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Article

Transnational Municipal Climate Networks and the Politics of Standardisation: The Contested Role of Climate Data in the New Global Covenant of Mayors for Climate and Energy

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Abstract

This article analyses the formation of a new global network, the Global Covenant of Mayors for Climate & Energy (GCoM), by two existing initiatives, the EU-based Covenant of Mayors and the UN-supported Compact of Mayors. While this merger of two transnational networks provides evidence for the increased coordination and standardisation of transnational municipal climate action, this remains a contentious and incomplete process. The article identifies different modes of transnational climate governance that have contributed to conflict between the founding networks and zooms in on the role of municipal climate data. Using empirical evidence, it analyses the contested politics of municipal climate data, including the role of the Global Protocol for Community-Scale Greenhouse Gas Emission Inventories (GPC) as a standard tool, the definition of a common target, and the inclusion of financial actors. Concerns over the reshaping of public-private boundaries and the possible commodification of public data are identified as major obstacles for the (EU) Covenant of Mayors, which consequentially seeks to remain as independent as possible within the new GCoM. Data politics emerges as a crucial factor for the future direction of transnational municipal climate policy and the ongoing processes of standardisation and coordination.

Keywords

cities and climate change; Compact of Mayors; Covenant of Mayors; Global Covenant of Mayors for Climate and Energy; Global Protocol for Community-Scale Greenhouse Gas Emission Inventories; multi-level governance; municipal climate data; standardisation practices; transnational climate governance; transnational municipal networks

Issue

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1. Introduction: Transnationalising Municipal Climate Action

Non-state actors have gained increasing recognition in global climate policy in recent years (Fuhr & Hickmann, 2016; Pattberg & Widerberg, 2015). The decision to adopt the Paris Agreement for the first time explicitly “welcomes the efforts of all non-Party stakeholders to address and respond to climate change” (United Nations Framework Convention on Climate Change [UNFCCC], 2016, p. 19). The international process has taken a “shift away from Kyoto-style top-down regulations” towards a “decentralized, bottom-up process of voluntary pledges” (Falkner, 2016, p. 1114). Non-state ac-

tors are a key feature of this “new catalytic and facilitative climate regime” (Hale, 2016, p. 13) and seek to actively intervene in the global arena (Bulkeley et al., 2014, p. 1). Transnational climate governance (TCG) consists of activities undertaken by “stakeholders other than States that are party to the UNFCCC”, including cities, regions, corporations, civil society groups, and investors (Chan, Brandi, & Bauer, 2016, p. 240). While cities and city networks have long been vocal stakeholders of TCG (Bulkeley, Castán Broto, & Edwards, 2012), an increasing degree of coordination and standardisation of municipal responses to climate change has been observed recently (Bulkeley, 2015). The formation of the new Global Covenant of Mayors for Climate and Energy (GCoM) is

a prime example of this trend. In January 2017, the EU-based Covenant of Mayors¹ and the UN-supported Compact of Mayors formally joined forces under the umbrella of the GCoM. However, the merger remains a contentious and incomplete process. This article asks whether the politics of standardisation inherent in this merger are also responsible for the difficulties encountered. It uses empirical evidence: participant observation at the COP 21, document analysis and interviews.² Section 2 scrutinises the different political modes developed by the Covenant of Mayors and the Compact of Mayors. The Covenant of Mayors has focused on establishing a new TCG structure which links municipalities to a common target for emission reductions, whereas the Compact of Mayors has developed a data-based approach to municipal climate action, building on the Global Protocol for Community-Scale Greenhouse Gas Emission Inventories (GPC) introduced as a standard tool. Section 2.3 discusses these different political modes in relation to the formation of the GCoM. Section 3 then zooms in on conflicts over the politics of standardization that emerged in the negotiations about the GCoM. It analyses the role of municipal climate data by looking at discussions about the future use of the GPC by the GCoM, the inclusion of financial actors, and the suggestion to define a common target. In the conclusion, concerns over the reshaping of public-private boundaries are identified as the main obstacle for further integration, most visible in concerns over the possible commodification of public data voiced by the Covenant of Mayors, which consequentially seeks to remain as independent as possible within the GCoM.

2. Conflicting Modes of Transnational Climate Action

2.1. *The Covenant of Mayors: Multi-Level Climate Governance in Practice*

The Covenant of Mayors was launched by the European Commission in 2008 to foster the implementation of sustainable energy policies at local authority level. It is managed through the Covenant of Mayors Office (CoMO) by a consortium of European city networks (Energy Cities, CEMR, Climate Alliance, EUROCITIES and FEDARENE) acting as supporting members, with funding provided by the Commission. Signatories commit to meet the goals of the EU common climate and energy policies as initially defined by the 2020 Climate and Energy Package. Since 2015, signatories have committed to achieving at least a 40% reduction in CO₂ emissions by the year 2030, as agreed upon in the EU 2030 Framework for Climate and Energy (Covenant of Mayors [CoM], 2015a). Kona et al. (2016, p. 39) estimate the emission reductions resulting from these commitments as being 254 Mt CO₂-eq by 2020. Commitments are reported in the form of Sustain-

able (Climate) Actions Plans (SEAP/SECAP); failure to submit these plans leads to membership suspension.

The CoM “despite its name, was never just a covenant of mayors” (Interview Callestere, 4 December 2016)—because the involvement of territorial and regional authorities has been crucial to coordinate and support cities and municipalities. The Covenant of Mayors, therefore, claims to be “built upon a unique multi-level governance model” (CoM, 2015a). By putting multi-level governance into practice, the Covenant of Mayors has produced new relationships:

The provinces and regions have found a new role through the Covenant of Mayors and developed it further. They discovered a new way of working with the municipalities that did not exist before....For these institutions, the Covenant of Mayors is an asset as well, because it gave them possibilities they did not have before. And [now] they speak with municipalities about investments, about street lightening, urban planning, traffic, energy policy, sanitation. And they do not speak with one municipality separately, but with hundreds of municipalities at the same time. (Interview Gheorghe, 28 June 2016)

Stimulating such multilevel practices of knowledge exchange and administrative support, the Covenant of Mayors has the larger vision of being a “mainstream EU policy instrument” (CoM, 2015a). In this vein, it is defined as an explicitly political tool with far-reaching effects:

It is neither a programme nor a project but a political endeavour, with Mayors putting the new EU commitment to the approval of their municipal councils. It encourages multi-level cooperation between various government levels, from small villages to provinces, regions, national bodies and EU institutions. It combines bottom-up legitimacy with institutional credibility. (CoM, 2015b)

These mechanisms for assuring democratic legitimacy and cooperation between various administrative levels produce multi-level governance in practice (Bulkeley & Betsill, 2013). Through these practices, a shared understanding of the Covenant of Mayors as being “bottom-up” has emerged among the member community, even though it was initiated from the top, by the European Commission. Understood as forging productive relations between levels of governance, the Covenant of Mayors puts the central principles of European governance—subsidiarity and multi-level governance—into practice. However, the foundation of the Compact of Mayors in 2014 triggered internal discussions within the Covenant of Mayors regarding whether it should also be developed into an explicitly international initiative, “be-

¹ In order to avoid confusion, “Covenant of Mayors” will be used to denominate the initiative that was founded under this name in 2008, and renamed “Covenant of Mayors for Climate and Energy” in 2015 (CoM, 2015a).

² The pseudonyms of the interview partners are found in the Annex.

cause it became clear, if the [European] Commission doesn't do it, others will be doing it" (Interview Gheorghe, 28 June 2016).³ In 2015, the Climate Alliance network—a Covenant supporter—suggested to “export the Covenant worldwide” (Climate Alliance, 2015, p. 5). The formation of the GCoM, however, has been fostered mainly by the Compact of Mayors and has confronted the Covenant of Mayors with a decidedly different approach to transnational climate policy.

2.2. *The Compact of Mayors: A Data Approach to Transnational Municipal Climate Action*

The Compact of Mayors was founded at the 2014 UN Climate Summit by Michael R. Bloomberg, UN Special Envoy for Cities and Climate Change and former Mayor of New York City, in cooperation with the city networks C40 Cities Climate Leadership Group (C40), Local Governments for Sustainability (ICLEI), the United Cities and Local Governments (UCLG), and the United Nations Human Settlements Programme (UN-Habitat). 621 cities have committed to the Compact of Mayors prior to the start of 2017 which represents “6.72% of the total global population”, according to its website. The Compact of Mayors has been laid out as an explicitly global initiative. Its ambition to claim global leadership in municipal climate action was underlined in 2015 by Ban-Ki Moon's call for all cities in the world to join the Compact of Mayors (Bloomberg Philanthropies, 2015b). The Compact follows a four-step approach to compliance in which cities sign the Compact, conduct an emission inventory using the Global Protocol for Community-Scale Greenhouse Gas Emission Inventories (GPC), then define an individual target and finally work out an action plan to reach it. Inventories and commitments have to be publicly shared (Compact of Mayors, 2015). Signatories who have accomplished one of the four steps can keep their status even if they fail to reach the next step, e.g. signing the Compact of Mayors, but not conducting an emission inventory. The Compact of Mayors has not prescribed a common target; signatories choose their commitment as well as the baseline year of their emission inventory. In November 2016, 596 commitments made by Compact cities equalled nearly one billion tons of greenhouse gas emissions savings annually by 2030 (Global Covenant of Mayors [GCoM], 2016b).

The GPC is a tool for the standardisation of municipal emission data which has been developed by the founders of the Compact of Mayors (World Resources Institute, C40, & ICLEI, 2015). Reference to the GPC underlines the political ambition of the Compact of Mayors to provide better recognition and funding opportunities for city-level climate action by introducing a “single, consistent metric for city climate impact” (Compact of Mayors,

n.d.). The reporting mechanism is said to make sure that:

everyone in the world can understand what is happening in their city, and they're all using the same metrics so that at the end of the day, we can add up everything from every compliant city and understand just how important city action is. (IISD, 2015)

This argument asserts that a common metric for urban emission data directly translates into a measurement of urban climate action—a strong political argument for transnational municipal climate policy based on emission measurement and management: “If you can't measure it, you can't manage it and you can't fix it”, as Michael R. Bloomberg expressed on Twitter (21 January 2014). The GPC should also facilitate private sector investment:

For the first time, the Compact will standardize the way city climate data is reported, establishing a universal approach to data collection. The data can be aggregated to highlight the collective impact of city actions, which will increase global and investor confidence. (Compact of Mayors, 2015)

This ambition is evidence to both the increasing focus on standard schemes and to the rising activity of private actors in TCG as observed by Roger, Hale and Andonova (2017). It also shows the ongoing blurring of the public-private boundary in the practices of transnational municipal climate action (Castán Broto & Bulkeley, 2013). The Compact of Mayors is administered and, in the main, funded by Bloomberg Philanthropies, a charitable foundation created by Bloomberg to bundle his personal and corporate giving. Its “unique data-driven approach to global change” is attributed to Bloomberg's “experience as an entrepreneur and a champion of innovation” (Bloomberg.org Group, 2017). Summing up, the Compact of Mayors can be characterised as a player with global aspirations, consolidating TCG with reference to the standardisation of municipal emission data. The Compact of Mayors now brings this agenda to the GCoM, including its objective to promote the GPC as a standard protocol for cities.

2.3. *Visions for the GCoM: Cities, Mayors and the Production of Transnational Authority*

The Covenant of Mayors and the Compact of Mayors have established different practices for producing authority which they both brought to the GCoM negotiation table. The Covenant of Mayors claims to have built a new governance model that binds cities directly to European climate policy. Since it received its mandate from the European Commission (and thereby indirectly also from the

³ Regardless of the link to EU policy, many of the more than 6,000 member communities are from non-EU countries, located in the Eastern and Southern neighbourhood, or as far away as Argentina or New Zealand. Considerations to actively enlarge the initiative beyond the EU could further build on the experience of the European Commission with two earlier projects that supported cities in Eastern and Southern neighbourhood countries of the EU to join the Covenant of Mayors, CoM-East and CES-MED (CoM, 2016b).

EU member states), it makes a claim to “delegated authority...ultimately derived from the state” (see Green, 2014, p. 7). The Covenant of Mayors continues to draw upon the political and institutional authority of the EU, even in the process of designing structures for the GCoM. A newly founded European Covenant of Mayors Board will oversee the former Covenant of Mayors signatories in the shape of a Regional European Covenant within the GCoM. The board should “reaffirm the initiative as a unique political movement steered by mayors”, aiming to further facilitate the “dialogue between the European Covenant community and the EU institutions” (CoM, 2017).

The Compact of Mayors defines the agency of cities in a more direct way since it does not emphasise their relation to any larger structure. Instead, it builds strongly on the idea of mayors and their networks as “global governors” (Avant, Finnemore, & Sell, 2010). Barber (2013, p. 11) argues that transnational municipal networks (TMN) are often created by strong leaders such as Michael R. Bloomberg building on a “pragmatic, problem-solving” approach. The symbolic value of (mayoral) leadership implied in the “Bloomberg approach” is showcased by a video documenting the Paris Climate Summit for Local Leaders held during the COP 21 in 2015. It argues that “mayors are being closer to the people, and closer to the ground, and less political” (Bloomberg Philanthropies, 2015a). This statement (voiced by Compact of Mayor celebrity guest Robert Redford) feeds into a discourse about cities being more effective and action-oriented than states.

This provides a stark contrast to understanding cities as strong players exactly because they are integrated into different levels of politically legitimised governments. The European Commission representative insists that mayors are indeed political actors, and that “one of the differences between mayors and national governments is that the mayors try to work in a very political way in cooperation, while the national governments try to work in competition” (Callestere, 4 December 2016). His vision of the GCoM is that cities and subnational governments “all over the world are acting as smoothers in the relations between national governments...[in] an initiative that is making of climate change the best for peaceful cooperation. Instead of as is the case now, a vector for conflict” (Callestere, 4 December 2016). Callestere sees this vision of cooperation endangered by the figure of Bloomberg himself, whom he characterises as “a very competitive guy”—in his business approach and during his tenure as Mayor of New York City. Barber (2013, p. 25) argues in the same vein when describing Bloomberg’s “business approach to problem-solving”:

He’s all business and not enough politics....Bloomberg incarnates the idea that mayors are practical rather than ideological, bridging politics and business with a non-politics of practical science and numbers....As a result, Bloomberg trades in successful outcomes rather than in democratic legitimacy. (Barber, 2013, p. 26)

Possibly “changing the terms of the debate” (Green, 2014, p. 20), the establishment of new modes of action by a powerful actor such as the Special Envoy for Cities and Climate Change Michael R. Bloomberg has the potential to shape the future form of TCG. Municipal climate data plays a particularly important role in the ongoing standardisation of transnational municipal climate action (Bulkeley, 2015). As shown in section 2.2, it has already featured prominently in the strategies of the Compact of Mayors. It is therefore not surprising that data issues have emerged as crucial points of discussion in the negotiations over the merger. The following section will focus on the contested role of municipal climate data in the formation of the GCoM.

