention to the multiple venues within a policy domain, and the impact which venue change and strategies of venues shopping may have on the course of a policy process.

The central aims of this paper are to assess the explanatory power, and to explore the compatibility of the NA-, ACF-, and PE-accounts of (international) policy continuity and change by applying these frameworks to a case study of

policy making on Scheldt estuary issues. This case study is particularly apt as the negotiations over these issues were characterized by lengthy deadlocks, but nevertheless were concluded with several international agreements. Therefore, this case study enables us to account for both policy cooperation and discord. Moreover, the case provides a perfect illustration of the dynamics of policy oriented learning across advocacy coalitions, and of the interplay between different venues at multiple levels of government.

The estuary of the river Scheldt is an international water system, which is shared between the Netherlands and the Belgian region of Flanders. The first main international issue in the Scheldt estuary policy domain is the maritime access to the port of Antwerp. Because the navigation channel in the Scheldt estuary, and the planned alignments of new waterways to Antwerp, are situated on Dutch territory, the Belgian authorities are fully dependent on the Dutch willingness to cooperate on the maintenance or improvement of the maritime access to Antwerp. The second issue is water and sediment pollution, which is caused by the high population density and industrialization in the Scheldt river basin, along with a lack of sewerage and waste water treatment. For that issue, the Netherlands, as a downstream basin state, is largely dependent on water quality policies of all upstream basin states and regions: France and the Belgian regions of Flanders, Wallonia and the Brussels Capital. Finally, estuarine rehabilitation and nature restoration have reached the international agendas in the past years. The case study covers policy making on these issues in the period between 1967 and 2005. In 1967, the Belgian government demanded that the Dutch cooperate on the realization of two new channels aimed at improving the maritime access to the port of Antwerp: the Bath and Baalhoek channels. After lengthy deadlocks, and several negotiation rounds in which new parties entered the negotiation arenas, and various issues were added and subtracted, the Flemish region and the Netherlands were able to reach an agreement on a deepening of the existing navigation channel in the

Western Scheldt in 1993. This agreement, which also contained provisions for compensating for the expected nature losses, was part of a package deal including agreements on the improvement of the water quality of the rivers Scheldt and Meuse, the water distribution in the river Meuse, and an agreement on procedures for decision making on the alignment of a high speed train between Antwerp and Rotterdam. Flanders and the Netherlands have reached an agreement on a further deepening of the navigation channel, which again was part of a package deal, in 2005.

For the case study, we have analyzed the files of the various international negotiation commissions, reports of Parliament, and the transcription of 40 interviews with stakeholders of all Scheldt basin states and regions. In the following, we will first treat the basic concepts and hypotheses of NA, ACF and PE. Thereafter, these theories of international policy continuity and change will be compared, and the compatibility of the frameworks will be explored. In the second part of the paper, we employ the case study of policy making on international issues in the Scheldt estuary to assess the explanatory power of these frameworks. We conclude this paper with a discussion of the compatibility of the frameworks, and the theoretical implications of the case analysis.

THREE ACCOUNTS OF INTERNATIONAL POLICY CONTINUITY AND CHANGE

Negotiation Analysis

Within the NA-framework, the dependent variable is negotiated agreement or discord. Crucial assumptions of the NA-framework are that actors have fixed interests or preferences, and have a bounded rationality, which means that they will demonstrate intelligent goal-seeking rather than full rational behaviour as is assumed in formal game theory (Sebenius, 1992b). Moreover, according to

negotiation analysts, in most negotiations the potential value of joint action is not fully obvious at the outset (Ibid). The basic elements in a typical negotiation analysis are (Ibid.) (1) the actual and potential parties involved in negotiations and their perceived interests, (2) alternatives to negotiated agreement, (3) the linked processes of 'creating' and 'claiming' value, and (4) efforts to 'change the game' itself.

In an international context, the basic unit of analysis is the nation state. Because of the absence of hierarchy (Martin, 1995), sometimes indicated international anarchy (Sebenius, 1992a), in an international context the basic game rule is unanimity. This means that all states have veto power, and that they will only be able to reach an agreement if this agreement makes them all better off as compared to their best alternative to negotiated agreement. Possible alternatives to a negotiated agreement can be going to an (international) court or an agreement amongst a smaller number of parties to exclude policy opponents. Among other things, NA focuses on possibilities to change distributive negotiations, which are also called zero sum (win-lose) games, into integrative negotiations, i.e. positive sum games in which all participants may gain. This process is sometimes referred to as 'enlarging the pie' or 'creating value'. Sebenius (1992b) distinguishes between three factors which are the raw material from which negotiators can create value: (1) shared interests or policy preferences, (2) economies of scale or the production of collective goods, and (3) differences amongst negotiators. As Sebenius (1992b, p.29) argues 'though many people instinctively seek 'common ground', and believe that 'differences divide us', it is often precisely the differences among negotiators that constitute the raw material for creating value'. One possibility to exploit differences, and to create value, is to employ the strategy of issue linkage (Davis, 2004; Fischhendler et al., 2004; Haas, 1980; Martin, 1995). According to Martin (1995), in cases where decision making is based on unanimity (as mostly is the case in an international context), and parties have different

preference-intensities in different issue-areas, the probability that movement away from the status quo will involve issue linkage is high (see Figure 1). According to her, in these situations issue linkage becomes one of the key elements in understanding international policy cooperation. By combining issues, a situation may be created in which all parties gain from an agreement. A particular combination of issues, however, which does not create a positive sum game, may undermine the effectiveness of a linkage strategy (Davis, 2004).

		Decision-making rule	
		<i>Majoritarian</i>	<i>Unanimity</i>
Preference intensities	<i>Homogeneous</i>	very low	low
	<i>Heterogeneous</i>	Low	high

Figure 1: *Probability that movement away from status quo will involve issue linkage* (Martin, 1995, p.87)

A final element addressed in negotiation analysis is the efforts of actors to change the (perceived) structure, and hence the outcome of negotiations. One of the possibilities to change the structure of the game is to add or subtract issues and parties (Sebenius, 1992b).

