T02P09 / Collaborative Governance and Deliberative Policymaking in Comparative Perspective

Topic : T02 / Comparative Public Policy sponsored by Journal of Comparative Policy Analysis
Chair : Christopher Ansell (University of California, Berkeley)
Second Chair : PerOla Öberg (Uppsala University)

GENERAL OBJECTIVES, RESEARCH QUESTIONS AND SCIENTIFIC RELEVANCE

Collaborative and deliberative approaches to policymaking have received increasing attention over the last decade. Collaborative approaches seek to bring stakeholders together to develop consensus-oriented policy designs through face-to-face interaction and negotiation. Deliberative approaches focus on the policy making process as a form of reasoned discussion aimed at producing well-informed opinions. Both approaches stress the importance of a communicative rationality, without necessarily assuming that communication takes place in ideal situations. While a first generation of scholarship has demonstrated how both collaborative and deliberative approaches operate in democratic settings, we still lack a well-developed understanding of the contextual conditions in which these approaches are likely to flourish or wilt. This contextual knowledge is critical, because there is a tendency to see collaborative or deliberative approaches as universal in their applications. However, some national contexts are much more likely to facilitate collaboration and deliberation than others. The purpose of this panel is to explore how different national (or local or regional) institutions, policy styles, or political dynamics foster or constrain collaborative and deliberative approaches to policymaking.

We propose a number of preliminary hypotheses to guide our comparative investigation of collaborative and deliberative approaches. First, we anticipate that collaborative and deliberative approaches are more likely to work well in nations or communities with active civil societies and with pluralistic political cultures. These approaches are unlikely to either arise or be successful in statist cultures with weak civil society and more elite or clientelist forms of politics. An exception to this claim is when the state uses these mechanisms instrumentally to mobilize legitimacy or public input. Second, we expect these approaches to be more prominent in nations where consensus democracy and corporatist bargaining are well-developed and where citizens have high trust in government institutions. These conditions can create supportive cultural norms for collaboration and deliberation, while also creating conditions where state institutions are open to public input. Majoritarian and adversarial democracies are less likely to foster supportive conditions for collaboration and deliberation, though adversarial policymaking may foster collaborative governance as an antidote to political stagnation. A final expectation relates to the vertical dimension of politics. Federalist countries are more likely to be pluricentric and hence more likely to create conditions of shared and distributed power. These conditions create incentives for collaboration and deliberation. However, unitary states with strong decentralization may create analogous conditions.

Our panel would select panelists based on their ability to shed light on the comparative conditions for collaborative and deliberation. While papers would not have to be explicitly comparative, the panel as a whole should be able to generate an empirically-grounded discussion of how different national context create the demand for or the success of collaborative and deliberative approaches to policymaking.

CALL FOR PAPERS

Collaborative and deliberative approaches to policymaking have received increasing attention over the last decade. Collaborative approaches seek to bring stakeholders together to develop consensus-oriented policy designs through face-to-face interaction and negotiation. Deliberative approaches focus on the policy making process as a form of reasoned discussion aimed at producing well-informed opinions. Both approaches stress the importance of a communicative rationality, without necessarily assuming ideas that communication takes place in ideal situations. While a first generation of scholarship has demonstrated how both collaborative and deliberative approaches operate in democratic settings, we still lack a well-developed understanding of the contextual conditions in which these approaches are likely to flourish or wilt. This contextual knowledge is critical, because there is a tendency to see collaborative or deliberative approaches as universal in their applications. However, some national contexts are much more likely to facilitate the collaboration and deliberation than others. The purpose of this panel is to explore how different national (or

local or regional) institutions, policy styles, or political dynamics foster or constrain collaborative and deliberative approaches to policymaking. We invite panel submissions that help to understand these comparative factors. Papers do not have to be explicitly comparative in design, but they should help the panel engage in an empirically-grounded discussion of these factors.