3. The Formation of the GCoM and the Politics of Standardising Municipal Climate Data

In the process of forming the GCoM, significant struggles over the politics of municipal climate data have become evident. They occur in the context of a developing discourse that reclaims more visibility for urban climate policy on the international stage by reference to municipal emission data. Bulkeley criticises the increasing dominance of accounting approaches which rely on “a model of urban climate governance in which growing evidence (e.g. on emissions and on risks) informs a policy agenda...that can be readily accounted for and verified” (Bulkeley, 2015, p. 1408). This model of transnational municipal climate governance is built on the production of comparable data, and hence the introduction of standard tools for accounting municipal emissions. Higgins and Lerner insist that “the variety of techniques and practices—such as standards, benchmarking, auditing systems and forms of accounting” that enable transnational governance demand critical attention by social scientists (2010, p. 9). Some form of standardisation is the prerequisite for almost any social, legal or economic interaction or political decision-making. Lampland and Star argue that since “standardization is considered to be a necessary technique designed to facilitate other tasks...the process of standardization is both a hidden and a central feature of modern social and cultural life” (2009, p. 10). Standards are not intrinsically good or bad; however, their proliferation reflects late modern political rationalities and potentially privileges technocratic approaches. Standardisation is a social practice, a technology of governing (Higgins & Lerner, 2010). Mattli and Büthe describe the first mover advantage evident in the introduction of new standards, where “first movers set the international standards agenda, and laggards, or second movers, pay the switching costs” (2011, p. 4). The case study presented here concentrates on the dynamic processes of agenda-setting as a reconfiguration of TCG in which the standardisation of municipal emission accounting emerges as a central issue.

Not merely a technocratic solution, municipal emission accounting is also a specific approach to transna-

tional governance. Bulkeley et al. (2014) point to the proliferation of emission reporting standards across private and public actors, arguing that such “take-up by other institutions of TCCG [transnational climate change governance] rules and practices is also a useful way to think about the effects (or even effectiveness) of TCCG initiatives” (Bulkeley et al., 2014, p. 157) in a more procedural way, which is interested into the general reconfiguration of transnational climate action. Importantly, in the processes and practices of standardising TCG, “taken-for-granted dichotomies such as global and local, state and market, public and private...emerge out of complex articulations between actors in multiple locations” (Higgins & Larner, 2010, p. 10). This mirrors the observation by Bulkeley and Schroeder (2011) that such attributes should not be treated as essential properties since private actors increasingly take over public functions and public actors use private market mechanisms.

This means that standardisation processes themselves are productive; they produce and reproduce transnational relations. At the same time, standards function as “fact factories”. According to Dunn, “by specifying particular forms of data collection, recording, and analysis, they act as engines for generating knowledge about products, processes, and people” (2005, p. 184). In the process of merging the Covenant of Mayors and the Compact of Mayors, the question whether the standardisation of municipal climate data should indeed form the basis of the future GCoM emerged as a contested issue. The two merging initiatives were built on different political strategies and motives for merging. The UN-supported Compact of Mayors has already strived to become a universal representative of urban climate action on the global scale, while the European Commission—the initiator of the Covenant of Mayors—argued that as a public servant, it had to work towards a single initiative in order to provide clarity for the cities. The remainder of this article addresses the struggles over the role of the GPC, and over the definition of a common target for the GCoM as being facets of an unfolding controversy regarding the politics of municipal climate data and the future role of standardisation practices in transnational municipal climate governance.

3.1. Towards an Accounting Framework: Struggles over the GPC as Common Tool

The Compact of Mayors’ demand to establish the GPC as a single standard for GCoM signatories has been a hot topic in the negotiations (Interview Torres, 11 October 2016). While the GPC was eventually defined as the official tool of the GCoM, the Covenant of Mayors’ signatories continue to use their own established methods (CoM, 2016a), as doubts still remain regarding compatibility (I. Gheorghe, personal communication, 5 April 2017). For cities that have already conducted emission inventories, switching to the GPC simply for the sake of comparability would require recalculation of all existing

inventories back to the baseline year in order to keep the internal comparison within a city intact—incurring a considerable switching cost without added value (Gus, 18 August 2016). For the time being, existing commitments to either the Covenant of Mayors or the Compact of Mayors will remain valid over a two-year transition period (GCoM, 2017).

From the side of the Covenant of Mayors, there is also general concern that the “Bloomberg approach” equals establishing a direct link between GHG emissions and funding opportunities, with the intention to demonstrate “how many emissions do we manage, and how many funds can we get for them” (Interview Gheorghe, 28 June 2016). While municipalities need funding for climate projects, as the interview partner readily admits, she is concerned about putting the administration of such funds into private hands and is wary of the connection between Bloomberg’s business interests and his engagement in the GCoM. While Bloomberg’s reputation as a successful self-made businessman has been positively drawn upon in Compact of Mayor campaigns, it does not facilitate trust in the European context—on the contrary. The senior European Commission representative responsible for negotiating with the Compact of Mayors over the details of the GCoM found it pivotal to prevent the introduction of the GPC as mandatory tool for the GCoM, stressing that “of course we are not going to follow a commercial methodology, imposed by Mr Bloomberg” (Interview Callestere, 4 October 2016).

These concerns are supported by the observation that the Compact of Mayors has a history of advertising the GPC as “the protocol that private investors, national governments, and the broader global community will be utilising to quantify, compare and aggregate the impact of local climate action” (Compact of Mayors, n.d.). From the perspective of the Covenant of Mayors and the European Commission, financial investors constitute a new class of actors that has been written into the GCoM. GHG emission data are not only used to underline the importance of transnational municipal climate policy vis-à-vis national players, but also advertised as “giving investors the ability to see that the actions cities have been taking are having lasting, verifiable, and most importantly, investable impact” (GCoM, 2016a, emphasis in original). There is concern that this means public urban climate data could be used to develop privately marketable services:

The problem with data...is that when you have data, you can manage the data, you can trade data....And one of the major objectives of Mr Bloomberg is...financial data. And now he would like to have, and he’s not hiding it, something huge on public procurement data...if you are able, with a good algorithm, to manage public data...on the planned investments of a high number of cities in the next years, you can inform very powerful companies all over the world on the public procurement prospects. You can give

them precious information that is going to help them to device their deeds, their public-private investment schemes....And this is a big business, if people would pay for that. (Interview Callestere, 4 October 2016)

This statement describes irritation over the re-shuffling of public-private boundaries taking place under the conditions of the GCoM. Concern regarding the possibility of public information being turned into a commodity is underlined by the Covenant of Mayors' understanding of transnational municipal climate policy, which stresses the need to respect existing local political processes and account for the distribution of power over different existing levels of governance:

Cities, all over the world...have partial competences. So data is not so important because you don't know if this data refers to the geographical space in which the city has a partial competence, or to the competences of the city...it's very important also to understand how the countries are structured, who can do what. This is for me far more important than data. (Interview Callestere, 4 October 2016)

Callestere eventually brings forward these doubts regarding data management by advocating for the Covenant of Mayors to remain a separate entity within the GCoM. While the data concerned here might not be particularly sensitive, the commissioner has voiced his clear opposition to the idea of turning publicly sourced data into a tradable commodity, which he understands as being "a transfer of power, a transfer of information". From his point of view, the dominant role of municipal climate data in the formation of the GCoM in general amounts to a fundamental shift from a political to an accounting framework:

For me, at the time [when the merger was first discussed], data was something that was not the crucial thing...for me, the important thing was the political commitment to build trust, between the cities, and the other subnational institutions on this. It was a very political approach....This has been...changed by an...approach very much based up on collection of data, and management of data. (Interview Callestere, 4 October 2016)

Concluding from this statement, the shifting politics of municipal climate data can be said to play an absolutely central role in the negotiations and the ensuing conflict over the formation of the GCoM.

3.2. An Alternative Political Framework: Defining a Common Target

While the Compact of Mayors has promoted the introduction of the GPC as the common GCoM tool, the Covenant of Mayors has instead advocated the definition

of a common target. The European Commission representative explains that he had originally suggested defining a strict common long-term target for all GCoM members. He frames this proposal in terms of reaching climate justice:

That was for me the most important thing, to have something that is shared in the very long-term basis, in which all the injustices of the past, all the historic responsibilities, are already embedded in this common objective. And there you need to be very strict...you need to have only one objective for everybody. Otherwise, it doesn't work. Because you would be perpetuating the differences, [the] different political and economic terms. (Interview Callestere, 4 October 2016)

The suggestion for there being a common target was rejected, and the GCoM eventually established the nationally determined contributions (NDCs) pledged by nation states under the Paris Agreement as minimum targets for cities in their respective territories. This produces a great variety of individual targets. For Callestere, a common target would have been necessary to eventually achieve climate justice and fair conditions for cities in very different situations. On the other hand, he sees the comparative data approach as counterproductive, because it measures the wrong things and directs resources away from the most pressing issues. In his opinion, emission data is not immediately politically relevant in Global South contexts, where adaptation or access to energy is of much greater immediate importance. "How can you tell the people in Mumbai...to use their very scarce resources in order to produce very expensive plans that go nowhere, with a lot of data that is important for [very few] people", he asks rhetorically (Interview Callestere, 4 October 2016). Carbon data alone has no effect on these further political goals, which is why he perceives the emphasis on GHG emissions data as a stand-in for climate action as problematic. On a more general level, the Covenant of Mayors defines the setting of emission goals as a political act to be approved by city councils, and not merely a technocratic management decision (Interview Gus, 18 August 2016).

4. Conclusions

The contentious process of forming the GCoM provides a window into the potentially far-reaching political effects of the "pragmatic, problem-solving approach" brought to the global agenda of climate governance by transnational climate action (Hale, 2016, p. 20). The formation of the GCoM is evidence of a strategic moment in TCG, characterised by the increasing recognition of municipal climate action in the international arena, and by ongoing efforts to further coordinate and standardise urban climate action (Bulkeley, 2015). As part of this process, standardised municipal emission reporting has gained increasing political power. Pushing to introduce the GPC

as a common metric for the new network, the Compact of Mayors has attempted to rearrange the field of TCG around the GPC as an “obligatory passage point” (Wilmssen & Gesing, 2016, p. 34, following Callon, 1986). The Covenant of Mayors, on the other hand, has refused to accept the GPC as a common tool, instead arguing for common long-term targets. Policy targets such as general access to clean energy, as well as GHG emission reduction targets are both understood as contributions to achieve long-term climate goals, and therefore as politically productive.

The Compact of Mayor’s focus on producing comparable municipal emission data was met with concern by the Covenant of Mayors over the potential for municipal emissions becoming commodified, up for taking by private investors. This irritation over the data approach, and over the role of Michael R. Bloomberg as a powerful political and economic figure, reflects different implicit understandings of how trust and political commitment might be built. Two “completely different principles” (Callestere, 4 October 2016) have been at work here, expressed in two contrasting modes of transnational municipal climate policy, one relying on quantitative data and individual leadership, the other building on bottom-up, democratic legitimisation and service to the public. The ensuing conflict goes to the heart of what Castán Broto and Bulkeley (2013) have described as the re-ordering of the public and the private in transnational municipal climate policy, played out here in the struggles over the role of municipal emission data. The insistence on the protection of public data against private financial interests, used as a strong argument against the “Bloomberg approach” from the side of the European Covenant of Mayors, can be understood as a way of packaging resistance against this ongoing reshaping of the public and private spheres.

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Annex**Interview Partners (Pseudonyms)**

Jean Callestere, European Commission / Covenant of Mayors for Climate Energy, 4 October 2016.

Iosefina Gheorghe, Covenant of Mayors for Climate Energy, 28 June 2016.

Victor Gus, Covenant of Mayors for Climate Energy, 18 August 2016.

Antonia Torres, ICLEI / Compact of Mayors, 11 October 2016

Article

Patterns of Conflict and Mobilization: Mapping Interest Group Activity in EU Legislative Policymaking

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Abstract

Contemporary studies on interest group politics have mainly used single interest organizations as their central objects of study. This has led to a rich body of knowledge on the motivations of interest group mobilization, strategy development and even policy access and influence. The focus on single interest groups, however, has resulted in limited knowledge on aggregate patterns of interest groups' activity. This article seeks to address this lacuna, by examining patterns of mobilization and conflict of interest groups' activity in EU legislative policymaking. To do so, it adopts a unique policy-centred research design and an empirical assessment of policy mobilization for a sample of 125 EU legislative proposals based on extensive media coding as well as structured elite interviews. We find that levels of policy mobilization vary substantively across different legislative proposals and that political conflict between interest groups is remarkably low. This suggests that interest group conflict and mobilization contribute little to EU politicization and that in cases where interest groups voice opposing positions, conflicts do not occur between business and non-business groups. Our findings have important implications for our understanding of interest groups in EU legislative policymaking.

Keywords

European Union; interest groups; legislative policy-making; mobilization; political conflict

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1. Introduction

Contemporary studies on interest group politics mostly take single interest organizations as their analytical point of departure. This has led to rich insights into the motivations of mobilization, strategy development, and even policy influence. The focus on single interest groups, however, has resulted in limited knowledge on aggregate patterns of interest group mobilization and conflict. This article seeks to address this lacuna, by identifying patterns of mobilization and conflict of inter-

est groups' activity in EU legislative policymaking. Interest groups' mobilization is often thought to significantly contribute to policymaking dynamics in the European Union (EU). While many interest groups populate Brussels (Berkhout & Lowery, 2008), this does not mean that interest groups' political activities contribute to political polarization in the EU (but see Dür, Bernhagen, & Marshall, 2015; Klüver, 2011; Koopmans, 2007; Mahoney, 2004, 2008). With this study, we seek to clarify the role of interest groups in the EU by systematically exploring both the extent to which they mobilize on specific leg-

islative policy proposals as well as the conflicts resulting from varying levels of mobilization. From an elitist perspective, we could expect interest mobilization to be dominated by corporate and affluent lobby groups (Olson, 1965; Schattschneider, 1960). Based on more recent accounts, which characterize EU interest mobilization as “chameleon pluralism”, in contrast, we rather expect that the prevalence of either specific or diffuse groups is likely to vary according to the issues and policy areas in question (Coen & Katsaitis, 2013).