Advocacy Coalition Framework

The basic argument of the ACF is that parties within a policy domain can be aggregated in one to four advocacy coalitions (Sabatier, 1993; Sabatier and Jenkins-Smith, 1999). Parties within a coalition typically are civil servants, interest group representatives, applied scientists, politicians and journalist, and according to

the ACF, these parties share policy core beliefs. Actors' belief systems are conceptualized as a layered structure. At the deepest level are the deep core beliefs. Deep core beliefs, among other things, concern the relative valuation of individual freedom versus social equity, and the perceived relationship between humans and nature. Policy core beliefs concern the basic normative commitments and causal perceptions across an entire policy domain, such as perceptions of the seriousness of a problem, cause-effect relationships, and opinions on whose welfare counts most. Sabatier (1998, p.113) has defined 11 critical topics defining the policy core of an advocacy coalition/ policy program. The secondary beliefs are about the less than subsystem-wide problem perceptions and solutions. Based on this layered conceptualisation of a belief system, the ACF makes a clear distinction between incremental and radical policy change, where incremental policy change is defined as a change of the secondary aspects, and radical policy change is a change of the policy core-aspects of a policy program. According to the ACF, radical policy change is explained by perturbations external to the policy subsystem or 'external system event'. These can be changes in socio-economic conditions, changes in systemic governing coalition or policy decisions and impacts from other subsystems (Sabatier, 1993). It is recognized, however, that such changes do not have a direct impact, but have to be exploited by policy entrepreneurs first (Sabatier and Jenkins-Smith, 1999).

Learning processes within and across advocacy coalitions may account for incremental policy change. Learning within coalitions is aimed at improving arguments to convince decision makers and members of opposing coalitions. Across-coalition learning means that coalitions incorporate in their belief system secondary aspects of belief systems of opposing coalitions. An intermediate level of conflict, the presence of professional forums prestigious enough for members of opposing coalitions to participate in, and an informed policy conflict are

hypothesized to be conducive to such learning processes (Jenkins-Smith and Sabatier, 1993).

Punctuated-Equilibrium framework

A third account of (international) policy continuity and change, which we will discuss here, is the Punctuated-Equilibrium framework (PE). According to PE, most policy subsystems normally are characterised by stability or incremental change (Baumgartner and Jones, 2002; True et al., 1999), and policy monopolies are built on a policy image or powerful idea. Policy monopolies, however, do not last forever. Radical policy change, i.e. a movement toward a new equilibrium, is explained by the interaction between policy image and venues. It is argued that whilst the underlying structure of most policy issues is multi-dimensional, a policy image mostly is based on only one of these dimensions (Baumgartner and Jones, 2002). As an example, the construction of a new motorway may be perceived as a solution to traffic congestion or as an ecological issue. It is argued that the underlying structure of an issue contains the seed for policy change. Policy opponents may actively try to shape a new policy image by focusing on one or more new dimensions of the issues at stake. Subsequently, they may try to attract supporters to the newly shaped policy image. According to the PE-framework, the multiple venues which are characteristic for most modern policy domains, offer opportunities for venues shopping. Policy opponents may actively search for venues more receptive to their policy image than venues where the 'old' image is prevalent (Baumgartner and Jones, 2002; Pralle, 2003; Richardson, 2000). In the PE-framework, it is exactly the combination of the underlying structure of a policy issue, and the multiple venues present within a policy domain which offer opportunities for policy change. When a new policy image attracts supporters, and becomes institutionalized, this marks the beginning of another period of stability.

Comparing the frameworks

NA, ACF, and PE all produce relevant insights for understanding international policy stability and change. These frameworks, however, have different units of analysis. When negotiation analysis is applied to a case study of international negotiations, the basic unit of analysis is the specific negotiation setting in which representatives of the basin states, which each have specific interests, are negotiating. These negotiations are often conceived of as a two-level game in which negotiations in the international arenas are linked to domestic decision making on the positions to be taken in these negotiations (Putnam, 1988). In the ACF, the basic unit of analysis is the policy subsystem, which consist of the actors from all public and private organizations who are actively concerned with a policy problem or issue (Sabatier and Jenkins-Smith, 1999). Finally, in the PE-framework the most important units of analysis are the institutional arrangements within a policy domain, in particular the multiples venues at the various levels of government.

Besides the different units of analysis, the frameworks have a different analytical focus as well. Whilst NA points to the relevance of processes of claiming and creating value, ACF draws our attention to the importance of beliefs and belief change for understanding policy continuity and change, and with that adds the ideational dimension of policies. PE focuses on the process of shaping a new policy image, and the strategic exploitation of the multiple venues within a policy domain. Exactly because of the different loci and foci of the NA-, ACF- and PE-frameworks, it is possible that these frameworks produce complementary insights rather than rival hypotheses about international policy continuity and change, and it is worth to explore their compatibility.

Perceived interest is a crucial variable in Negotiation Analysis. The NA-framework, however, does not account for how various actors come to define their interests, and of how actors' perceptions may change over time due to learning

processes. A similar argument was made by Sebenius (1992a), who explored the compatibility of Negotiation Analysis with Haas' concept of epistemic communities (Haas, 1992 and 2001). According to Sebenius (1992a), the negotiation-analytic interpretation of the concept of epistemic community is that cross-border epistemic communities, which share a specific knowledge base and professional values, foster convergence among perceptions of interests and alternatives, and by that the chances for reaching agreement. Epistemic communities, however, often are closely connected to, can even considered to be part of advocacy coalitions (Dudley and Richardson, 1996; Meijerink, 2005). Therefore, we may expect cross-border advocacy coalitions, which share policy beliefs, to foster a convergence of perceived interests as well. However, as there are often more than one advocacy coalitions within a policy subsystem, cross-border coalitions do not account for a convergence of (perceived) interest per se. Because other coalitions will try to influence the perceptions of negotiators as well, mostly in quite the opposite direction, learning *across* the advocacy coalitions within a cross-border policy subsystem is hypothesized to be a better explanation of converging perceptions, than the existence of a single cross-border epistemic community or advocacy coalition.