T02P09 / Collaborative Governance and Deliberative Policymaking in Comparative Perspective

Chair : Christopher Ansell (University of California, Berkeley)
Second Chair : PerOla Öberg (Uppsala University)

Session 1Opportunities and Challenges for Collaborative Networks

Wednesday, June 28th 14:00 to 16:00 (Manasseh Meyer MM 2 - 2)

Discussants

PerOla Öberg (Uppsala University)

The democratizing impact of collaborative governance networks version 3.0

Jacob Torfing (Roskilde University)

Eva Sørensen (Roskilde University)

Governance networks emerged, not as tools for strengthening democracy, but as instruments for making public governance more effective by securing joint ownership to new policy solutions, enhancing coordination that prevents gaps and overlaps and creates synergies, mobilizing relevant resources and developing creative responses to wicked and unruly problems that could not be properly dealt with through the traditional forms of hierarchical government or competitive markets. Nevertheless, it has been persistently argued that governance networks carry a potential for democratizing public governance by enhancing democratic participation of intensely affected actors in policy making, stimulating democratic deliberation, and recruiting and empowering sub-elites who can challenged the ruling elites.

The initial argument amongst public administration researchers was that governance networks provide democratic arenas for collaborative self-regulation placed at arms-length from the formal institutions of representative democracy. This meant that governance networks were sites of counter-democracy and not easily aligned with more established forms of democracy. In a second round of debate, some researchers began to criticize the democratic deficit of the self-regulating governance networks that were somehow exempted from democratic control of elected politicians. This criticism led to a growing demand the democratic anchorage of governance networks in representative democracy through different forms of meta-governance exercised either by public managers or elected politicians. Now, while the notion of democratic anchorage was helpful in directing our attention towards the importance of linkages between elected government and collaborative governance networks for securing democratic decisionmaking, it still saw politicians as external to the networked governance arenas. Hence, the interaction between elected politicians and collaborative networks of relevant and affected actors was seen as a democratic control mechanism rather than as a tool for strengthening representative democracy and the exercise of political leadership. This paper argues that we need to rethink the relation between elected government and collaborative governance networks in order to unleash the democratic potential of governance networks. As such, we propose that governance networks can help to democratize elected government by involving elected politicians in collaborative interactions with relevant and affected actors in ways that enhance their capacity to develop innovative and politically robust responses to the wicked and unruly policy problems of our time. Hence, rather than reducing governance networks to an external supplement that is necessary due to the growing complexity and fragmentation of modern society, but nevertheless tends to produce a democratic deficit that must be dealt with by elected politicians, we insist that collaborative governance networks can democratize government by transforming its modus operandi.

The paper begins by presenting the theoretical argument about the democratic potential of governance networks vis-à-vis elected government and then provides an empirical analysis of how interactive governance in and through local networks and collaborative arenas can help to strengthen democratic political leadership in ways that increases the public governance capacity while enhancing democratic ownership and political trust. The empirical analysis focuses on the recent experiences from Danish municipalities and presents the results from a case study of the cutting-edge reforms in Gentofte

Municipality in which the City Council has adopted a new model of interactive political leadership. The paper is concluded with a discussion of the historical, institutional and political conditions for the emergence of an interactive political leadership in Danish municipalities. The unique combination of a strong state and a well-organized civil society, a high degree of decentralization in the Danish welfare state and a pragmatic political culture in which political competition and majoritarian decision making is trumped by collaboration and deliberation seem to offer a fertile ground for collaborative networks to become an integrated aspect of the way that local governments operate.

Collaborative governance: beyond mere participation

Cynthia Michel (Center for Research and Teaching in Economics (CIDE))

The crisis of legitimacy that governments in general have faced since the late 20th century has resulted in an increasing quest for opening the policy making processes to new non-state actors. The idea is to involve public agents, private actors, and civil-society in general, in some joint effort to make or implement public policies. Many countries have designed different participatory governance arrangements to involve those actors in the decision making processes. Although the results of such practices have varied in scope and impact, their analysis has been mainly focused on the collaborative process. Little attention has been paid to the elements within the decision making process that allows for an actual impact of the non-state actors into the decision making process.

Based on the definition of collaborative governance of Ansell and Gash (2007), this paper seeks to analyze the rules and procedures within the decision making processes that foster or constrain collaborative governance. Specifically, the objective is to analyze the interaction between the collaborative and the decision making processes in order to understand the extent to which participation actually constitute an input for policymaking. For doing so, this study analyzes two different participatory arrangements implemented by the Mexican federal government: the local committees within the National Crusade Against Hunger, and the social accountability committees for all social programs.

To Collaborate or Not to Collaborate: When Can We Benefit from Collaborative Governance? Examples from the Israeli Experience

Lihi Lahat (Sapir Academic College, Israel/ Azrieli Institute of Israel Studies, Department of Political Science,Concordia University, Montreal.)