We add to these theoretical perspectives by exploring the *conflicts* that divide mobilized interest populations. Implicitly, elitists have assumed that interest group conflict is characterized by structural divides between specific or upper-class segments of society on the one hand and diffuse or disadvantaged segments of society on the other hand (Olson, 1965; Schattschneider, 1960). This assumption gave rise to a rich body of empirical studies exploring the extent and nature of bias in favour of specific business groups over civil society or diffuse interests (see for instance Dür et al., 2015). We assess the scope and external validity of this implicit assumption by exploring the nature of interest group conflict in the EU on a random sample of policy proposals. In addition, we address an implicit assumption in interest group studies, something we could call the “pluralist fallacy”, which leads us and others often to assume that where there are policies, there will be interest group mobilization and contestation. Yet, the few systematic country studies that exist (Baumgartner & Leech, 2001; Burstein, 2014; Halpin, 2011) and our study on the EU find that in a majority of policy-making processes there is little or no interest group lobbying. Both varying levels of interest group mobilization and the resulting conflicts have been shown to have a systematic impact on the politics and the outcomes of policymaking processes across different political systems (Baumgartner, Berry, Hojnacki, Leech, & Kimball, 2009; Berkhout et al., 2015; Burstein, 2014; Halpin, 2011; LaPira, Thomas, & Baumgartner, 2014). To the best of our knowledge, our study is the first to investigate variance in levels of policy mobilization by interest groups for a sample of EU legislative proposals, as well as being the first to study the resultant patterns of conflict.

Our analysis of interest groups’ policy mobilization and the resultant conflict patterns takes actual legislative policymaking processes as a point of departure. We do so to avoid biased inferences on groups’ relevance in EU policymaking which may result from a focus on a few “important” cases, i.e. policies that were strongly contested by numerous political actors (e.g., Dür & Mateo, 2014; Lindgren & Persson, 2008). To this end, we study policy mobilization by interest groups on 125 EU legislative proposals that were initiated by the European Commission (EC) between 2008 and 2010. We adopt the established definition of interest groups as private, i.e., non-state, organizations which do not hold public office and that advocate, amongst other things, different societal, economic and political ideas and interests. Although they are certainly

not the only instruments for EU policymaking, legislative acts embody important EU policies as they apply generally and are binding. Moreover, from a research design perspective, legislative policies are a good choice as they allow one to study lobbying on policies that are equivalent in legal and institutional terms.

Our analysis shows, in line with the legislative politics literature (Hix & Hoyland, 2013; Mattila, 2009), that only a small amount of legislative lobbying is characterized by high levels of policy mobilization while for most instances we observe low levels of policy mobilization. Moreover, and in contrast to a popular view, instances where business and non-business groups explicitly oppose each other—which we call *structural* conflict—are quite uncommon. Our analysis thus shows a much less dominant fault line of business pitted against NGOs than is commonly assumed and reflected in the business vs non-business distinction that is prevalent in much interest group research. Indirectly, our observations lend support to the proposition that the politicization of EU politics does not primarily stem from conflicts among interest groups, but rather from party politics, territorial (member state driven) conflict, or inter-institutional conflict.

The article is structured as follows. In the next section, we introduce and define the three main concepts upon which we rely to structure our analysis: policy mobilization, policy polarization, and between-group divisiveness. We subsequently describe the policy-centred research design that we applied. The fourth section presents the results on the scope of policy mobilization and the nature of conflicts in EU legislative lobbying. We conclude the article with a brief summary of our results and a discussion on future research.

2. Policy Mobilization by Interest Groups and Political Conflict in EU Legislative Policymaking

We argue that studying both policy mobilization and interest group conflict as two distinct yet related phenomena adds to our knowledge on to the role of interest groups in EU legislative policymaking. To date, most quantitative studies have examined varying levels of interest group access to the EU’s institutional venues and have excluded policy polarization. (Bouwen, 2004; Dür & Mateo, 2012; Eising, 2004, 2007; for exceptions see: Dür et al., 2015; Klüver, 2011). In their studies of lobbying in the United States, however, Baumgartner et al., show that only a few policy proposals led to considerable policy polarization with interest groups taking very different positions on the respective proposal (2009, p. 61). This shows that there are good reasons to suggest that the number of groups and type of conflict are associated and that studying both mobilization rates as well as the level and degree of political conflict associated with concrete policy proposals adds to our understanding of position-taking in EU legislative policymaking. By investigating these aspects of EU interest group politics, we add to the literature on the nature of (EU) inter-

est group politics (Coen & Katsaitis, 2013; Olson, 1965; Schattschneider, 1960). Moreover, we add to the literature on the (non-) politicization of the EU (De Wilde, Leuphold, & Schmidtke, 2016) and the contribution which interest groups add to the (non-) politicization of EU policy-making processes, an aspect which has so far not received any systematic attention in this debate. We use *policy mobilization* as the first central concept to structure our analysis of interest group advocacy and conflict in EU policymaking. In contrast to existing studies, we thus focus on mobilization *per policy proposal* in legislative EU politics, rather than on group mobilization in general, following common findings in the literature that the issue-context matters for interest mobilization (Klüver, Braun, & Beyers, 2015). We capture interest group mobilization along a scale ranging from zero, i.e., no mobilization, to the maximum number we observe in our policy sample.

Our other two central concepts focus on conflict between groups. We distinguish two types of conflict: First, the level of *policy polarization* among interest groups, and, second, the level and type of *between-group divisiveness*, i.e., the number of conflicting positions voiced by different types of groups. *Policy polarization* refers to the positions that groups take vis-à-vis the legislative proposal submitted by the EC to the Council and the European Parliament (EP). These positions can range from a group's full support of a proposal to fundamental opposition to it. Policy polarization captures the extent to which positions voiced by interest groups vary on specific issues of a policy proposal and not the degree of support or opposition vis-à-vis the EC's policy proposal. If all groups take the same supportive position, there is no polarization of interest groups' positions vis-à-vis the EC's proposal. In a case of non-polarization, groups could, for example, unequivocally agree in their opposition to or support for a policy proposal. Policy polarization accordingly increases with an increasing variety of interest groups' positions on a policy proposal and thus captures the (level of) conflict amongst themselves which interest groups introduce into EU policymaking. A possible explanation for limited policy polarization could be reputational concerns of interest groups. They want to come across as trustworthy and knowledgeable interlocutors, allowing them to enter stable, non-conflictual and reciprocally beneficial relationships with policymakers (Browne, 1990; Gray & Lowery, 1996; Heaney, 2004; Lowery, 2007, p. 51). In order not to damage their trustworthy reputation, interest groups are tempted to adopt a supportive attitude and refrain from expressing strong opposition to policy proposals. Therefore, we expect policy polarization among interest groups as well as opposition to the EC's policy proposals generally to be relatively low. At the same time, levels of policy mobilization are likely to correlate positively with policy polarization: If policy proposals attract the attention of many interest groups, they may show less restraint in voicing opposition. For proposals with high levels of interest group mo-

bilization, groups may have incentives to demonstrate to their members and potential members that they are actively trying to secure their interests. Consequently, the level of policy polarization should be greater for proposals with high levels of interest group mobilization than those with low levels.

Our third analytical focus lies on *between-group divisiveness*. Between-group divisiveness addresses the relationship between the type of interest represented and the positions groups take when mobilizing. While policy polarization is about the conflict among interest groups and policymakers, between-group divisiveness is about the extent to which groups' positions vary between different *types* of groups. We distinguish two types of interests: business and non-business groups. Some recent scholarship on interest groups suggests structural between-group divisions in which business groups are consistently pitted against groups representing broader citizen interests (Bernhagen, 2012; Dür et al., 2015, p. 952). Moreover, there are a number of studies that show that business groups and citizens groups are unequally endowed with resources and that the former's greater ability to keep generating greater resources over a prolonged period of time provides them with more policy influence (Gilens & Page, 2014; but see Baumgartner et al., 2009; Klüver, 2011) and better access (Dür & Mateo, 2013, 2014; Eising, 2007).

In order to assess the nature of conflict between business and non-business interests, we conceptualize between-group divisiveness in two ways: structural conflict and cross-type conflict. First, we denote divisions between business and non-business interest groups as *structural conflict*, when business groups voice positions on all contested issues of a policy proposal that are invariably in opposition to the positions voiced by non-business groups. Second, divisions between groups can also run right across business and non-business interests. We denote mobilization patterns in which business and non-business interests take the same positions and oppose other business or non-business interests as *cross-type conflict*. We empirically investigate the extent to which between-group divisiveness matches the patterns characterizing structural conflict or rather those that characterize cross-type conflict. Should our exploration show that cross-type conflicts are a regular occurrence in policy mobilization in the EU and that structural conflicts are rare, we will take this finding as an indication that mobilization in the EU is driven by interest groups' policy-specific rather than by their structural interests.

3. Data and Research Design

To analyse aggregate patterns of interest group mobilization and conflict, we adopt a policy-centred research design. Such a design not only allows us to examine policy mobilization across different policy domains or institutional venues, but also to relate interest group activity to specific characteristics of concrete policy initiatives,

such as the number of issues, i.e., contested aspects of a policy proposal, or the variation of interest groups' positions. This policy-centred design uniquely allows us to examine the relationship between interest groups' policy mobilization *and* political conflict at the level of specific legislative cases (see Baumgartner et al., 2009, for a similar design). We use data from the INTEREURO project, which analyses lobbying and interest group influence for a sample 125 European legislative proposals (directives and regulations) which the EC submitted between 2008 and 2010. As political attention is generally characterized by highly non-linear distributions with a small number of highly contested cases, we did not opt for an unweighted randomized sampling procedure. Instead, our sampling strategy aimed at striking a balance between having enough cases with at least some political mobilization as well as sufficient cases where no or little lobbying takes place. To select politically contested EU legislative proposals, we relied on their coverage in five news sources: Agence Europe, European Voice, the Financial Times, the Frankfurter Allgemeine Zeitung, and Le Monde (Beyers, Dür, Marshall, & Wonka, 2014b).

We randomly selected 48 proposals for directives and 41 proposals for regulations that were mentioned in at least two media sources. This low threshold ensures substantial variation in public salience across proposals in the sample. To introduce sufficient variation, we also included a randomly selected set of nine proposals for directives and nine proposals for regulations that did not meet the media coverage criterion. Finally, we added 18 legislative proposals for which the EC held public consultations and where consultation documents were available. We did this for pragmatic reasons as we wanted to benefit from the additional data that is available for consultation cases. Although we sampled 125 legislative proposals, our analyses are based on a set of 116 distinct legislative cases because 16 proposals were—in different ways—highly interconnected and should be seen as part of one legislative initiative consisting of two to four leg-

islative proposals. Since we applied a threshold to ensure variance regarding levels of mobilization and conflict in our random sample of proposals, we think our sample is highly appropriate to arrive at externally valid findings. The sample comprises a substantive share of proposals going beyond a few highly salient and conflictual cases that are foremost in the minds of citizens and scholars and which should (because of its random nature) reflect the universe of proposals on which mobilization and conflict can be observed (Beyers et al., 2014b).

The mapping of policy mobilization started with the archiving of news articles reporting on organized interests that were politically active on a particular legislative proposal (see Table 1; STEP I). In addition, we conducted two sets of interviews. First, 95 experts in the EC were interviewed (STEP II). During these interviews 125 policy issues as well as 460 interest groups that were lobbying on a proposal, but were not mentioned in media sources, were identified. Next (STEP III), these interviews with EC experts were followed by 143 interviews with EU-level interest group representatives involved in lobbying on these legislative proposals (Beyers, Braun, Marshall, & De Bruycker, 2014a). The largest part (64%) of our interest group respondents represent business associations, another 28% represent NGOs, and the remaining 8 percent are officials from professional organizations, firms, or labour unions.

The interviews with EC-experts covered 67 policy proposals while the interviews with interest group officials focused on 72 policy proposals. One of the most important reasons why we did not interview EC-experts or interest groups' representatives on all 116 cases is that our pre-research showed that in 38 cases almost no lobbying took place (see below). We dropped another six cases because we could not convince interest groups to share their views on them. In total, we identified 1,027 individual interest groups that were active in the sampled cases. As quite a number of groups were involved in policymaking on several policy proposals, they appear mul-

Table 1. Mapping mobilized interests for 116 legislative proposals.

	Number of interest groups identified in relation to cases	Number of policy issues identified
STEP I: media analysis	625 actor involvements 967 statements in 474 articles	
STEP II: 95 expert interviews (EC)	460 actor involvements	125 issues
STEP III: 143 interviews with interest group officials	273 additional actor involvements (not identified in STEP I AND II)	176 issues on top of what we identified in STEP I
Additional actors and issues identified through other sources (websites, other media sources, short telephone interviews, interviews with MEPs)	186 (not identified in STEP I, II and III)	38 issues not identified in earlier steps
Total number of groups and issues identified	1,544 dyads 1,027 unique groups	339 issues

multiple times in the dataset. This leads to an overall number of 1,544 instances of interest groups that were identified—through our media analyses and the personal interviews—in connection with the sampled policy cases.

In our interviews with the EC and organized interests, we identified 298 important issues in these proposals, and an additional 38 in those with officials from the EP (Baroni, 2014). For each proposal, we tried to identify key lines of conflict as well as the policy position of the mobilized interest group. On 47 issues, we were not able to interview interest groups because none were active on the issue, or because we could not find an interest group willing to cooperate, or because the interviewee did not have sufficient recollection of the issue. Hence, 292 of the 339 issues were covered by interviews with at least one interest group. As groups did not always articulate a clear position, because respondents refused to answer or did not remember details, we lack position information on 20 issues. Detailed evidence on $N = 272$ issues allows us to assess the policy contestation (groups' positions vis-à-vis the EC's policy proposal), policy polarization (the variation between position on a policy proposal) and between-group divisiveness (the extent to which position vary between different types of groups). We measured contestation and polarization by asking respondents to assess whether the lobbying activities for each issue aimed: 1) at "seeking major changes" or at "blocking the proposal", 2) "supporting the proposal, but asking for changes", or 3) "supporting the EC proposal as it stands". All media statements were coded in the same way. We can, therefore, assess the level of conflict at

the level of legislative proposals as well as at the level of specific issues, i.e., specific aspects of a specific legislative proposal.