By addressing the dynamics of policy-oriented learning, the ACF may account for changes in the perceived interest of the negotiating states over time, which is particularly relevant to an understanding of policy development over a longer time span. On the other hand, we may argue that ACF may benefit from negotiation analysis, since policy change cannot always be attributed to belief change (learning) or to external system events. In some cases, negotiated agreements represent a substantial change from the status quo (Sabatier et al., Forthcoming). It can be learned from NA that these negotiated agreements may be based on shared interests, but on a successful exploitation of differences as well.

In another paper, we have argued the compatibility of parts of the ACF and PE-frameworks, as we may expect advocacy coalitions to foster their policy enterprise by shaping new policy images (Meijerink, 2005). Moreover, we expect that advocacy coalitions search actively for venues where chances for getting support for their policy proposals are the highest. The concept of venue shopping is relevant to NA is well. Indeed going to court (which is an alternative venue) may be an alternative to negotiated agreement. Other venues may offer opportunities to alter the structure of the game (the rules of the game), for example by including new actors in the negotiations or by adding or subtracting issues. Still other venues may be used to start a process of joint fact finding and learning on a policy issue, in order to purposefully alter the perceived interests, and hence the perceived zone of possible agreements of policy opponents. By analysing the advocacy coalitions within cross-border policy subsystems, and addressing the strategies of venue shopping employed by these (cross-border) coalitions, the conceptualisation of international negotiations as a two level game is challenged.

EXPLAINING SCHELDT ESTUARY POLICIES 1967-2005

In this Section, we will introduce the main issues in the Scheldt estuary which have reached the top of the international negotiation agenda in the past decades. Thereafter, the theoretical frameworks of NA, ACF, and PE will be used to analyze Scheldt estuary policy making 1967-2005.

International issues in the Scheldt estuary 1967-2005

The Scheldt is a relatively small international river, which rises in France, flows through Belgium and the Netherlands, and debouches into the North Sea. Since the Belgian part of the Scheldt basin extends over the Walloon, Flemish and Brussels Capital regions, there actually are six states and/or regions involved in the

management of this river (Meijerink, 1999). The Scheldt estuary, which is the part of the river basin under tidal influence, is shared between the Flemish region and the Netherlands.

The first important issue concerns the maritime access to the port of Antwerp. The port of Antwerp is one of the biggest ports in the world, hence of crucial importance to the Flemish and Belgian economy. Since the maritime access to the port of Antwerp is largely situated on Dutch territory, Belgium is dependent on the cooperation of the Dutch for the improvement and/or maintenance of the navigation channel in the Western Scheldt, and the digging of new waterways on Dutch territory. In the past decades, the main issues have been (Ibid.): (1) the construction of the Baalhoek canal which would give the port of Antwerp a second navigation channel to the North Sea, (2) the construction of the Bath canal, a bypass in the Western Scheldt, which would shorten the navigation distance to the port of Antwerp, (3) the maintenance of the navigation channel in the Western Scheldt, and (4) several deepening programs aimed at improving conditions for navigation on the existing navigation channel in the Western Scheldt.

Other important estuarine issues are water and sediment pollution. Because of the high population density and industrialization in the Scheldt basin, and a lack of sewerage and waste water treatment infrastructure, the Scheldt estuary has been heavily polluted in the past decades. Since the pollutants adhere to the fine sediments, the estuary suffers from sediment contamination. The third issue is estuarine rehabilitation, which has reached the international agenda in the eighties and nineties of the twentieth century. It was recognized that human activities, such as land reclamation along the estuary, and the dredging works for maintenance and deepening have had a negative impact on the geo-morphological processes in the estuary.

Negotiations and issue linkages

In the following, the negotiations on the Scheldt and Meuse water conventions will be analyzed. We have made a distinction between five time periods, which are marked by six crucial events: the Belgian proposal to negotiate various infrastructure issues with the Netherlands in 1967, the Walloon rejection of the draft Belgian-Dutch water conventions in 1975, the Belgian-Dutch agreement to restart negotiations of 1985, the Dutch decision to unlink the bilateral and multilateral Scheldt and Meuse issues in 1992, the conclusion of the water conventions in 1995, and, finally, the Flemish-Dutch agreement on a further deepening of the navigation channel in the Western Scheldt of 2005.

Cross-basin issue linkages and the Belgian-Dutch water conventions (1967-1975)

Economic prosperity, and the completion of several infrastructure projects which had improved the competitiveness of the port of Antwerp, such as the Rhine-Scheldt-connection and the Zandvliet sluice, induced a rapid expansion of the port in the sixties of the past century (Bouchez, 1978; Suykens, 1995). Because hardly any space was left on the right bank, ambitious plans were developed for the construction of new harbours on the left bank of the river Scheldt (Suykens, 1995). These plans comprised the construction of a second waterway to the (harbours on the left bank) of the port of Antwerp. This is the Baalhoek canal, which would be situated largely on Dutch territory. In addition, the Belgian government developed plans for straightening a sharp bend in the Western Scheldt by the construction of the Bath canal, which would shorten the navigation distance from the North sea to Antwerp with three kilometres (Strubbe, 1988). The Belgian government proposed to start negotiations on the construction of the Baalhoek and Bath-canals in 1967. The Dutch government, however, had no interest in fostering Flemish prosperity, on the contrary, had more interest in maintaining the relative competitive advantage of the port of Rotterdam, which is situated nearby the North Sea.