Neta Sher-Hadar (Sapir College)

In an age of networks and multiple players, there is a need to reinforce not only the capacity, but also the legitimacy of public organizations. In recent years, there has been growing evidence that collaborative arrangements can contribute to the promotion of the public interest and to the overall legitimacy of public policy.

Our paper addresses two questions. First, what is the relevance of collaborative governance arrangements to the Israeli policy style? Second, in what kinds of situations is it beneficial to embrace these arrangements and when is it not?

In Israel, after thirty years of incremental changes in the public sector, the management capacity of the civil service has decreased considerably. Although Israel did not experience a formal reform of the public sector, such as in other countries, public administration has been exposed to changes such as privatization, attempts at de-regulation and the rise of a market management orientation. Simultaneously, Israeli civic society has expanded, and through outsourcing has taken over an increasing part of public services delivery. These changes have led to many initiatives involving various forms of collaborative governance, which, given Israel's historical centralized policy style, is rather surprising. Historically, Israel's policy style is not natural for collaborative governance. Israel's political style is known as reactive and imposed rather than anticipatory and consensual, as in countries where collaborative governance is more natural, such as the Netherlands.

Furthermore, we will distinguish between different situations in which collaborative governance is effective as an administrative tool and when it is not. Using four examples, from the Israeli experience, we will propose a conceptual model that will suggest when collaborative governance can contribute to the capacity and legitimacy of public policies. Among the examples we will discuss an initiative to create a common public vision for the various segments of the divided Israeli society that includes different groups such as: religious Jews, orthodox Jews, secular Jews and Arabs and the case of a large-scale collaboration between the Ministry of Education and numerous stakeholders in the educational system that is aimed to strengthen the Mathematics and Science studies. We suggest that the theoretical model, despite its specific Israeli context, can be generally useful for other countries – and can be used for evaluating when collaborative

governance is the best strategy for developing public policy capacity and legitimacy.

The two authors of this study are leading a research group (together with Prof. Itzhak Galnoor) on collaborative governance at the Center for Social Justice and Democracy at the Van Leer Institute in Jerusalem.

Instituting Collaborative Governance: Accidental or Designed?

Abdillah Noh (Universiti Tun Abdul Razak, Tun Abdul Razak School of Government)

Nadia Hezlin Yashaiya (University of Western Australia)

This paper describes Malaysia's experience in collaborative governance where it argues that the country's collaborative endeavor is an unintended consequence of Malaysia's Economic Transformation and Government Transformation programmes. In making its case the article will trace the role of Malaysia's performance and delivery unit (PEMANDU) - the change agent that has played a central role in the state's economic and government transformation programmes - in providing preconditions to collaborative governance. It will examine PEMANDU's various initiatives in bringing about economic and government transformation that has ultimately laid down, albeit nascent, institutionalization of collaborative governance. The paper concludes that collaborative governance in Malaysia is still at an early stage primarily because the articulation of collaborative governance is nested within Malaysia's larger policy concerns and a function of the continuation of regime legitimacy.

T02P09 / Collaborative Governance and Deliberative Policymaking in Comparative Perspective

Chair : Christopher Ansell (University of California, Berkeley)
Second Chair : PerOla Öberg (Uppsala University)

Discussants

Christopher Ansell (University of California, Berkeley)

Implementing in collaboration: experiences from six cases in Colombia

Gustavo Valdivieso (University of Twente/Universidad Externado de Colombia)

In the investigation about where can collaborative governance succeed, this paper adds some insights from a country fitting some of the expected contextual criteria for the flourishing of collaboration (democratic government, not-so-weak civil society, strong decentralization) as well as some of the criteria for failing: clientelism, non-consensual democracy, low trust in Government, low trust in general.

The paper looks at the early results of attempts to introduce a new, highly collaborative policy -Integrated Water Management- in Colombia, through the experience of six pilot projects, in the period 2012-2014. The cases are the six fully-funded, politically supported subprojects of a large umbrella project implementing a new Integrated Water Management Policy in the same period, by the same type of organizations in five of the cases, and with basically the same tasks in four of them. Unlike in Ansell & Gash definition (C. G. Ansell, Alison, 2007) there were private actors in two of the cases -the two with the extreme positive and negative performances- yet State actors included different levels of government and different jurisdictions within the same level, with the core component of the governance logic -lack of hierarchy =distributed power- (C. Ansell, 2002) present in all of them.