4. Empirical Analysis: Policy Mobilization and Patterns of Conflict

We start by analysing policy mobilization. Figure 1 ranks the sampled proposals with those generating most lobbying attention to the left. As expected, policy mobilization varies considerably across policy proposals. Only a relatively small number attract the attention of many groups, while for most proposals we observe the mobilization of only a dozen or fewer interest groups. In 6 cases, no single interest group provides useful information and in 38 cases, short telephone interviews (with EC-experts and interests groups), media sources and other documents demonstrate no interest group mobilization. At the same time, of the total set of 116 policy proposals, 72 are characterized by at least some policy mobilization. Moreover, within this set policy mobilization is heavily skewed. In fact, the mobilization efforts of about 50 percent of all groups ($N = 1,544$) that we identified concern only 20 percent of the 116 policy proposals. In addition, business interests are considerably more active in EU policymaking than non-business groups. As Figure 2 shows, in the large majority of policy proposals in our sample, the share of business groups that mobilized is considerably higher than that of non-business groups. The fact that increasing levels of mobilization are characterized by a dominance of business groups contradicts the argu-

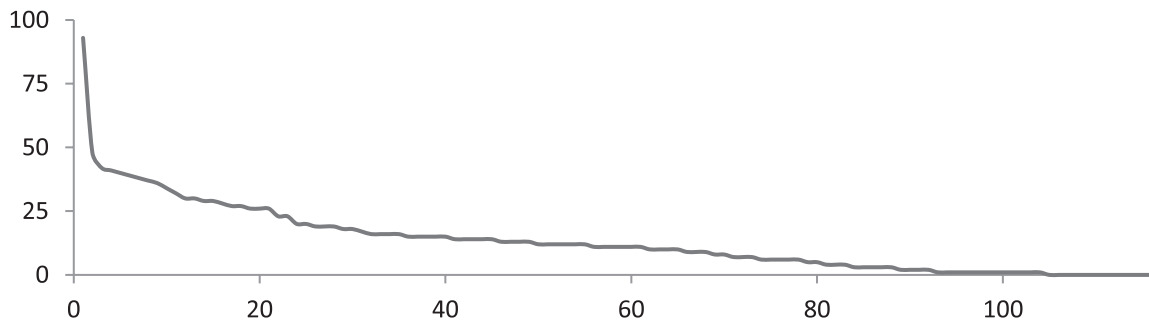


Figure 1. Number of identified interest groups ($n = 1, 544$).

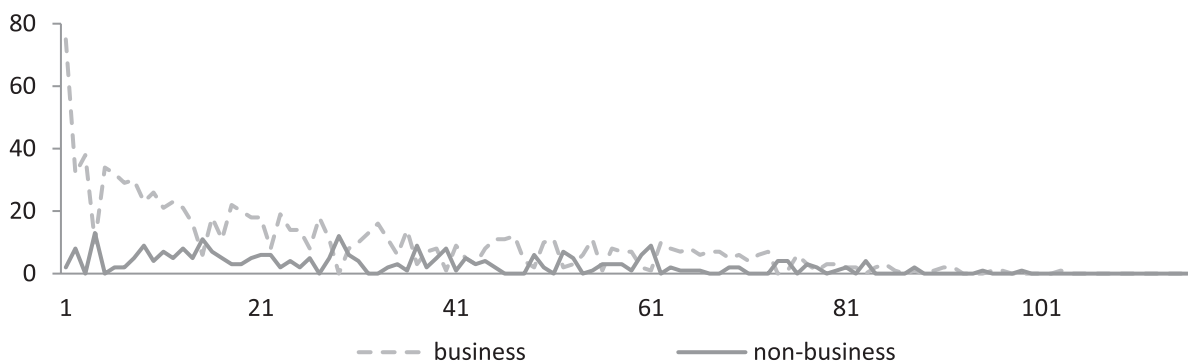


Figure 2. Mobilization of business and non-business groups ($n = 1, 544$).

ment that citizen and other diffuse interest groups profit from an expansion of conflict (Schattschneider, 1960). Public interest groups' reliance on outside lobbying and an expansion of conflict to compensate structural disadvantages (Dür & Matteo, 2013) might thus be of limited political effectiveness. Interestingly, this is particularly true for those policy proposals which led to high levels of policy mobilization. Thus, while interest groups are actively engaging in EU policymaking, their relevance in EU policymaking differs greatly across policy proposals. The vast majority of legislative policymaking processes gain little or no attention from organized interests.

The Figures 1, 2 and 3 show the scope of political mobilization on 116 EU legislative proposals.

A (Spearman rho) correlation of 0.78 confirms the positive relationship between the number of contested issues (Figure 3) and the level of policy mobilization (Figure 1). Contested policy issues are specific aspects of a legislative proposal where organized interests took a conflicting position and disagreed on the preferred policy outcome. A typical example of such an issue is the testing of non-human primates in research as part of an EC proposal on animal protection [COM (2008) 543], where policy positions varied from outright opposition and total abolition of testing to continuation of the status quo based on best practices. The fact that encompassing mobilization (towards the left side of Figure 1) is positively related to the number of contested issues indicates that a policy's regulatory scope influences interest group attention. Policy proposals with a broader scope attract the attention of a larger and more diverse set of interest groups that raise diverse demands and target a larger number of policy issues. On the other hand, in policymaking processes characterized by low levels of mobilization (right side in Figure 1) interest groups deal with a rather specific and limited number of issues.

Having investigated levels of policy mobilization, we now turn to our analysis of political conflict and the relationship between policy mobilization and political conflict. In the section above we differentiated between two types of conflicts: *policy polarization* (Table 2), i.e., the positions taken by interest groups on policy proposals and *between-group divisiveness* (Figure 2), i.e., the types of groups opposing each other. While the unit of analysis remains policy proposals, we draw on issue-level in-

formation for groups' positions and our assessment of political conflict caused by interest groups (for the 72 proposals for which we have data).

We start by analysing *policy polarization*, which we measure with the ordinal dispersion index (ranging from 0 to 1) of the different positions adopted by interest organizations with respect to the contested issues. For one third (N = 39, Table 2, leftmost column) of the policy proposals, we observe no controversy among interest groups. In addition, we observed limited opposition of interest groups to 25 policy proposals: interest groups only asked for major changes or tried to block the whole proposal in 10 out of 72 issues of these 25 policy proposals, while they voiced full support for 31 issues (37 percent; see Table 2). The average level of policy polarization for these policy proposals, i.e., the average variation of interest groups' issue positions in these proposals, is 0.2 (Table 2, rightmost column). The proposals on which we observed limited controversy and a low level of policy polarization are also characterized by relatively low levels of mobilization (8.7 groups; Table 2, column 3). One typical example of a policy for which we observe limited polarization is the 2009 EC proposal laying down minimum standards for the reception of asylum seekers [COM(2008)815]). While some member states pledged for there to be a low level of harmonization of minimum standards for the reception of asylum seekers, the European Council on Refugees and Exiles (ECRE) and Amnesty International supported the EC in favour of a full harmonization. Indeed, there was some controversy, particularly among the member-states and the EC although lobbyists and the EC were largely on the same page for this particular legislative case of asylum policy. In addition, for 21 percent of the proposals, we find moderate levels of policy polarization (0.4; Table 2). The number of issues that were contested by interest groups in policymaking on these proposals was considerably higher than in cases with limited polarization (147 versus 72) as was the share of issues on which interest groups asked for major changes (25 percent) as well as the average number of groups that mobilized on these proposals (15.7; Table 2).

Finally, 20 percent of the policy proposals attracted relatively high attention from interest groups (35 interest groups) which were contesting in total 186 issues, i.e., about 45 percent of all contested issues. These pol-

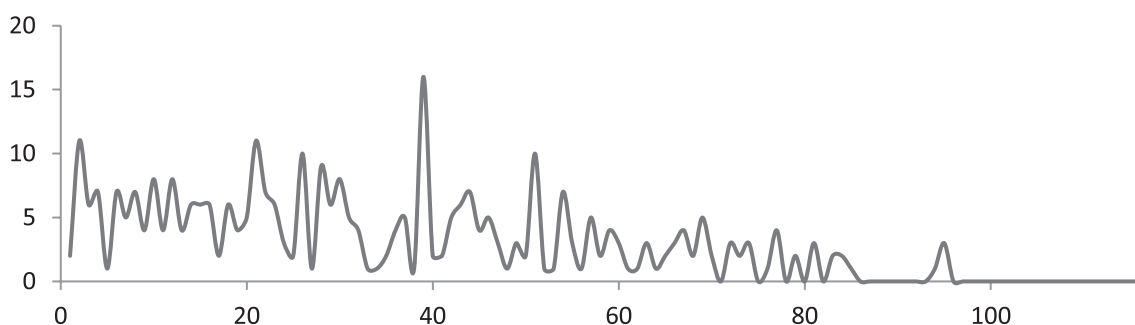


Figure 3. Number of policy issues (n = 339).

Table 2. Policy polarization by interest groups in EU policy-making.

		Mobilization	Issue scope		Position		Policy polarization
	Share of proposals from overall sample	N mobilized groups (<i>average number per proposal, min-max</i>)	N issues on which groups took a position (<i>N issues/%</i>)	N groups that demand major changes or blocking the proposal (<i>N groups, %</i>)	N groups supporting proposal, but demanding changes (<i>N groups, %</i>)	N groups supporting the proposal as proposed (<i>N groups, %</i>)	Level of group conflict (<i>average dispersion, 0–1</i>)
N = 5 policies <i>no information</i>	5%	—	—	—	—	—	—
N = 39 policies <i>no polarization</i>	33%	—	—	—	—	—	—
N = 25 policies N = 72 positions <i>limited polarization</i>	22%	8.72 (3–12)	63 (23%)	10 (14%)	31 (43%)	31 (43%)	0.2
N = 24 policies N = 147 positions <i>moderate polarization</i>	21%	15.67 (13–20)	99 (36%)	40 (27%)	61 (41%)	46 (31%)	0.4
N = 23 policies N = 186 positions <i>considerable polarization</i>	20%	34.96 (23–93)	110 (40%)	71 (38%)	67 (36%)	48 (26%)	0.6
Total (N) = 116	100		272	121	159	125	

icy proposals are characterized by considerable policy polarization (0.6) which results from many groups taking opposing positions on the issues of these proposals (Table 2). One example of a policy that led to strong policy contestation of interest groups vis-à-vis EC proposals and to considerable conflicts between interest groups is the legislative proposal on combating the sexual abuse of children and child pornography [COM (2010) 94]. A controversial issue in that policy concerned the question of whether or not to block child pornography on the internet. More concretely, a coalition of children right groups advocated the compulsory blocking of these websites, while some internet rights groups argued for the prohibition of blocking and “Internet freedom”.

Our analyses of policy polarization show a significant relationship between the levels of mobilization and policy polarization: when a relatively large number of groups mobilize on a policy proposal, they address a relatively high number of policy issues which results in a relatively strong polarization of the positions taken by interest groups on policy proposals (Table 2). As previously discussed, interest groups have an incentive to limit controversy with policymakers because of their mutually dependent relationship. The fact that we observe no or only moderate polarization for 55 percent of the policy proposals (33 + 22; second row in Table 2) and substantial support even in mobilization processes that lead to high

levels of policy polarization (31 percent and 26 percent, Table 2, columns 5 and 6) is in line with this argument (Heaney, 2004; Lowery, 2007).

In Figure 2 we show that for a large share of policy cases both business and non-business interest groups mobilize, but that in most instances business groups outnumber the mobilized non-business interests. Yet, the question is to what extent the mobilization pattern in EU lobbying reflects structural cleavages. Therefore, we turn to the analysis of between-group divisiveness and the question of who is opposing whom. The analytical focus is on what we conceptualized as *structural conflicts* and *cross-type conflicts*. While our unit of analysis is legislative proposals, we draw on issue level data to identify interest groups’ (issue) positions in specific policy debates. Moreover, while our analytical focus is on structural conflicts and cross-type conflicts, we also identify those policy proposals in which neither structural nor cross-type conflicts occurred. The prevalence of cross-type conflicts may well be an indication that policies and their potential effects rather than the type of interest represented by a group (i.e., business or non-business) drive conflict between interest groups during their policy mobilization efforts.

Figure 4 shows that structural conflicts are actually quite rare during interest groups’ mobilization on EU policy proposals. In one-third of policy proposals, only business mobilized (N = 36) and, in far fewer cases

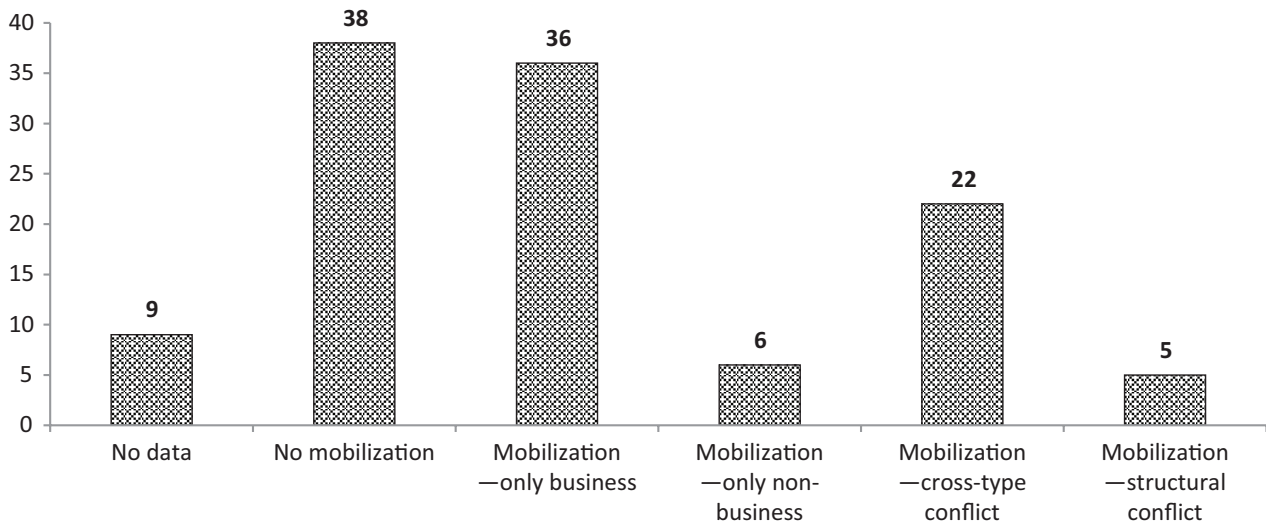


Figure 4. Between-group divisiveness in interest groups' EU policy mobilization (N = 116).

Note: Positions at issue-level. Proposals classified as marked by “cross-type conflict” if business and non-business groups voiced similar positions (support, some change, major change/blocking) on at least one of the issues of the legislative case. Proposals in which business and non-business groups never voiced similar positions on any of the issue that constitute the proposal were marked as “structural conflict”.