Therefore, the Dutch decided to link the Baalhoek and Bath issues to three issues that were of importance to the Netherlands: the water quantity (river discharge) and water quality of the river Meuse, and the water quality of the river Scheldt (Strubbe, 1988). The river Meuse, like the river Scheldt, rises in France, and flows through Belgium and the Netherlands to the North Sea. Relatively small parts of the Meuse basin are situated in Luxembourg and Germany. Whereas the largest part of the Scheldt basin is situated in Flanders, the largest part of the Meuse basin is situated in Wallonia. The Meuse issues were of importance to the Netherlands, mainly as Meuse water is a crucial source for drinking water production in the southern Randstad, the urbanized western part of the Netherlands.

From a negotiation-analytical perspective, the Dutch linkage is at first sight a rational strategy. It was aimed at creating a positive sum game in which all parties could gain from a negotiated agreement. Therefore, it is not surprising that the delegations of Belgium and the Netherlands were able to reach agreement on a package deal in 1975. This deal comprised three Belgian-Dutch conventions dealing with all five issues introduced above, the 'Belgian-Dutch water conventions' (TK 1977-1978, 854).

A total deadlock (1975-1985)

After the delegations had reached an agreement, and draft conventions had been sent to Belgian and Dutch parliaments, politicians of the Walloon region started to oppose the proposed package deal. According to them, the Walloon region would not benefit from any of the conventions proposed, whilst the region would be obliged to make huge investments for ameliorating the water quality of the river Meuse. Moreover, the region would have to cooperate on the construction of storage reservoirs in the Meuse valley, in order to be able to guarantee a minimum river discharge to the Dutch in dry periods. In sum, the Walloon politicians were of the opinion they would have to pay in order to benefit the Flemish region, which

would gain from the improved access to the port of Antwerp. According to Planchar (1993, p. 92) “the two Antwerp projects, the Bath and Baalhoek conventions, formed in fact a real trilogy because the closing element- a third convention on the water of the river Meuse- was presented to the Walloon region as a ‘fait accompli’, real exchange for the benefit of the Netherlands and Antwerp”. Because the Belgian regions were not able to reach an agreement on the Scheldt and Meuse issues, the draft conventions of 1975 have never been signed. Clearly, decision making on a joint Belgian position in these negotiations was hindered by the Belgian federalization process in which an increasing number of competencies were transferred to the regions.

In spite of the difficulties of reaching a Belgian-Dutch agreement on the water conventions, the Belgian government launched a new international issue in 1977. In that year it proposed to start discussions on a deepening of the navigation channel in the Western Scheldt. The dredging of several bars in the Western Scheldt would allow for larger ships to navigate to the port of Antwerp, and would make possibilities for navigation less dependent on tides. For the same reasons as mentioned above, the Dutch linked the deepening of the navigation channel to the issues of the water quality and water quantity of the river Meuse.

Laborious negotiations, and a break-through (1985-1992)

In 1985, Belgian and Dutch Ministers signed a declaration of intent, in which they declared that they would start negotiations on the water quality and quantity of the Meuse, the construction of the Baalhoek canal and the deepening of the Western Scheldt simultaneously (TK 1985-1986, 19200, No. 12). Because a deepening of the navigation channel in the Western Scheldt was an alternative to the construction of a new canal, the issue of the Bath canal was removed from the international agenda. Walloon politicians, however, made known their objections to the Belgian-Dutch agreement again. They strongly opposed the sections in the

declaration which dealt with the construction of storage reservoirs in the Belgian Ardennes. Only after these parts of the declaration had been scrapped, would negotiations over the Scheldt and Meuse issues start again. However, because of the ongoing Belgian internal disagreement, and the Dutch issue linkages, parties would not be able to reach an agreement until 1993. In spite of the lengthy deadlock, the Dutch maintained the linkages they had made, as they speculated on an internal Belgian agreement, i.e. a Flemish compensation of Walloon 'losses' (TK 1994-1995, 24 041 No.3). At the beginning of 1992, some discussions were going on about the modernization of the Albert canal, which is the connection between the Walloon port of Liège and the port of Antwerp, and a new canal between Oelegem and Zandvliet, which would connect the Albert canal to the Scheldt-Rhine connection (Planchar, 1993; COIB, 1994). Both projects would be beneficial to the Walloon city of Liège. Because these projects would cause huge spatial problems in Flanders, however, the Flemish region was unwilling to accept such linkages. Possibilities for a Dutch compensation of Walloon losses were discussed as well. This concerned several infrastructure projects aimed at improving the navigation channel from Rotterdam to Liège. Dutch efforts to compensate the Walloon region, however, failed as well.

At about the same time, three crucial events took place, which would restructure the negotiation game entirely (Meijerink, 1999). First, the Scheldt basin states, along with other members of the United Nations Economic Commission for Europe, signed the UN-ECE Convention on the Protection and Use of Transboundary Water courses and International Lakes (UN-ECE, 1992). According to this convention, the river basin is the appropriate scale for dealing with water issues, such as pollution and environmental degradation. Whereas in the past negotiations had been confined to Belgium and the Netherlands, it would from then on be necessary to involve the upstream basin state France in the negotiations on the water quality of the Scheldt and the Meuse. Secondly, the third stage of the

Belgian state reforms was completed in 1992. Because of these reforms, the Belgian regions received many treaty-making competencies, among others in the field of water management. Consequently, the Netherlands (and France) would be able to negotiate directly with the Belgian regions. Because of these two important developments, and as the efforts to compensate the Walloon region had failed, the Dutch government decided to unlink the bilateral Flemish-Dutch and multilateral Scheldt and Meuse issues in 1992. Issue linkages, however, would still play a crucial role in the conclusion of the Scheldt and Meuse conventions.