Focusing on variation rather than just "results", like it's the new advice for implementation studies (Winter, 2012) I found very different implementation outputs measured by time needed for implementation: from a 39% delay -a relative "success"- to a 105% delay (and one of the projects cancelled), and several problems of collaboration between project implementers that happened to be key actors of the water governance networks that are being created.

After triangulating results from 26 interviews to key actors in the subprojects and the closed coding of 175 subproject documents, problem structuredness (Hoppe, 2010)(Valdivieso, 2016) -level of agreement on the many concrete problems to solve rather than shared understanding of the mission- emerged as a relevant variable to explain implementation pace, even more so than others well established in the cooperation/collaboration literatures (C. G. Ansell, Alison, 2007); Faerman, McCaffrey, and Slyke (2001) and connected literatures (Öberg & Svensson, 2002; ÖUberg & Svensson, 2010) like trust, leadership and even interdependence –although interdependence was found to be key to prevent project collapse and keep organizations working together while trust was also more relevant in the extreme cases. The results are better understood, however, when looking at configurations between this variables or "conditions" (Ragin, 2008). The less relevant variable turned out to be number of actors.

Although not included initially as a variable to look at, time emerged as a key factor since, unlike policies that can be analysed in large (time) spans of several years or decades in which not only trust (C. G. Ansell, Alison, 2007) but also interdependence and even problem structuredness (Hisschemöller & Hoppe, 1995; Hoppe, 2010) can be built up, projects have by definition fixed, shorter time spans (Valdivieso, 2016).

Although the research had focused on the meso-level of what could be called the "inter-organizational moment" in implementation (Winter, 2012) analysing the interviews and the project reports, however, it became clear that all of the subprojects faced similar problems regarding a "legalistic mode of governance"

(Howlett, 2009, 2010): they couldn't work as true pilot projects because they had to conform to the norms created to implement the policy, not the other way around -as they were conceived- that their results would inform how exactly the norms had to be drafted. If we think of the new IWM policy as a policy innovation (O'Toole, 1997) we find that two of the three "generative factors" by which collaboration may contribute to innovation, synergy and learning (Torfing&Ansell, 2014) cannot materialize here.

References:

Ansell, C. (2002). Debating Governance: Authority, Steering, and Democracy. Edited by Jon Pierre. Oxford: Oxford University Press, 2000. 251p. $60.00 cloth, $24.95 paper. American Political Science Review, 96(3), 668-669.

Ansell, C. G., Alison. (2007). Collaborative governance in theory and practice. Journal of Public Administation Research and Theory(18), 543-571.

Faerman, S. R., McCaffrey, D. P., & Slyke, D. M. V. (2001). Understanding Interorganizational Cooperation: Public-Private Collaboration in Regulating Financial Market Innovation. Organization Science, 12(3), 372-388. Retrieved from

Hisschemöller, M., & Hoppe, R. (1995). Coping with intractable controversies: The case for problem structuring in policy design and analysis. Knowledge and Policy, 8(4), 40-60. doi:10.1007/bf02832229

Hoppe, R. (2010). The Governance of Problems. Bristol, UK: The Policy Press.

Howlett, M. (2009). Governance modes, policy regimes and operational plans: A multi-level nested model of policy instrument choice and policy design. Policy Sciences, 42(1), 73-89. doi:10.1007/s11077-009-9079-1

Howlett, M. (2010). Designing public policies : principles and instruments Routledge textbooks in policy studies; Routledge textbooks in policy studies., Retrieved from ebrary http://site.ebrary.com/id/10447702

Jacob, T., & Christopher, A. (Eds.). (2014). Public Innovation through Collaboration and Design: Routledge.

O'Toole, L. J. (1997). Implementing Public Innovations in Network Settings. Retrieved from Item Resolution URL http://purl.utwente.nl/publications/2485

Öberg, P., & Svensson, T. (2002). Power, Trust and Deliberation in Swedish Labour Market Politics. Economic and Industrial Democracy, 23(4), 451-490. doi:10.1177/0143831X02234002

ÖUberg, P., & Svensson, T. (2010). Does Power Drive Out Trust? Relations between Labour Market Actors in Sweden. Political Studies, 58(1), 143-166. doi:10.1111/j.1467-9248.2008.00772.x

Ragin, C. C. (2008). Redesigning social inquiry : fuzzy sets and beyond. Chicago [etc.] :: University of Chicago Press.