(N = 6), only non-business groups voiced a clear position. A substantial number of these policy proposals were only weakly conflictual. In addition, we observe structural conflicts only in policymaking processes in five of the 116 policy proposals. At the same time, cross-type conflicts are a more common feature in interest groups' mobilization on EU policy proposals (N = 22). These findings are theoretically relevant in at least two regards: first, the fact that in most policymaking processes we find mobilization of one specific type of interest and the fact that these policymaking processes are marked by limited contestation highlights the prevalence of the rather non-conflictual character of interest group politics in EU policy-making. Second, that cross-type conflict is more prevalent than structural conflict indicates that policy mobilization by interest groups and groups' positions are considerably driven by the substance of policies and their potential effects on diverse constituencies. This observation speaks against a primordial understanding of policy mobilization by EU interest groups as a process that pits business against non-business interests. Instead, the evidence suggests that mobilized interest group communities can be quite heterogeneous and diverse.

5. Conclusion

This article presented the first study to map aggregate patterns of interest group mobilization and conflict in EU legislative policymaking. Our policy-centred research design and the systematic mapping of policy mobilization for a substantial sample of policy proposals shows that policy mobilization by interest groups in the EU is strongly skewed: high levels of mobilization are restricted to a relatively small number of policy proposals, while most policy proposals are characterized by low lev-

els of policy mobilization (for similar findings see Baumgartner & Leech, 2001; Burstein, 2014; Halpin, 2011). We also find low levels of policy mobilization to be related to limited *policy polarization* and low levels of *between-group divisions*. Policymaking processes with high levels of policy mobilization are at the same time characterized by high levels of policy polarization (Table 2). Finally, regarding the nature of between-group divisions, we found structural conflicts between business and non-business interests to be rare. *Cross-type conflicts*, in which business and non-business groups take the same positions and oppose another heterogeneous community of business and non-business groups taking similar positions are more prevalent.

Our analyses contribute to the EU interest group literature and the scholarship on EU legislative policymaking. First, our finding that cross-type conflicts are more prevalent in EU policymaking (compared to structural conflicts), suggests the need for further research into the factors explaining groups' position-taking in EU policymaking (Halpin & Jordan, 2009). While the analytical distinction between different types of groups (e.g., business or specific versus citizens or public interest groups) may be important to account for varying levels of activities and resources (Dür & Mateo, 2012, 2013), it seems less effective to account for the specific policy positions adopted by interest groups and the political conflicts resulting from them. In addition, our finding that policy mobilization is driven by cross-type rather than structural conflict merits further research into the relationship between levels of mobilization and the nature of between-group divisiveness.

Overall, we observed that groups contribute little to the politicization of EU public policy. To obtain a more comprehensive understanding of the level of con-

flict in EU policymaking, future research could broaden our perspective by investigating how policy mobilization by interest groups relates to conflicts in other legislative arenas, the Council of Ministers and the EP, as well as between political parties more generally (Helbling, Hoeglinger, & Wüest, 2010; Hutter & Grande, 2014). EU legislative policymaking is, in general, rather consensual which, as we observe, seems to spill-over to the EU interest groups' arena (Mattila, 2009, p. 844; Thomson, Boerefijn, & Stokman, 2004). In other words, in EU legislative policymaking interest groups operate in an environment in which policymakers show a rather limited inclination to engage in open political conflicts. This might also discourage interest groups from open contestation and might be reflected in the patterns of mobilization which we have reported. Future studies could further unravel this observation by identifying the conditions that facilitate or contain the nature and scope of conflicts in EU policymaking.

Although some EU policymaking processes are increasingly politicized (De Wilde et al., 2016), at present, there is no reason to believe that our findings (from 2008–2010) on interest group mobilization and interest groups' (limited) contribution to the contestation of EU policy-making are not relevant. Even though recent cases such as TTIP, glyphosate, and Brexit have illustrated the politicizing potential of EU politics, still this politicization will be limited to a few cases which feature on the newspaper headlines and are forefront in the minds of citizens and scholars (De Bruycker, 2017). The lion's share of policy conflicts still unfold under the radar of public scrutiny and are characterized by an absence or low level of conflicts. Future studies could further explore the theoretical implications of our findings. Moreover, future studies should investigate how the salience which interest groups attribute to EU policies relates to the salience assessments of other actors and to the overall salience of EU (legislative) policy-making (Beyers, Dür, & Wonka, 2017).

In line with elitist expectations (Olson, 1965; Schattschneider, 1960), we observed that mobilized interest group communities were dominated by business lobby groups. However, the degree of business prevalence depends on the issues or policy area at stake (see also Coen & Katsaitis, 2013) and conflicts between diffuse and specific interest communities are the exception rather than the rule. We find that, quite regularly, business and non-business interests take similar positions (see also Beyers & De Bruycker, 2017). The mobilization bias of business organizations over civil society groups might, therefore, be less problematic, or at least less ubiquitous than sometimes argued. Future research could further explore the biases that emerge within mobilized business or civil society communities respectively. Since intra-sectoral conflicts are commonplace in EU policymaking, it would be relevant to further explore the nature of these conflicts and whether some business groups systematically prevail over others.

Finally, of course, it would be very interesting to compare our findings on interest groups' policy mobilization in the EU with studies on groups' policy mobilization in other political systems. This would allow us to assess if and to which extent our findings reflect particularities of the EU's political system or if, as the few existing studies indicate (Baumgartner & Leech, 2001; Burstein, 2014; Halpin, 2011), the patterns we found reflect more general patterns. Comparative or comparatively oriented studies would also allow us to investigate if and how institutional, policy- and party-system related factors contribute to interest groups' policy mobilization and the policy polarization resulting thereof. We hope to be in the position to make such comparisons in the future, even if designing these studies and collecting the data will be very demanding.

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Conflict of Interests

The authors declare no conflict of interests.

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Article

Applying a Typology of Governance Modes to Climate Change Adaptation

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Abstract

Climate change adaptation is a complex field of public policy that requires action by multiple levels of government, the private sector, and civil society. In recent years, increasing scholarly attention has been focused on the governance of adaptation, which has included exploring alternatives to state-centric models of decision-making and identifying appropriate roles and responsibilities of multiple actors to achieve desired outcomes. Scholars have called for greater clarity in distinguishing between different approaches to adaptation governance. Drawing on the rich scholarship about public governance, this article articulates and applies a typology of four modes of governance by which adaptation takes place (hierarchy, market, network, and community). Using examples of initiatives from across Canada, the article offers a framework for describing, comparing, and evaluating the governance of adaptation initiatives.

Keywords

climate change; adaptation; governance; typology; Canada

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1. Introduction

Climate change is a global problem that has impacts on all sectors and demands adaptive responses from both public and private actors. Climate change adaptation is a complex policy area that requires “effective and simultaneous management and coordination of both top-down and bottom-up approaches” (Dickinson & Burton, 2011, p. 103). Summarizing the state of adaptation planning and implementation in the Fifth Assessment Report of the Intergovernmental Panel on Climate Change, Mimura et al. (2014, p. 873) wrote:

As adaptation activities progress, many challenges have emerged, such as how to manage the decision-making process, how to develop strategies and plans, and how to implement them. In this regard, the roles within multilevel governance become an issue, such as horizontal coordination among different agencies and departments, and vertical coordination of various stakeholders from regional, national, to local actors.

These vertical and horizontal coordination challenges have sparked growing interest in “adaptation governance”, defined here as the patterns of coordination among actors, including the direction of authority and the dominant instruments used to achieve objectives. Recent research has analyzed the coordination of adaptation initiatives that emerge in a top-down (i.e., state-directed) and bottom-up (i.e., locally mobilized) fashion (Bauer & Steurer, 2014; Wellstead, Howlett, Nair, & Rayner, 2016), explored the process of problem definition and timing (Huitema et al., 2016), and analyzed policy instruments and instrument selection (Henstra, 2016; Mees et al., 2014). Adaptation governance scholars have sought to make sense of a complex environment involving multiple levels of government, fragmented resources and responsibilities among public, private, and civil society actors, and overlapping networks of activity. Mapping out a research agenda on adaptation governance, Huitema et al. (2016, p. 13) argued that “governors’ in the climate adaptation domain need to define the problems they face, choose at what jurisdic-

tional level action will be undertaken, decide when action will be taken, and through which modes of governance and instruments”.

The configuration of actors and their roles in adaptation initiatives must be made clear in order for analysts to describe, compare, and critique governance arrangements. Much of the existing scholarly literature on adaptation assumes that it is, or should be, governed through complex networks of interdependent actors. As the typology presented here demonstrates, however, polycentricity and equality of input between state and non-state actors is only one ideal vision of adaptation governance. Networks, like all modes of governance, have considerable weaknesses, so considering the characteristics and dynamics of other modes of governance is useful to identify alternative governance arrangements. Governance analysis must allow for “closing off” of distinct visions in order for analysis and comparison of alternatives to be viable. To paraphrase Thompson (2003), for governance to mean anything, it cannot mean everything. When analyzing adaptation governance, therefore, scholars could benefit from a typology that describes and differentiates between multiple modes of governance through classification.

In this article we argue that the study of adaptation governance can be assisted by drawing on the broader theoretical and conceptual exercises that have defined the field of public governance. Topics such as whether complex societal problems ought to be approached from the bottom-up or the top-down, the nature of actor networks, the choice of policy instruments, directions of authority, and the deliberative process behind policy choices, have been the purview of governance scholars for decades. We propose that a typology of governance modes, which focuses on distinguishing actor roles, instrument selection, and direction of authority, holds value in making sense of adaptation governance for descriptive, comparative, and critical purposes.

The typology dates to Weberian analysis of state bureaucracies, and it has been further refined by many scholars (e.g., Bevir, 2012; Frances, Levacic, Mitchell, & Thompson, 1991; Hall, 2011; Meuleman, 2008; Powell, 1991; Tenbensen, 2005; Thompson, 2003). Each mode of governance within the typology embodies a distinct view of societal coordination via the role of the state and other actors. While it is far from novel, it has been fruitfully applied to other complex policy domains such as policing (Fleming & Rhodes, 2005), waste (Bulkeley, Watson, & Hudson, 2007), and tourism (Hall, 2011). However, it has yet to be applied to adaptation in a systematic way.

Typologies provide researchers with conceptual clarity and allow “the identification of discrete areas of politics, each area characterized by its own political structure, policy process, elites and group relations, power structures, and policymaking processes that differ according to the type of issue they deal with” (Hall, 2011, p. 442). The typology presented here offers researchers a framework for describing, comparing, and critically an-

alyzing adaptation governance processes and structures across different impacts and sectors. Each mode of governance comprises an internal logic regarding state roles and acceptable instruments, so their explicit recognition allows for better contextualization of adaptation initiatives for comparison and critique. For the adaptation scholar, once a mode of governance has been identified, the typology, and the rich scholarship on which it is based, offers valuable empirical and theoretical literature to draw upon.

Crucially, the typology reveals key normative assumptions behind distinct visions of adaptation governance, as the four modes of governance rely on philosophical visions of state roles, policy instruments, and use of authority (Dixon & Dogan, 2002). By elucidating the internal logics of each mode, the typology highlights the very political process of designing, steering, or allowing for adaptation governance, thereby contributing to opening up the “black box” of governance that has characterized much of the adaptation research to date (Biesbroek et al., 2015; Wellstead, Howlett, & Rayner, 2013). Through their competing visions of acceptable social coordination, the rivalrous ideal governance modes represent discrete visions that when applied to a policy problem better facilitate the discussion of just how an issue should be governed (Meuleman, 2008).

The article begins by describing the four modes of governance, including their underlying logic, unique features, and strengths and weaknesses. It then applies these governance modes to climate change adaptation initiatives in Canada through review of public documents. By identifying four distinct approaches to extreme rainfall and sectoral adaptation initiatives, we demonstrate how the typology can be used to describe, compare, and critique adaptation governance arrangements.

2. A Typology of Governance

At the core of any mode of governance is the fundamental role of the state (Pierre, 2000), so the typology uses the relationship between actors and instruments to the state as a key metric of classification, recognizing that the state always maintains its monopoly on the use of force. This view is generally applied to all public governance typologies, many of which are variations of the original hierarchy, market, and network approaches (e.g., Steurer, 2013; Treib, Bahr, & Falkner, 2007).

Before presenting the typology, a few clarifying points are in order. First, limits of such a typology are acknowledged. As Frances et al. (1991, p. 6) point out, the modes “do not attempt to explain everything in one grand intellectual sweep.” They work instead to highlight different visions, values, and explicit expectations of governance. The typology presented below outlines the governance modes as ideal types, whereas in practice elements from more than one is typically present, and this “mixing” is often the source of both governance effectiveness and failure (Rhodes, 1997).

Nonetheless, the distinction between ideal modes is significant enough that differences should matter to the policy scholar. It will be impossible to identify, or promote, effective adaptation governance strategies without an adequate means of distinguishing their forms, internal logics, and potential for conflict. As Tenbenschel (2005, p. 277) put it, “these ideal types can then be used as heuristic devices for gaining a handle on the complexity of actual public management practices, which involve combinations and layering of different modes”. Given the particular philosophy underlying each mode, they also provide insight into the very political claims about how an issue ought to be governed and which modes should be applied to which problems.

Second, the modes of governance outlined below may not capture the entirety of options for social coordination. However, after examining the combinations and sub-genres of each category, Meuleman (2008, pp. 20–21), writing before the introduction of community governance to the typology, concluded:

The use of the three ideal-types hierarchy, network, and market, provided that they are not presented as monolithic constructs but as sets of related characteristics with a distinct internal logic, can provide a basic analytical tool for understanding governance. The concepts of hierarchical, network, and market governance together offer a complete enough analytical framework for explaining the conflicts and synergies within and between governance approaches.

The identification of governance modes can vary not only in identifying “mixes” of these modes (as mentioned above and described in a few cases below), but also in shifts over time. Many adaptation initiatives emerge from the typical policy cycle (problem identification, deliberation, implementation, monitoring) and therefore might embody different governance modes throughout the process. In this article we focus on initiatives that have been carried out and are recognizable in public presentation. Nonetheless, it is recognized that governance entails both structure (institutions and actor and relations) as well as process (rules and implementation) (Börzel & Risse, 2010). Here we focus largely on the latter through publicly available documents, which sometimes do not explicitly reveal full details regarding both structure and processes. The more detailed information an analyst can obtain regarding an adaptation initiative the more confidently the mode of governance can be described and critiqued. All four ideal modes of governance are described below.