New linkages and the conclusion of the water conventions (1992-1995)

The Dutch decision to unlink the bilateral and multilateral Scheldt and Meuse issues was a relief to the Belgian negotiators, and two new negotiation commissions were installed in 1992. A multilateral negotiation commission with representatives of all Scheldt and Meuse basin states and regions started deliberations and negotiations on multilateral water quality conventions for the Scheldt and Meuse. At the same time, in a bilateral Flemish-Dutch negotiation commission, the deepening of the navigation channel in the Western Scheldt and the distribution of Meuse water were discussed together. Because discussions with the Walloon region about the Meuse water discharge had proven to be laborious, the Dutch and Flemish governments decided to discuss that issue bilaterally. Flanders diverts Meuse water via the Albert canal to the city of Antwerp. Hence, the region has possibilities to influence the Meuse water discharge to the Netherlands, and is able to negotiate this issue with the Dutch without involving the Walloon region. In both the multilateral and the bilateral negotiation commissions, negotiations went rather smoothly, and the delegations were able to reach agreement on draft conventions by the end of 1993. In May 1993, however, the Flemish government had proposed linking the negotiations on the deepening program to the negotiations on the alignment of a high speed train (*Hoge*

Snelheidslijn, HSL) from Rotterdam to Antwerp, an issue in which the Dutch had a main interest. Clearly, the purpose of the Flemish government was to speed up decision making on the deepening program. This linkage, however, turned out to be a serious mistake, as the Dutch and Flemish delegations could reach an agreement on the deepening issue easily, whilst decision making on the alignment of the high speed train turned out to be highly complicated. Hence, the Dutch used the linkage, which had been made by the Flemish region, to put pressure on the Flemish government. In reaction, the Flemish government decided to restore the linkage between multilateral and bilateral Scheldt and Meuse issues it had always opposed. ‘Desperate needs lead to desperate deeds’ (Meijerink 1999, p. 206); the Flemish region refused to sign any of the other Scheldt and Meuse conventions as long as the Dutch would not agree on the implementation of the deepening program. It was only in December 1994 that Flanders and the Netherlands reached an agreement on the approval of all bilateral and multilateral Scheldt and Meuse conventions, and a planning scheme for joint decision making on the alignment of the HSL. In 1995, all conventions were actually signed, and after a period of almost thirty years, the Belgian-Dutch water conventions were concluded (Trb. 1994 Nr. 149 and 150; Trb.1995, Nr. 50 and 51).

Negotiations on a further deepening of the navigation channel in the Western Scheldt (1995-2005)

From 1995, Flanders and the Netherlands worked on a joint implementation of these conventions. Because of the increasing draught of modern ships, however, Flanders initiated at that time a debate on a further deepening of the navigation channel in the Western Scheldt. In spite of a carefully designed joint planning process, Flanders and the Netherlands ended up with issue linkages again. As new conflicts about the HSL had arisen, this time about the frequency of the trains, and

travel times, the Dutch linked the deepening of the navigation channel to HSL-issue, and an agreement on both issues was reached only in 2005.

Because of the European Water Framework Directive, which was adopted in 2000 (European directive nr. 2000/60/EG), the Scheldt basin states and regions started new discussions about Scheldt water policies as well. They were able to reach an agreement on a new Scheldt convention that would, in 2002, replace the convention of 1995. The main differences between these conventions are that water quantity issues (both flood control and management of low flows) are included in the convention now, and that the convention is not confined to the main stream of the river Scheldt. In line with the concept of river basin management, it contains provisions for the preparation of plans for the entire Scheldt river basin, i.e. including the tributaries (TK 2004-2005, 29 886, Nr.1).

Learning within and across advocacy coalitions

In the previous Section, we have analysed international policy making as a negotiation process between states (and in case of the federal state of Belgium: regions). In this Section, we focus on a different unit of analysis, and take a more detailed look at the Scheldt estuary policy subsystem, and the advocacy coalitions which may be discerned within that subsystem. After introducing the pro-development Antwerp coalition, the environmentalist coalition, and the farmers' coalition, we will discuss the learning processes, which have taken place within and across these coalitions, and the conditions that have been conducive to across-coalition learning.

Three advocacy coalitions

Within the Scheldt estuary subsystem, three main advocacy coalitions have dominated the policy process in the past decades. The first advocacy coalition, which we will call hereafter the 'Antwerp-coalition', is a pro-development

coalition aimed at improving the maritime access to the port of Antwerp. Important members of this coalition are officials of the Antwerp Port Association (*Antwerpse Gemeenschap voor de Haven*), the Antwerp port authorities, aldermen of the city of Antwerp, representatives of the Flemish Ministry of Infrastructure and Sea Affairs, most Flemish politicians, and several journalists of Flemish newspapers. The following topics are characteristic of the pro-development coalition. First, this coalition attaches more importance to the maritime access to the Port of Antwerp and economic growth of the Flemish region than to the ecological values of the Scheldt estuary. Secondly, according to the Antwerp coalition, the unwillingness of the Dutch to cooperate on the improvement of the navigation channel in the Western Scheldt unconditionally, is the main cause of the access problems which the port of Antwerp is facing. In the seventies and the beginning of the eighties of the past century, the main policy enterprise of the Antwerp coalition was the realization of the Baalhoek and Bath canals. Since 1984, the main policy enterprise of this coalition has been to improve the navigation channel in the Western Scheldt by the dredging of several bars in the Western Scheldt.