Winter, S.C (2012). Introduction to section 5 on Implementation. Peter, B. Guy and Pierre, Jon (2012). The SAGE Handbook of Public Administration. London: SAGE

Can collaboration trump adversarial environmental planning?: Insights from New Zealand's Land and Water Forum and proposed statutory collaborative planning process

Christine Cheyne (Massey University)

New Zealand's Resource Management Act (RMA) 1991 was initially much lauded for its public participation mechanisms. However, it rapidly became the focus of intense criticism for institutionalising an adversarial approach to decision-making characterised by high litigation costs and lengthy delays. In an attempt to address growing public concern about the failure of the Act to effectively manage freshwater, the New Zealand government sought to short-circuit the traditional planning approach by establishing a collaborative approach known as the Land and Water Forum (LAWF). The perceived success of the LAWF in engaging diverse and competing freshwater stakeholders led the government to include a proposal to allow local authorities to use a collaborative planning process as a key plank in a package of amendments to the RMA 1991 currently before Parliament. Despite some controversy surrounding other elements in the package, it is expected that the option for a collaborative planning process will be available in the near future as part of fostering greater front-end public engagement, and, at least rhetorically, developing plans that better reflect community values.

This paper critically reviews the New Zealand experience of collaborative freshwater planning and examines the extent to which the Land and Water Forum has been an effective model of collaborative planning for freshwater. First, the paper examines the nature of collaboration as evidenced by the LAWF and questions whether this model of collaborative planning can be implemented more widely in the New Zealand planning system especially when key stakeholders have withdrawn from the process. Second, pertinent constitutional

and legislative features of the institutional arrangements associated with the Land and Water Forum are identified. In particular, the nature of intergovernmental relations is identified as a key political dynamic which has shaped freshwater planning in New Zealand, and other areas of planning (e.g. transport planning), and which presents a challenge to collaborative planning. Based on analysis of institutional design and political culture, it is argued that, being a unitary state with a centralising national government, and weak local government (to which much environmental administration is devolved), the potential for the proposed collaborative planning process to achieve the goals of more inclusive, timely and durable plans is questionable.

Impact of different collaborative governance approaches on environmental outcomes: The case of Australian natural resource planning

Jaime Olvera Garcia (University of Queensland)

Developing plans and policies to deal with environmental problems is a complex task due to the different variables involved, such as technical/ecological aspects, socioeconomic conditions or political contexts. One of the less understood variables is the governance arrangements required to facilitate the implementation of environmental planning policies. For instance, how do different approaches to collaboration impact upon environmental outcomes? Environmental outcomes are understood as the conditions of natural resources, such as land or water, after the governance intervention.

This paper addresses the question by examining how differences in collaborative governance approaches, in combination with funding, impacted on the achievement of water quality outcomes. By collaborative governance, we refer to the type of institutional arrangements in which state and non-state actors engage in the development and implementation of policies; by funding, we refer to the financial resources destined to an environmental planning policy. In our view, funding is a key variable in the attempt to explain the varied impact of collaboration, as the financial resources determine to a high extent the possibilities of a policy. The study is based on the analysis of four natural resource management regions in the Great Barrier Reef (GBR), one of the most important ecosystems of Australia. The regions within the GBR catchment adopted a collaborative governance approach in 2008 to improve the planning and management of water quality issues. Through collaboration, they sought to engage the agricultural sector within their regions to promote a change in land management practices, aimed at reducing polluted run-off entering the Reef lagoon. Intensive agricultural practices, such as grazing and sugarcane farming, are the dominant land-uses in the GBR. For this purpose, the regions within the Reef catchment were allocated different funds to modify the land management practices, which depended mainly on their land-uses.

Based on semi-structured interviews with the key stakeholders involved and document reviews, we analyse the collaborative approaches and the water quality outcomes obtained by each region from 2008 to 2013, which was the time-length of the policy. Although it might be expected that the regions with more funds available would, in general, perform better, our results show that some regions with less financial resources allocated achieved better water quality conditions. In our view, this is explained by their different approaches to collaboration, which allowed them more effectiveness in their achievement of water quality outcomes. For example, the regions which had more collaboration, such as better communication, trust and relationship building (either through formal or informal networks) had a greater impact at improving water quality. Therefore, we conclude that proper governance settings –rather than merely the amount of funds- are more important for improving environmental outcomes, such as water quality.