2.1. Hierarchical Governance

Hierarchical governance involves nested levels of state authority, wherein each unit is subordinate to its vertical superior, and in which tasks are divided into more manageable forms (Bevir, 2012). In the realm of public gov-

ernance, hierarchies involve a chain of command from elected officials, who set out strategic objectives which public servants then implement through state activities. Hierarchy is said to be a rational, effective model of organization, designed for clear purposes, with almost militaristic focus (Meuleman, 2008).

The primary actors in hierarchical governance are state officials and those with whom the state wishes to consult. The role of state organizations is determined by their place within the hierarchy, wherein authority moves from top to bottom. Non-state actors may be information providers but are “passive rule-takers” (Hall, 2011, p. 445). Dominant policy instruments are those typically associated with “command and control”, including laws, regulations, permits, and state intervention into individual liberties (e.g., eminent domain). Elected officials and senior bureaucrats determine policy needs and set the agenda, while those in the lower ranks implement the decisions.

Although it is fashionable to present hierarchy as antiquated, there remain clear instances of hierarchical governance in modern democracies (Bevir, 2012). For instance, policy fields related to security, law enforcement, and public safety tend to have a strong hierarchical structure. As with all governance modes, this reflects what society deems is an appropriate (i.e., politically acceptable) means of coordinating social life.

Hierarchical governance has a number of strengths. First, it effectively secures democratic legitimacy via representation, in that power flows from those with an electoral mandate from voters. Second, hierarchical control deals effectively with complex tasks (like adaptation) by sub-dividing them and encouraging the development of expertise. On the other hand, hierarchy is inflexible, has difficulty addressing policy areas lacking a clear consensus about desired outcomes and, in some cases, can stifle innovation due to a lack of broader societal inputs (Dixon & Dogan, 2002). Given the internal logic of hierarchical governance, the selection of policy instruments does not necessarily require input from producers or consumers, as requisite information is known, or developed, by the state. At stake in hierarchical governance is democratic responsiveness: if state mechanisms choose to ignore public input, they will exercise state authority with unmatched resistance, as is the case in authoritarian regimes.

2.2. Market Governance

The driving logic behind market modes of governance is that responses to complex issues are best coordinated through the “invisible hand of the market” or to a lesser extent, the use of market-driven behavioral change. Although markets rely on the state to protect property rights and legitimate currency, authority is dispersed amongst the individuals taking part in a transaction, meaning all market participants hold some influence over its direction.

Steering in this mode is therefore not top-down from government, but the result of competition and negotiation among market actors. Competition and negotiation are determined by the nature of the markets, and the extent to which states intervene or are more “laissez-faire” (Thompson, 2003). In more interventionist versions of market governance, state instruments such as taxes, subsidies, and even regulations are used to steer market participants. In others, there is considerably less state involvement and governance is marked primarily by the processes of supply and demand. However, both forms of market governance can be distinguished from hierarchy because market principles shape interactions between actors and are the locus of authority in governing. Beyond basic rules set by the state to facilitate market mechanisms, consumers and producers (including governments) interact and negotiate the nature of the policy tools and determine market outcomes. The main actors of market modes of governance are market participants, and the state can be a participant, rule maker, or hands-off observer (Hall, 2011).

The key strength of market governance is that both “policy makers” and “policy takers” are empowered to influence policy decisions by their actions in the marketplace. This approach is said to be reflexive and responsive to changes in society, and reflects market ideals of individual choice (Marshall, 1991), especially in its more laissez-faire form (Thompson, 2003). The main limitation of the market mode of governance stems from the broader failure of market mechanisms to account for negative externalities (Levacic, 1991). Even in the more interventionist market modes, which are intended to reduce negative externalities, there is a risk of market failure. Furthermore, market governance is typically deemed inappropriate for coordinating services that are rights-based.

2.3. Network Governance

Networks were recognized towards the end of the twentieth century as a “third way” of governing and have been a significant focus of the governance literature since the 1980s (Bevir, 2012). In distinguishing networks from markets and hierarchies as a means of coordinating social order, Frances et al. (1991, p. 15) explained: “if it is price competition that is the central coordinating mechanism of the market and administrative orders that of hierarchy, then it is trust and cooperation that centrally articulates networks”. Along with cooperation and trust, a central component of networks (or so-called “new modes of governance”) is the plurality of inputs. In this sense the governance of issues benefits from the increased involvement of stakeholder groups, non-governmental organizations, and firms beyond those who are self-interested (as is characteristic of market governance). Authority is then dispersed, flattened, and horizontal, and negotiated where appropriate for the benefit of all network actors.

As in market governance, the state is one actor among many, but with significant authority and legitimacy to set the rules of the network, which is sometimes called “metagovernance” (Jessop, 2004). However, the extent to which the state is present to steer can vary, and thus so can the form of networks (Börzel & Risse, 2010). Typical policy instruments such as self-regulation, accreditation schemes, and codes of practice carry the distinct component of “trust” that is not necessarily found in hierarchical and market instruments (Hall, 2011). Network governance relies on an internal logic of shared concerns and interests, as well as a willingness to cooperate. Equality of participants in this network is seen as an ideal, assuming that each participant brings to the table some resources to address the issue.

Networks have several strengths as a mode of governance. They are more participatory, flexible, and can foster innovation to address difficult policy problems through the inclusion of a broader range of actors and novel ideas (Bevir, 2012; Provan & Milward, 2001; Whelan, 2015). According to Rhodes (2000, p. 81), networks work best when “cross-sector, multi-agency co-operation and production is required” and “flexibility to meet localized, varied service demands as needed”. As such, network approaches have been embraced as a possible solution to the cross-sectoral problems of adaptation (Baird, Plummer, & Bodin, 2016).

However, network governance has significant limitations. First, the decentering of the state can threaten the democratic legitimacy of public policy, in that elected officials are no longer dominant, while those without a public mandate are empowered (Considine & Afzal, 2011). In such a case, the network becomes a tool of powerful network players able to steer not only other actors, but the state as well, towards their desired policy outcomes (Börzel, 2011). Second, decentering the state limits the typical outcomes of networks to non-coercive tools, such as best practices and recommendations. Third, the flexibility of networks—the ability to take almost any form and include almost any actor—is sometimes considered a weakness of networks as much as a strength (Frances et al., 1991). Finally, networks are often elitist and unrepresentative due to their reliance on expert communicators and those with resources to bring to the network (Rhodes, 2000).

2.4. Community Governance

The notion of community governance was first proposed by Pierre and Peters (2000). Tenbenschel (2005) explained that community governance embraces many of the same consensual and participatory ideals of network governance but steering rests at the local level. In some instances, influence might be pressed upwards in order to acquire resources for locally developed, but otherwise autonomous, policies (Hall, 2011). As Tenbenschel (2005, p. 279) put it: “the emphasis is on a community of self-governance and the normative literature on this type of

governance is closely connected to long-standing themes of subsidiarity and local control over localized problems”.

Community governance essentially reverses the roles found in hierarchical governance, whereby community members and local governments develop policy. Within federations, higher level governments may then be “policy takers” who provide resources for local communities to implement locally-derived plans. Given the core principles of unity and cooperation, typical instruments in the community governance mode include open public deliberation, education campaigns to inform local participants, direct democracy, and voluntary uptake via civic commitment (Hall, 2011).

The key strengths of community governance are its ability to foster outcomes that are appropriate and customized to the local scale, as well as its procedural equity. For many environmental, cultural, and social policy issues, local autonomy is seen as the only way to avoid problematic policies developed at higher levels that are inappropriate for local conditions (Hall, 2011). Procedural equity is achieved through open and transparent deliberation. The deliberative policy process in this mode is rooted in ideals of direct democracy, the engagement of fellow community members, and fewer barriers to participation.

Community governance has limitations, however. Foremost, it is seen as idealist and expecting too much from local consensus (Hall, 2011). There is no doubt that the communicative rationale at the core of community governance is optimistic, and the ideal of local autonomy seems decreasingly possible in the 21st century globalized world. Community governance may also suffer from the same imbalance of power as networks, providing the opportunity for limited interests within communities to steer governance towards certain issues and visions. Further, the community mode of governance challenges fundamental constitutional structures in multilevel political systems, such as federations. As Nederhand, Bekkers and Voorberg (2016) point out, community governance conceptualized as entirely distinct from the existing hierarchical “shadow of hierarchy” remains a challenge given the presence of structural relationships between communities and higher orders of governance. If community governance is truly autonomous from higher-level au-

thorities, then there will be obvious limitations to what it can accomplish due to limited local resources. Thus, it is sometimes unclear as to how local actors intersect with state structures in community governance modes. However, what community governance chiefly provides to the typology is the capacity to conceptualize localized or upward-moving authority that is otherwise missing in the downward, circular, or flat directions of the other modes. The typology of ideal governance modes is presented in Table 1.

This section has identified and explained four ideal-type modes of governance drawn from existing scholarship, each of which embodies a distinct vision of societal coordination, including the role of the state and appropriate policy instruments. Further, each mode presents distinct actor roles regarding the initiation and implementation of actions. The next section applies the governance modes to the policy field of climate change adaptation, offering a framework to analyze and evaluate adaptation governance across different impacts, sectors, and locations.

3. Governance Modes and Climate Change Adaptation

Scholars use different frames to analyze adaptation governance (Dewulf, 2013). Some frame adaptation as a response to climate change impacts, with research exploring how actors can prepare for, or are adapting to, climate-related hazards such as heatwaves (Wolf, Adger, Lorenzoni, Abrahamson, & Raine, 2010) or urban flooding (Oulahen, Mortsch, Tang, & Harford, 2015). A second framing of adaptation focuses on sectors, exploring efforts to adapt practices within specific sectors, such as agriculture (Bryant et al., 2000), conservation (Brooke, 2008), and water (Miller & Belton, 2014). This section outlines how the typology of governance modes presented above can be used to analyze adaptation efforts focused on both particular impacts and within different sectors.

The primary means of identifying the dominant mode of governance around an adaptation initiative is through the key actors and policy instruments. The more familiar an analyst is with a case the more accurately he or she will be able to discern the nuanced mixes of the

Table 1. Typology of modes of governance.

	Hierarchy	Market	Network	Community
Direction of Authority	top-down	circular (supply and demand)	horizontal	bottom-up
Initiating and Implementing Actors	federal, regional and local governments	government and market actors	government, private sector, and non-governmental experts	citizens, community groups, neighbourhood associations
Dominant Policy Instruments	legislation and regulation	supply and demand; government market intervention	negotiated agreements, codes of practice, voluntary programs	self-regulation, voluntary participation

modes involved throughout the entire adaptation process. Here we use document analysis to identify examples of each governance mode in response to the same impact or across different sectors. While our cases of adaptation initiatives are selected from the federal state of Canada, the typology holds value for any constitutional state with identifiable orders of government, a distinct private sector, and free-associating public and non-governmental actors.

3.1. Adaptation Governance and Climate Change Impacts: Extreme Precipitation

Hierarchical governance is a feasible means to coordinate adaptation across sectors and scales when a government has authority to command the behavior of societal actors or other governments. In the case of the City of Toronto, a municipal bylaw was passed requiring homeowners and businesses to disconnect downspouts from the city's stormwater sewer system. The program began as a voluntary initiative in 1998 but was amended to a requirement in 2007 due to increased risks of urban flooding (City of Toronto, 2018). The policy is enforced through fines for non-compliance and is monitored by city bylaw officials. The downspout disconnection program is a clear example of state authority exercised to deal immediately with a risk to infrastructure with relative certainty in outcome. The policy was developed in response to instances of basement flooding, and increased costs to the city through the early 2000s (City of Toronto, 2007a). Reports show that city officials recognized the voluntary initiatives were insufficient even after considerable effort had been invested in door-to-door awareness building campaigns (City of Toronto, 2007a). Community input was facilitated through the awareness-building campaign, but a decision was eventually made to pursue a mandatory disconnection program after analysis of cost to the city and residents as estimated internally by Water Toronto (City of Toronto, 2007a). In this case, the state (the City of Toronto) identified a problem, developed a solution internally within its jurisdictional capacity, and employed a coercive policy instrument with predictable and measurable outcomes. The downspout disconnection program is clear example of hierarchical governance in response to climate change where the implementing actor is the state, the policy tool is regulatory, and authority moves downward.

Market-based governance responses to adaptation are reflected in state intervention in market processes via programs to subsidize or incentivize action, while actual responses and implementation are left to consumers and producers. For example, responding to climate change-induced extreme rainfall, the City of Toronto initiated a Basement Flooding Protection Subsidy Program, which provides public funds to encourage the installation of a backwater valve for basements that are connected to the city stormwater system (City of Toronto, 2017a). Similarly, the City of Mississauga's stormwater

charge combats increased urban rainfall by levying a fee on each property based on its impermeable surface area (City of Mississauga, 2017). In these examples, the state employed a market-based tool to incentivize adaptation among property owners (i.e., reducing stormwater discharge), and implementing actors are market participants.

While the City of Mississauga's approach was largely state-driven, the choice of a taxation policy instrument relies on the internal logic of market governance. In both cases, recognition of the need for an adaptive measure to reduce overland flow emerged from instances of flooding in the Greater Toronto Area. In the Mississauga case, the approach was taken to influence citizen behavior and accrue funds for infrastructure improvements, and the taxation (seen as a user fee) was preferred over a property tax increase to raise the same funds (City of Mississauga, 2012). The program was developed in a traditional policy sense, whereby state directed public engagement sought feedback, but where the agenda was still focused and not co-produced with other participants (AECOM, 2013). The City did not aim to intervene in property development or land use design directly, but rather to use the tax to steer market actors toward the use of permeable surfaces as a means to manage climate risk.

Network governance has commonly been promoted to address complex problems like climate change adaptation (Baird et al., 2016), and as a result has been popular in Canada with the provincial and federal orders of government. Much of the adaptation policy development witnessed in Canada and other states has emerged from intentionally designed networks of actors (Huiteima et al., 2016). Between 2007 and 2011 the Government of Canada operationalized six Regional Adaptation Collaboratives (RAC) with a clear network logic of convening actors and sharing information around climate risks and possible adaptation responses (Henstra, 2017). Although the federal and provincial governments played a meta-governance role in developing the network, there was no intentional hierarchical structure, and neither regulatory nor market instruments were deployed or discussed at much length in RAC outputs. One of the RACs provides an example of a network approach to adaptation for extreme rainfall. The Prairie Regional Adaptation Collaborative (PRAC) was a group of government and non-government partners jointly funded by the Governments of Canada, Alberta, Manitoba, and Saskatchewan to "increase the capacity of municipal decisions makers to integrate climate adaptation into local planning decisions...by providing decision-makers with regionally relevant policies, networks, knowledge, and tools" (Parry, Taylor, Echeverria, McCandless, & Gass, 2012, p. 1). A review of PRAC's work on stormwater reveals that outputs were entirely information-based and voluntary tools were chosen to implement objectives, such as a resilience assessment framework for municipalities (Parry et al., 2012). In this case, a network of interdependent actors developed non-coercive, information-

driven initiatives to address climate change, consistent with the logic of network governance (Hall, 2011).