The second advocacy coalition is the environmentalist coalition and, unlike the pro-development coalition, it is a cross-border coalition, which was formed in the seventies of the past century. This coalition consists of representatives of a large number of environmental NGOs, such as the Zeeland environment foundation (*Zeeuwse Milieu Federatie*), the Zeeland landscape foundation (*Stichting het Zeeuwse landschap*), the Dutch Reinwater foundation (*Stichting Reinwater*), the Belgian association for a better environment (*Bont Beter Leefmilieu*), *Greenpeace*, and various international groups, such as the International Scheldt working group (*Internationale Schelde werkgroep*), the action group 'Save the Scheldt' (*'Redt de Schelde'*), and the international working group Scheldt without frontiers (*Schelde zonder grenzen*). Other coalition members are researchers of various research institutes, such as the Dutch Centre for Estuarine and Marine Ecology (NIOZ-

CEMO), the Dutch governmental research institute for Coastal and Marine Management (Rijksinstituut voor Kust en Zee, RIKZ), and the Flemish Institute for Nature conservation (*Instituut voor Natuurbehoud*), journalists of regional newspapers in the province of Zeeland, and representatives of various Dutch government agencies, such as the regional Directorate Zeeland of the Ministry of Transport, Public Works and Water Management, and representatives of Municipalities along the Western Scheldt, which were united in the Taskforce for the Western Scheldt (*Taakgroep Westerschelde*) of the Dutch Association of River Municipalities. Finally, a majority of Dutch Parliament, and few members of Flemish Parliament are part of this environmentalist coalition. The policy core of this coalition was that the Scheldt estuary is a unique ecosystem, which needs to be preserved. According to this coalition, the maritime access to the port of Antwerp is an important issue, but the ecological values of the Scheldt estuary (the only remaining more or less natural estuary of the rivers Rhine, Scheldt and Meuse) are even more important. Land-reclamation in the past, water and sediment pollution, and the morphological disturbances which are caused by the dredging works in the Western Scheldt navigation channel, all would pose serious threats to the ecosystem of the Scheldt estuary. This coalition tried to reshape the image of the Scheldt estuary from being a navigation channel into the image of a unique ecosystem, which needs to be preserved, and should be managed collectively (the estuary as a common pool resource). Moreover, they tried to shape a policy image of the Scheldt estuary as a highly polluted water system that needs to be cleaned-up. According to this coalition, the main causes for Scheldt water pollution are the poorly developed environmental policies in Belgium.

The third influential coalition distinguished here, developed only after the conclusion of the water conventions in 1995. The convention on the deepening of the navigation channel in the Western Scheldt entailed the development and implementation of plans for nature restoration in order to compensate for the

ecological damages, which would be caused by the deepening dredging works. Experts on river ecology were of the opinion that the only possible option for compensating for nature losses is to give back to the sea land which has been taken from the Scheldt estuary in the past centuries. By giving land back, which is called 'ontpolderen', the tidal volume and tidal dynamics of the estuary would be partly restored. In spite of a broad consensus amongst experts about the need for 'ontpolderen', strong opposition against these plans developed in the Dutch province of Zeeland (Ringeling, 1997). Individual farmers, who would be affected by these plans, along with farmers' organisations, organized a successful campaign in which they exploited successfully the feelings of the Zeeland population. Historically, the people of Zeeland had always fought against the water, and particularly since the construction of the Delta Works, they have been rather successful in that. The farmers' coalition managed to shape a policy image as if 'ontpolderen' along the Western Scheldt would be to the detriment of the safety of the Zeeland population. As they were rather successful in that, many regional and local politicians decided in the end not to cooperate on the plans for 'ontpolderen', which had been proposed by the environmentalist coalition.

Policy-oriented learning

Within these coalitions, learning took place about the best means to reach policy objectives. The Antwerp coalition, for example, learned that the construction of the Baalhoek canal would be extremely expensive and entail many spatial planning complexities. Moreover, this coalition learned that a further deepening of the navigation channel in the Western Scheldt would make the construction of the new Bath channel unnecessary. Because of these learning processes, the perceived interests of the Belgian (and later the Flemish) governments, hence the international negotiation agenda, have changed.

The environmentalist coalition was connected to an epistemic community of ecologists and biologists. Key officials of the regional Directorate Zeeland and the Research institute for Coastal and Marine Management, and researchers of the Centre for Estuarine ecology and the Flemish Institute for Nature Conservation, were ecologists. This relatively small network of experts in estuarine ecology initiated various research projects aimed at describing and explaining the functioning of the ecosystem in the Scheldt estuary, and fostered research on the potential ecological damages caused by the dredging works (Ministry of Transport, Public Works and Water Management, 1994a and b and 1997). In addition, numerous reports indicated the seriousness of Scheldt water and sediment pollution (cf. Bond Beter Leefmilieu, IPR, 1991; ISG, 1994; Stichting Reinwater, 1992). Because of these research projects, the environmentalist coalition has built up an impressive knowledge base on the negative impacts of human activities on the Scheldt ecosystem.

Besides learning within the different coalitions, it is interesting to assess the degree of cross-coalition learning, and the relevance of the ACF-hypotheses about conditions conducive to such learning. In the seventies and eighties, the Antwerp coalition had no eye for the water quality and ecological issues in the Western Scheldt at all. As a consequence, the provisions in the draft conventions of 1975 about an improvement of the Scheldt water quality, were perceived as being no more than an exchange in the negotiations with the Dutch. As the negotiations on the water conventions were characterized by lengthy conflicts, these negotiations did not shape optimal conditions for cross-coalition learning. The high level of conflict clearly hindered information exchange, and joint research projects. Even though there were various forums where international Scheldt issues were discussed, such as the Technical Scheldt Commission and its various subcommissions, a series of international Scheldt conferences, and the International Scheldt Group (ISG), cross-coalition learning hardly developed until

1992. As an example, the work of the ISG, which aimed at making an inventory of the seriousness of all water quality problems in the Scheldt basin, and of the main sources of water pollution, was hindered by the tense atmosphere in the negotiations on the water conventions. Experts were not always allowed to appear, and every single step taken in this informal working group had to be approved by top servants of the Ministries. Only after the Dutch had decided to unlink the bilateral and multilateral Scheldt and Meuse issues, did the relationship between the Scheldt basin states and regions gradually improve, and across coalition learning started to develop. From then, the ACF- conditions for cross-coalition learning were largely met. First, there were various professional forums where international Scheldt issues could be discussed. Secondly, as compared to the past, there was an intermediate level of conflict between members of opposing coalitions. Finally, although the ecological Scheldt issues remained largely intractable, the epistemic community of ecologists had built an important knowledge base to draw on.