Community governance is observed where actions are not driven by upper-level state structures, nor market forces or complex networks of cross-sectoral actors, but rather by place-based voluntary commitments (Hall, 2011). In the case of extreme rainfall, community governance is evidenced in low-cost, “grassroots” instruments that require no official sanction from a higher-level authority, and which are not driven by market forces. Such initiatives include public awareness campaigns to promote permeable driveways, increased greenspace, aid during extreme events, and property-level measures to capture and store stormwater (e.g., cisterns). Such activities are evidenced in the work of Community Resilience to Extreme Weather (CREW), a grassroots organization in the Greater Toronto Area, which trains local volunteers to help vulnerable neighbours in the event of extreme temperatures, floods, and storms (CREW, 2017). Other initiatives include awareness building and vulnerability mapping. CREW’s organizational mandate makes direct reference to “faith and the common good”, reflecting Jessop’s (2011) vision of community governance as motivated by personal relationships and civic values. The CREW community group relies on activity without the coercion of the state, or even state presence, and actor behavior is not predominantly driven by market forces (CREW, 2017). Although CREW has engaged local state structures for resources, it maintains a grassroots, upwards movement of authority through community identified priorities. Voluntary actions to promote the resilience of neighbours and community services reflect a commitment to community and locally derived interests not facilitated or represented in other modes. The four governance modes and examples are summarized in Table 2.

3.2. Adaptation Governance and Policy Sectors

3.2.1. Hierarchical Governance in the Building Sector (Toronto)

A key component of hierarchical governance is that problems and desired goals must be articulated with relative certainty in order to legitimate command-and-control policy approaches (Hall, 2011). This means that some

sectors, such as buildings and infrastructure, are more conducive to hierarchical adaptation governance than others, because they lend themselves more readily to quantification. In identifying hierarchical adaptation governance in a particular sector, an example can be found in Toronto’s Green Standard program, adopted in 2010, which imposes on builders “a set of mandatory performance targets for the design and construction of new developments” (City of Toronto, 2017b). Authority flows down from the state to the building sector, members of which must implement the new requirements, which are enforced through the permit system. When the City of Toronto experienced an extreme rainfall event in 2013, the Green Standard program was adjusted to focus more on managing stormwater runoff for different categories of development (internal corporate, low-rise and residential, and mid to high-rise). The planning processes which must account for stormwater runoff are enforced through issuance of permits for construction which consider effective calculation of averted impact. The Green Standard program is a clear intervention of state capacity into a sector in order to foster adaptation, and it relies on an enforceable policy instrument to do so.

3.2.2. Market Governance in the Agricultural Sector (Manitoba)

Agriculture can be said to be an inherently adaptive and market-driven sector, because its activities are heavily influenced by weather and climate, and practitioners have long recognized how to alter their behaviour based on climatic conditions. Some governments appear to harness this adaptability and market logic, as evidenced in the Government of Manitoba’s use of both government and private incentives, compensation, and insurance programs as the dominant instruments of adaptation governance (Manitoba Agriculture Risk Management Task Force, 2015). These include the private AgriInsurance, the federal AgriStability program, and the provincially operated AgriRecovery program. As a result, adaptation within the agricultural sector in Manitoba is driven mostly by government intervention into, or steering of, market behaviour and lack of regulatory command. The AgriInsurance program provides insurance to producers in Manitoba against “uncontrollable natural perils” such as drought, flood, fire, and other haz-

Table 2. Modes of governance and adaptation to extreme precipitation.

	Hierarchy	Market	Network	Community
Action	mandated downspout disconnection	user fee for non-permeable surfaces	partnership building and voluntary best practices	neighbourhood awareness and volunteer extreme weather event response
Example	Toronto Mandatory Downspout Disconnection Program	Mississauga StormWater Charge Program	Prairie Regional Adaptation Collaborative: Drought and Excessive Moisture Theme	CREW Toronto Extreme Weather Volunteers Program

ards (Manitoba Agricultural Services Corporation, 2018). The program uses the economic instrument of publicly provided insurance to incentivize continued production of crops in the face of climate risks. However, the program is not mandatory and relies on the market incentive of producers recognizing risk and potential loss. In this sense the authority to adapt remains with market participants, meaning state authority is not exerted unless one enters the market. The AgriInsurance program is not a command intervention by the state, nor a network of negotiation between the state and producers, as the Manitoba and federal governments are offering the service independently of producer uptake. The AgriInsurance program does however reflect the mixing and shifting of modes as an initiative develops. The program's development emerged largely from public-private consultations in a more networked form (Manitoba Agricultural Risk Management Task Force, 2015), but the eventual initiative and policy instrument supporting it are decidedly market orientated.

3.2.3. Network Governance across Policy Sectors (Canada)

Network adaptation governance with a sectoral lens is evidenced most prominently in the Government of Canada's Adaptation Platform, a virtual community of practice designed to convene stakeholders for adaptation policy development and implementation. The Platform promotes partnership and dialogue, organized into nine specific working groups that have a sectoral lens (e.g., energy, infrastructure, and mining). Based on the outcomes of the Platform in 2016, a majority of the projects have generated either "best practices" or "state of knowledge" documents, such as vulnerability assessments and literature reviews (Natural Resources Canada, 2016). Numerous projects engage large numbers of partners, and many are led by "boundary organizations" such as the Pacific Climate Impacts Consortium (PCIC), which bring together public, private, and civil society actors as equal partners (Mimura et al., 2014). The initiating actors of such networked processes vary, including government officials, major NGOs, and industry associations. A review of all outcomes regularly published by Natural Resources Canada shows that aside from the state's role as convener, there are no coercive lead state ac-

tors. Within the adaptation platform information development is paramount: sharing information around impacts and vulnerabilities and industry best practices for self-regulation are the dominant outcomes of the working groups (Natural Resources Canada, 2016).

3.2.4. Community Governance in the Food Sector (Winnipeg)

Community governance with a sectoral lens may evolve to address climate change vulnerabilities recognized at the smallest scales. In Winnipeg, Manitoba, for example, concern over climate impacts on the agricultural sector and food security amongst low-income residents have prompted local groups, such as Sustainable South Osbourne, to develop programs which foster urban resilience to climate-induced food disruption through community-run gardens (Sustainable South Osbourne, 2016). Consistent with community governance, the group looks to higher levels of government for resources rather than administration. A core principle of the organization is that the community knows best their environment and risks and they are the rightful stakeholders. In recent years the initiative has evolved to include academic partners under the name South Osbourne Permaculture Commons. Despite relations with state, academic, and private actors, the initiative remains committed to a community governance led by participants of the commons via direct democratic input. The chief instrument of action is awareness-building, particularly concerning the use of common property for food production in order to promote co-ownership and shared responsibility, as well as agricultural skills for future generations. The group distinctly emphasizes autonomy and independence even when resources are supplied from external sources. Consistent with community governance, projects are developed through open and participatory deliberation and are implemented by members. Although the projects might encourage action in other communities or at the provincial level, they remain focused on the community scale and voluntary actions of citizens. Notably, coercive state instruments are not present, and Sustainable South Osbourne is driven by a collective sharing of authority through deliberation. Table 3 illustrates how the four governance modes are evidences across policy sectors.

Table 3. Modes of governance and adaptation in policy sectors.

	Hierarchy	Market	Network	Community
Action	mandatory construction standards	subsidies, insurance and recovery funding	best practices, state of knowledge reports	autonomous community food production
Example	Toronto Green Standard	AgriInsurance, AgriStability and AgriRecovery Programs in Manitoba	National Adaptation Platform Mining, Infrastructure and Energy Working Groups	Sustainable South Osbourne Permaculture Commons

4. Conclusions

4.1. Descriptive, Comparative, and Normative Value

Having shown the means by which analysts can identify adaptation modes of governance, it is important to again reflect on the value of such a typology. Adaptation researchers face multiple lenses through which to view the complex process of adaptation governance. The typology presented here provides discrete analytical categories in which to place the governance components of adaptation. By distinguishing among actor roles, policy instruments, and directions of authority, adaptation scholars have key indicators to identify the mode of governance at work in a particular sector or jurisdiction. In each case there are distinct modes of governance that can be referred to, and that are more manageable than relying on conceptualizing adaptation as complex and multiactor. Evidently each mode is complex and multi-actor, but in different ways, and with different strengths, weaknesses, and ramifications.

Further, the typology allows for comparison of important details of adaptation processes to better assess their transferability across impacts, sectors, or locations, and to assess the relationship between the state of adaptation and the ongoing modes of governance. For example, an effective adaptation program that is produced largely through hierarchical governance cannot be easily transposed to a location in which elected officials are unwilling to act on climate change. Recreating an adaptation strategy includes more than copying instruments; it requires understanding actor roles and interactions that lead to policy instrument choices and a grasp of how the governance arrangements led to the adaptive measure. In both Toronto and Mississauga, for example, flooding due to intense rainfall was addressed by the state, but with distinct logics. Both cities faced a choice about which governance mode and policy instrument would best deal with the impacts of extreme precipitation, and either could have chosen regulation or taxation. Focusing on the operative mode of governance and the outcomes of adaptation initiatives could illuminate ways to secure desirable adaptation outcomes and to replicate effective approaches across jurisdictions, sectors and scales. The typology provides a framework for comparison of these complex processes.

Other comparisons using the typology may include consideration of scale. As indicated by our examples, modes of governance for the same impact vary not only by location, but by scale. Will most other city governments approach extreme rainfall with market tools? Will higher-level governments consistently promote network approaches? As adaptation initiatives proliferate, typologies like the one we have outlined here will be valuable for analysts to compare varying approaches to similar impacts and across sectors.

Finally, as discussed above, the typology allows for clear identification of the politics of adaptation gover-

nance. Modes of governance, and their implications for adaptation, are inherently related to visions of how society ought to be governed, and are therefore highly normative (Dixon & Dogan, 2002, Hall, 2011). The typology provides a frame of reference to distinguish the values at the core of particular visions of governance. By advocating for one mode of adaptation governance over another, actors present a vision of how we should govern climate change adaptation and society. Recognizing this too will help bring adaptation out of the black box.

For instance, actors who promote the use of economic instruments (especially in the more *laissez-faire* version of market governance) reflect a belief that adaptation is not inherently a responsibility of the state, but an individual onus. Conversely, actors who promote the use of regulation or legislation are advancing ideals consistent with hierarchical governance: adaptation is a state responsibility and compliance is paramount, given the severity of the issue. These competing visions must be recognized in understanding the challenges of adaptation governance, which is clearly both a managerial and political problem. Any effort to replicate adaptation initiatives cannot ignore these normative components.

4.2. Moving Forward

In embracing the governance typology grounded in an already rich field of public policy research, adaptation scholars may find value in explanations of why some modes of governance do not work well with particular problems, or why a certain mix of modes simply will not work at all (Rhodes, 1997). Combining aspects of different governance modes might be problematic for normative reasons, such as described above, or because of competing internal logics of effective governance. In their application of the typology to policing in the UK and Australia, Fleming and Rhodes (2005, p. 203) argued that: “the future will not lie with either markets, or hierarchies or networks but all three. The trick will not be to manage contracts or steer networks but to mix the three systems effectively when they conflict with and undermined one another”. Adding the community governance mode of typology, this future of mixing appears to be relevant to the field of adaptation. This mixing may ultimately be a role for governments, which are uniquely equipped with the authority, legitimacy, and resources to combine aspects of these governance modes. Recognizing the strengths and weaknesses that each mode embodies is a critical first step.

The added benefit of using a typology with such a long history is that the well-known strengths and weaknesses of the four modes can be considered when developing adaptation initiatives. It can be expected that the uncertainty surrounding many climate change impacts limits the utility of a hierarchical logic, and this uncertainty shifts expectations about policies, so the flexibility of networks may be necessary. However, the relative inefficiency of networks might make them insufficient to

achieve the transformation required of major public infrastructure and economic behaviour in order to reduce vulnerability (Lonsdale, Pringle, & Turner, 2015), so markets or hierarchy may be required. Finally, adaptation will not occur outside the contexts of community histories, geography, and values, so efforts must be developed while cognizant of even the smallest scales.

Ultimately, we hope that engagement with the typology, the internal logics of actor roles and appropriate policy instruments leads to increased conceptual clarity in the analysis of the governance of climate change adaptation, but also the politics of the governance of climate change. This article responds to the argument critique made by various scholars that adaptation governance is too often discussed with reference to structural functionalism and a “black boxing” of the political nature of governance (Biesbroek et al., 2015; Wellstead et al., 2013). We hope that in applying a well-developed typology of governance, the field can mature to better interrogate the processes, outcomes, and competing philosophies of actor roles, relations, institutions, and policy instruments in climate change adaptation.

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Conflict of Interests

The authors declare no conflict of interests.

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Article

Scrutinizing Virtual Citizen Involvement in Planning: Ten Applications of an Online Participatory Tool

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Abstract

How to organize citizen participation in planning is continuously debated. The amount of Online Participatory Tools (OPTs) to facilitate inclusive and efficient participation has increased. While studies have assessed their functionality, usability and effectiveness in planning, they have rarely analyzed OPTs beyond single-cases, targeted tools that are widely used or assessed how OPTs affect broader values of participation. Targeting this absence, this study analyzes how ten applications of a widely used OPT, CityPlanner™, affect the normative, substantive and instrumental values of citizen participatory planning in Swedish cities. By analyzing 1,354 citizen proposals and interviewing urban planners, we find that citizens more extensively submit proposals and initiate debates on planning when using the OPT. Results suggest a more even age and gender distribution among proposal users than with conventional methods, facilitating normative values of participation. The OPT was generally applied early in planning and generated high-quality inputs. Our results, however, nuance previous analyses by also emphasizing the importance of place-specificity of OPT applications and of joint participation strategies among departments. Key for OPT development includes the need to improve their ability to analyze overarching trends among inputs.

Keywords

citizen participation; governance; online participatory tools; planning; visualization

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1. Introduction

Citizen participation in planning is a recurrent research topic. Among the highlighted gains are normative, substantive, and instrumental values (Fiorino, 1989; Stirling, 2006, 2008). As Fung (2006, p. 74) argues, “citizens can be the shock troops of democracy. Properly deployed, their local knowledge, wisdom, commitment, authority, even rectitude can address wicked failures of legitimacy, justice, and effectiveness in representative and bureaucratic institutions”.