As a consequence, the Antwerp coalition gradually became more responsive to the claims made by the ecologists, and recognized the need to improve the Scheldt water quality, and to preserve the Scheldt ecosystem as well. First, since the nineties was the Flemish Ministry of Infrastructure and Sea Affairs willing to cooperate on the extraction of large amounts of polluted sediments near the port of Antwerp, even though these sanitation dredging works would be beneficial mainly for the water quality in the Dutch Western Scheldt (Ministry of the Flemish region, Department for the Environment and Infrastructure, 1991 and 1995). It should be noted that the obligation to extract polluted sediments was one of the main conditions formulated in a permit which the Dutch had granted to the Flemish region for the dumping of dredging material in the Western Scheldt. According to various respondents, however, the Flemish Ministry accepted these conditions rather easily, because it had an eye for the severe pollution problems as

well. Secondly, the Flemish Ministry participated actively in discussions about technical possibilities to minimize the negative impacts of the dredging works. These discussions were about the strategies for dumping dredged material, but also about the manner in which the dredging works for maintenance and deepening were carried out. The concept of ‘morphological dredging’ was introduced, which was aimed at minimizing the morphological disturbances caused by the dredging works. Finally, the Antwerp coalition was willing to discuss possibilities to compensate for damages to the environment, which would be caused by the implementation of the deepening programs (Niesing et al., 1996). Whilst the policy core of the Antwerp coalition has hardly changed, and the maritime access to the port of Antwerp is still perceived as the most important issue in the Scheldt estuary, secondary aspects, such as the manner in which dredging works were carried out, have proven to be more amenable to change.

Due to the high conflict between the farmers’ and environmentalist coalitions, no learning across these coalitions has developed at all, and the ‘debate’ between those who are oppose ‘ontpolderen’ and the environmentalists still can be characterized best as a ‘dialogue of the deaf’. It is interesting to note that the main arguments for ‘ontpolderen’ have changed remarkably in the past years. Monitoring studies of the geomorphological and ecological disturbances, which would be caused by the deepening program, indicated that, mainly because of the new strategies and techniques for dredging and dumping sediments, hardly any negative impacts on the Scheldt ecosystem could be assessed. These observations underline that issues of estuarine ecology are still largely intractable. Experts, however, still argue that ‘ontpolderen’ is necessary. It increases the water storage capacity of the estuary, which would be necessary for flood control in the long run.

Venue change

In the preceding Sections, we have focused on the negotiations between the Scheldt basin states and regions, and the learning processes within and across advocacy coalitions within the Scheldt estuary policy domain. Here, we will address the existence of multiple venues and strategies of venue shopping. This is helpful in linking the negotiations in the various international negotiations commissions, to the learning processes, which have developed in the various professional forums. Besides venues for negotiation and venues (forums) for learning, venues for the creation and for the enforcement of the rules of the game are relevant to an understanding of Scheldt estuary policies.

The main venues for negotiation were the negotiation commission for the water conventions (1969-1975), the negotiation commissions Biesheuvel-Davignon (1987-1989) and Biesheuvel-Poppe (1989-1991), and the bilateral and multilateral negotiation commissions where Scheldt and Meuse issues were discussed (1992-1994). In these commissions, negotiation, i.e. the process of claiming and creating value, has been the dominant style of interaction. Venues for research and joint fact finding were the Technical Scheldt Commission (1948-2005), the various subcommissions and working groups of this commission, the international Scheldt conferences, and the International Scheldt Group (1991-1993). These venues (forums) offered opportunities for learning. Important venues for the creation of rules of the game for the management of international waters, were the United Nations-Economic Commission for Europe and the various venues at the European level. Both the UN-ECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes and the European Water Framework Directive, have changed the rules of the game for international Scheldt policy making considerably. Moreover, the transfer of treaty-making competencies to the regions in the third stage of the Belgian state reforms, was a fundamental change of the rules of the game. Finally, our case study illustrates the importance of venues

for the enforcement of the rules of the game. For example, Dutch and Flemish environmental NGOs have successfully appealed to the court in order to enforce the legal obligation to issue an Environmental Impact Assessment for the implementation of dredging works. Hence, the Dutch national government had to issue special legislation before it was able to continue the implementation of the Convention on the deepening of the navigation channel in the Western Scheldt. Moreover, some members of the Antwerp coalition threatened more than once to appeal to the international court, as they were of the opinion that the Dutch have to cooperate on improving the navigation channel in the Western Scheldt unconditionally, according to international law.

The dynamics of Scheldt estuary policies cannot be understood without addressing the relationships between the processes of negotiation, learning, creation, and the enforcement of the rules of the game, which have been going on in different venues simultaneously. Because of cross-coalition learning in the working groups of the TSC, the Antwerp coalition incorporated some elements of the belief system of the environmentalist coalition in their belief system. This influenced the perceived interest and position of the Flemish government in the negotiations with the Dutch. The other way round, the high level of conflict and many deadlocks in the international negotiations clearly hindered the process of joint fact finding in, for example, the ISG. The conclusion of the UN-ECE convention and the ongoing Belgian federalization process changed the structure of the game fundamentally, because new parties (France and the Belgian regions) were added to the international negotiation commissions. Finally, the EU Water Framework Directive imposed a new set of rules of the game, such as a fixed time schedule for the preparation of river basin plans, and the achievement of water quality objectives.

If we focus on one type of venues, say the venues for learning, developments in the other venues, such as the venues for negotiations and for the

creation of rules of the game, may be treated as contextual developments. Since coalition members employ strategies of venue shopping (and venue creation and manipulation), however, such a sharp distinction between context and phenomenon studied is problematic. In our study of Scheldt estuary policy making, the drafting of the UN-ECE Convention and the EU Water Framework Directive, may at first sight be interpreted as contextual developments. A better look at the processes that have been going on in these venues, however, shows that some negotiators involved in the negotiations over the Scheldt and Meuse water conventions were involved in the negotiations on the UN-ECE convention as well, and that these negotiators exploited the venue of the UN-ECE to attract supporters to the image of international water management issues as being issues that have to be solved collectively by all basin states (Meijerink, 1999). Moreover, the same governmental bureaus which were involved in the negotiations on the Scheldt and Meuse water conventions, were involved in the preparatory work for the EU Water Framework Directive. In that process, representatives of the downstream basin state the Netherlands, along with other protagonists of the river basin approach, strongly put forward the concepts of integrated water management and river basin management (and with that tried to attract supporters for a new image of international water issues). These two examples illustrate that the rules of the game are partly endogenous to the policy process. Foremost, however, they illustrate the relevance of strategies of venue shopping for understanding policy change. Venues may be exploited strategically to purposefully alter the rules of the game, to enforce these rules, to create value (for example by making issue linkages), or to proliferate ideas and stimulate learning. On the other hand, the impact which the attribution of treaty-making competencies to the Belgian regions has had on the negotiations over the Scheldt and Meuse water conventions, illustrates that independent external developments also may account for a major change of the rules of the game.

CONCLUSION: COMPATIBILITY OF THE FRAMEWORKS

The central aims of this paper were to assess the analytical power of the NA, ACF and PE-frameworks, and to explore their compatibility. The Scheldt estuary policy domain is characterized by complex interdependencies between the basin states and regions. Basically, the Dutch are largely dependent on Belgium and France as regards the river discharge and water quality of the Scheldt and Meuse rivers. On the other hand, Belgium is dependent on the Netherlands as regards the maintenance and improvement of the navigation channel in the Western Scheldt and/ or the construction of new waterways aimed at improving the maritime access to the port of Antwerp. The different (perceived) interests of the Belgian regions of Flanders, Wallonia and Brussels, and the Belgian federal state structure, add to this complexity. Although the main parties perceived hardly any shared interests or preferences, and, at least in the first part of our case study period, did not perceive international Scheldt and Meuse issues as collective action (or commons) problems at all, there was, nevertheless, joint action. This should be explained by the many issue linkages across policy domains. Our case study is a perfect corroboration of Martin's hypothesis that in situations of heterogeneous preference intensities across policy domains and in which the decision-making rule is unanimity (as has always been the case in the negotiations on the water conventions), chances for issue linkages are high. By exploiting differences amongst negotiators, win-lose games were transformed into positive sum games, and by that value was created. It can, however, also be learned from this case that the short-term implication of the issue linkages is a delay in the negotiations. As argued by Fischhendler et al. (2004, p. 634) '[...] natural resources are often considered as a local resource protected by local practices or by laws, and hence owned and managed by local groups, states, and basin riparians. Transbasin and interstate linkages that redistribute the resources among users may increase the number of stakeholders and riparians who incur costs, and so may provide an incentive to oppose the agreement. In this case

linkages may actually cause delays in reaching a negotiated agreement'. This is exactly what happened in the Scheldt case. The linkages, which the Dutch had made between the Scheldt and Meuse issues, provided an incentive for the Walloon region to oppose the agreements proposed. In our case, Negotiation Analysis has proven to be a very useful analytical tool. Perceived interests of the Scheldt basin states and regions, their strategies of claiming and creating value, issue linkages particularly, and the structure of the game, are the key to understanding both the lengthy deadlocks and the breakthroughs in the negotiation process.

As we have used a long time perspective we have observed changes in perceived interests of the basin states and regions as well, and we needed to include the role of ideas in our account of Scheldt estuary policies. Whilst NA assumes relatively fixed preferences, the ACF focuses explicitly on belief systems and belief change (learning) for understanding policy change. Within the Scheldt estuary subsystem, we have been able to distinguish three main advocacy coalitions: the pro-development Antwerp coalition, the environmentalist coalition, and a farmers' coalition. The environmentalist coalition was a cross-border coalition which was strongly tied to an epistemic community of ecologists. This coalition tried to shape a policy image of the Scheldt estuary as a unique ecosystem, which needs to be preserved. Only after the Dutch decision to unlink the bilateral and multilateral Scheldt issues, after which the level of conflict was reduced, did learning across the pro-development and environmentalist coalition start to develop, and the Antwerp coalition incorporated some elements of the environmentalist coalition in its belief system. This cross-coalition learning may account for the changed strategies and techniques for dredging and dumping sediments, the development of plans for compensating for nature losses caused by the dredging works, and partly for the development of water quality policies in the Flemish region. Summarizing, the ACF has been helpful in explaining why the Scheldt estuary was increasingly perceived as a shared water system, which not

only has an important economic function, but possesses unique ecological values as well.

Finally, we have argued that Scheldt estuary policy making cannot be understood without addressing the interactions between the multiple venues where international Scheldt issues were discussed. We have made a distinction between venues for negotiation, learning, for the design, and the enforcement of the rules of the game. Moreover, it has been shown that these venues have been exploited strategically so as to purposefully alter the rules of the game or to frustrate policy implementation.

These frameworks produce useful complementary insights, and therefore contribute to our understanding of the complexity of international policy dynamics. Moreover, some elements of a single framework could be integrated in the other frameworks, i.e. the frameworks may benefit from each other. The ACF sheds light on how actors come to define their interests, and with that may contribute to a Negotiation Analysis. Furthermore, it has been shown that the concept of venue shopping is highly relevant to the analysis of coalition behaviour. Finally, the shaping of new policy images, as is addressed in PE-theory, could be related to the activities of coalitions which share policy beliefs.

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