How to mobilize citizen participation in planning is critical. Previous studies contend that citizen participation has an instrumental role as purely input gathering,

leading to limited efficiency and exclusion of perspectives (Michels & De Graaf, 2010). Further, policy-makers and planners are reluctant to include citizen perspectives due to uncertain effects on actual planning (Blunkell, 2017), and the fact that obvious barriers such as lack of resources and competence, as well as inadequate and ill-timed participation methods, can constrain constructive discussion (Conrad, Cassar, Christie, & Fazey, 2011). As a result, citizen participation has not increased substantially, despite its known benefits (Georgiadou & Stoter, 2010; Poplin, 2012).

To address these aforementioned constraints, the number and use of Online Participatory Tools (OPT) have increased substantially (Afzalan, Sanchez, & Evans-

Conley, 2017). OPTs often utilize advancements in Public Participatory GIS, including geotagged questionnaires (Czepkiewicz, Jankowski & Mlodkowski, 2017; Jankowski, Czepkiewicz, Mlodkowski, & Zwolinski, 2016) and data visualization techniques used in Planning Support Systems (Russo, Lanzilotti, Costabile, & Pettit, 2018), to broaden the scope of participation by engaging more citizens in providing input on local planning (Afzalan et al., 2017).

Though research into the functionality, usability and influence of OPTs has progressed, studies have rarely analyzed OPTs beyond single-cases, looked at tools that are widely used or how OPTs affect broader values of participation. Consequently, studies are needed which use more comprehensive evaluation frameworks and which discuss the organizational implementation of the OPT (Kahila-Tani, Broberg, Kyttä, & Tyger, 2016). Arguably, this is key for improving the use of OPTs since “their inappropriate use can result in problems, such as instrumental use of citizens’ mass participation” (Afzalan et al., 2017).

This study targets this need by analyzing how ten applications of a widely used OPT effect the normative, substantive and instrumental values of citizen participatory planning in Swedish cities, discussing the pros and cons of using OPTs in local planning. Specifically, the study analyses 1,354 proposals retrieved from ten applications of the OPT CityPlanner™ and interviews with urban planners who have worked with CityPlanner™. The research is conducted in an interdisciplinary project addressing both technical and governance aspects of participatory planning. Research questions (RQs) are:

1. How can OPT deliberations influence normative values of participatory planning?
2. How does the OPT influence the substantive quality of citizen inputs?
3. Does the OPT create risks for instrumental interpretations of citizen inputs?
4. How does the use of OPTs in planning impact the division of roles between citizens, planners, and politicians?

The article is structured as follows: section two presents the analytical framework, outlining three potential values of citizen participation. Section three and four present the research methods, the OPT, and the ten applications. Section five discusses the main findings in accordance with RQs 1–3. Section six concludes and elaborates on RQ4 and the pros and cons of using OPTs in planning.

2. Analytical Framework

To enable a broad analysis of the CityPlanner™ OPT, the article builds on a framework outlining three categories of potential values for citizen participation, aligned with findings from research on digital tools for citizen participation. Such tools have different purposes including

supporting learning and debate among citizens, monitoring by data collection, guiding citizen choices, or collection of and dialogue on citizen suggestions regarding strategic planning and development. The tool analyzed in this study relates to the latter type, comprising people-centric strategic planning tools (Ertiö, 2015), found to support and/or undermine participatory values as below.

2.1. Values of Citizen Participation

An often-used outline of potential values of citizen participation distinguishes between normative, substantive and instrumental values (Fiorino, 1989; Stirling, 2006, 2008).

2.1.1. Normative Values

Normative values emphasize citizen participation as an end-in-itself, i.e., direct gains of inclusive participatory processes (Stirling, 2006, 2008). Regarding the democratic effects, a long-standing question concerns whether direct participation in planning circumvents representative democracy, where elected politicians make decisions informed by expert judgements. Though we do not address this question directly, many empirical studies highlight that citizen participation is, indeed, political, but does not necessarily undermine current democratic processes. Rather, participation is a complement (Fung, 2006) and a precondition for increasing the plurality of stakes, empowering groups who often are not well provided for by local governance (Burby, 2003; Legacy, 2017). Thus, democratic aspects of participation provide a rigid foundation for decision-making by strengthening social justice, giving more citizens a voice in, and knowledge about, the decisions which affect them (Fung, 2015).

Previous studies have found that OPTs are promising for attracting new and more diverse citizen groups (Kahila-Tani et al., 2016; Schulz & Newig, 2015). However, to become more “inclusive, just, and communicative”, OPTs should arguably be more aligned with standardized local planning processes, address empowerment and consider the capacities and need of citizens (Afzalan et al., 2017; Kleinhans, Van Ham, & Evans-Conley, 2015). Moreover, OPT usage also risks over-representing internet-savvy groups, constraining equal representation (Czepkiewicz et al., 2017; Schulz & Newig, 2015).

2.1.2. Substantive Values

Substantive values emphasize citizen participation as the means-to-an-end, i.e. improving governance by enhancing the quality of decisions (Stirling, 2006). This includes finding well-suited solutions to problems by obtaining a better understanding of local contexts and collecting constructive proposals from citizens, which affect policy and planning outcomes (Fung, 2015). Planning can better

align with local conditions if planners improve their understanding of what citizens' highlight and value, thereby improving both the effectiveness (addressing the "right" issues) and efficiency (addressing issues the optimal way) of plans (Faehnle, Bäcklund, Tyrväinen, Niemelä, & Yli-Pelkonen, 2014).

OPTs present opportunities for local governments to obtain qualitative inputs from citizens on e.g. how to improve maintenance (Ertiö, 2015). Applying OPTs early on in planning appears particularly promising since it facilitates efficient collection of inputs and fosters trust in planning (Kahila-Tani et al., 2016). Due to the lack of assessments, however, the usefulness of OPTs for participatory planning remains largely unclear (Brown & Kyttä, 2014). To further improve OPTs, functions for analysing and reporting on aggregated inputs gained from citizens are important (Jankowski et al., 2016).

2.1.3. Instrumental Values

Instrumental values relate to opportunities for justifying pre-decided plans or decisions based on citizen inputs (Stirling, 2006, 2008), or to the practice of only collecting inputs for a specific cause (Michels & De Graaf, 2010). The former includes either strong justification, where participatory deliberation is set-up to justify a desired plan or policy, or weak justification, where citizen inputs are summarized to allow for flexibility in justifying a decision as "legitimate" and thereby manage blame (Stirling, 2008). Instrumental aspects can be considered

as false participation, where participation does not influence decisions, raising issues of legitimacy and transparency. Fung (2006, p. 70) argues that "a public policy or action is legitimate when citizens have good reasons to support or obey it", which they would if: "public opinion and will" were sufficiently taken into account, inputs were used in a transparent way, and if the rationale for participation was clear.

For OPTs, as with conventional forms of deliberation, there is a risk that planners marginalize some voices, while promoting more powerful interests (Kleinhans et al., 2015). To further develop OPTs, it is necessary to find more transparent ways to report back on how citizen-provided inputs are used or considered (Kahila-Tani et al., 2016) necessitating further developments to allow citizens to take part in data analysis (Ertiö, 2015).

2.2. Operationalizing the Analytical Framework

To analyze applications of the OPT CityPlanner™, a series of detailed inquiries corresponding to sub-categories of the three types of values of citizen participation were applied (Table 1). The inquiries were addressed by the combination of research methods and material presented in section three.

3. Methods and Materials

The study builds on analyses of ten applications of the OPT CityPlanner™ applied in five Swedish municipalities

Table 1. Operationalization of the normative, substantive, and instrumental values of citizen participation for analysis of OPT proposals and interviews with urban planners.

Value	OPT proposals	Urban planners
<i>Normative</i>		
Democracy: do citizens provide input on plans?	What amount of proposals are obtained via the OPT compared to conventional deliberations?	Do OPT deliberations attract more citizens to participate?
Empowerment: are commonly overlooked groups reached?	What are the proposal submitters' gender and age?	Does the OPT attract citizen groups which are hard to reach with conventional deliberations?
Learning: do deliberations create opportunities for learning?	Does the OPT spur debate or knowledge exchange among users?	Have any additional learning activities been initiated when applying the OPT?
<i>Substantive</i>		
Efficiency: can planning utilize citizen suggestions?	Do OPT proposals contain practical suggestions on planning?	To what extent has citizen suggestions via the OPT been used in planning?
Context: are important contextual factors targeted?	Do OPT proposals address contextual factors that can facilitate planning?	To what extent can citizen inputs outside of the question posed in the OPT be included in planning?
<i>Instrumental</i>		
Justification: are citizen inputs used transparently?	Do the OPT applications specify how inputs are used?	Have any systems for feedback to citizens or collective analyses been applied?

and on semi-structured interviews with ten planners in Norrköping municipality, where this tool has been most extensively used.

Citizen proposals were retrieved from the municipal planning offices in the form of PDF-files or Excel-spreadsheets. Firstly, for each application the following data was summarized:

- The total number of proposals.
- The gender and age distribution of the proposal-submitters.
- The number of comments that a proposal received.

The above aspects were used to analyze the democracy, empowerment and learning components, respectively (Table 2). Though further information, such as socio-economic and cultural background, are also relevant for empowerment, such information was not available but was covered by the interviews. Secondly, each proposal was classified as follows:

- The topic that the proposal primarily addresses.
- What the proposal aimed to change/develop.
- What type of inputs the proposal included.

These were used to analyze the efficiency and contextual elements of the proposals (Figure 2 and Table 3). Thirdly, to analyze instrumental values, the introduction and the questions posed via the Cityplanner™ web-interface were scrutinized on whether they explicitly specified how proposals are used in planning (Table 2). Fourthly, the number of proposals submitted by citizens when using conventional planning procedures in similar planning contexts in the included municipalities were retrieved (see details in Table 2)

Additionally, ten planners in Norrköping with experience of using Cityplanner™ were interviewed to gain qualitative insights into:

- How the OPT has been used.
- Whether the OPT attracted wider citizen representation.
- If and how learning is explicitly targeted.
- How inputs are scrutinized and acted upon.
- The risk of instrumental interpretations of proposals.

The interviews were semi-structured to allow for follow-up questions and deviations in the discussions and lasted 1–1.5 hours. The questions related to the interviewee’s opinion on the different aspects of normative, substantial and instrumental values. All interviews were audio-recorded and transcribed. The interview transcripts were firstly analyzed individually, followed by meaning concentration of reoccurring statements and perspectives. The validity of the analysis is strengthened by comparing statements, both among the planners, and by contrasting their views with the results of the quantitatively oriented categorization of proposals.

4. Ten Applications of the OPT CityPlanner™

The ten analyzed applications all build on the CityPlanner™ platform (Figure 1) developed by the Swedish software company Agency9. The OPT comprises 3D visualizations of cities, where citizen dialogue is an add-on component enabling municipalities to pose questions to citizens on contemporary planning issues. Citizens comment through a map interface. As the company states, the OPT is designed to involve stakeholders and citizens in early dialogue, crowd-source ideas for urban devel-

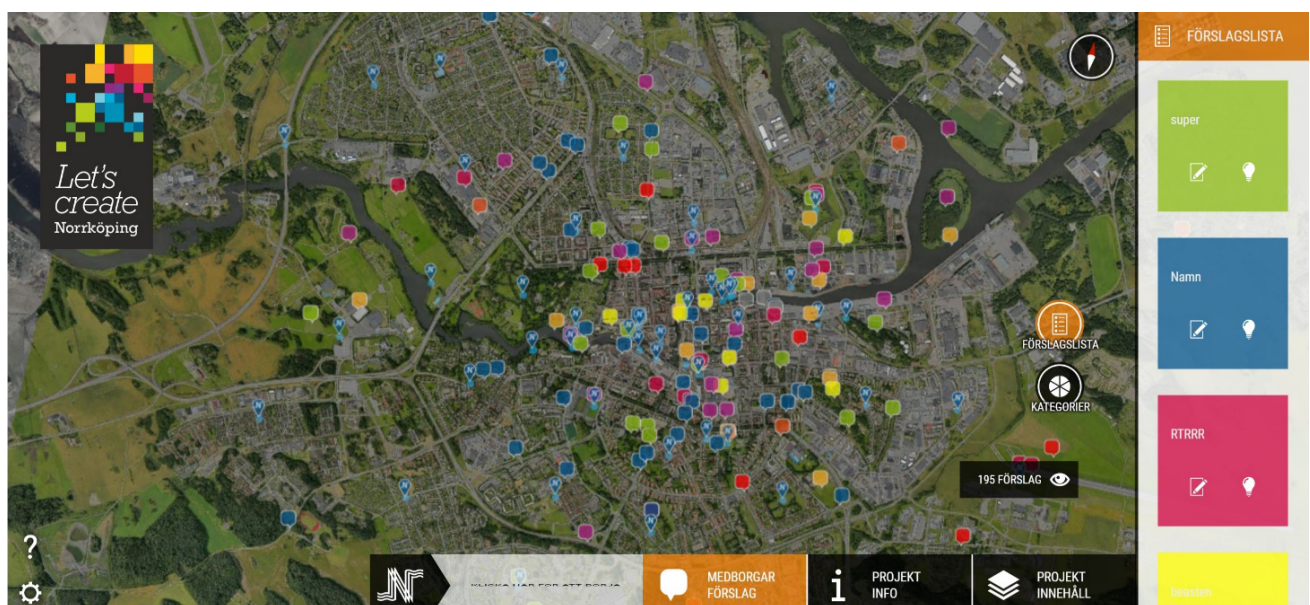


Figure 1. Graphical interface of the Cityplanner™ tool as applied in Norrköping.

Table 2. Description of the ten applications of the CityPlanner™ OPT concerning type, time, timing, what the proposals feed into, number of proposals submitted, share of proposals submitted by women, and the average number of comments per proposal.

Application	Process/Project	Topic	Location	Timing	Output	Number of proposals via the OPT	Number of proposals via conventional planning procedures*	Share of proposals submitted by women	Number of comments per proposal
Avesta-Krylbo	Formal planning	Ecovillage	District-level	Early	In proposal	74	44	24%	1.1
Koppardalen/Avesta	Formal planning	General	District-level	Early	In proposal	17	2	41%	3.0
Fagersta	Formal planning	General	District-level	Early	In proposal	66	48	15%	3.6
Årummet/Falun	Informal urban development	General	City Centre	Early	Unspecified	226	29	62%	3.0
Urban Vision/Norrköping	Exhibition urban development	General	Municipal-level	Ongoing	Unspecified	162	23	44%	3.1
Trädgårdsstaden Hageby/Norrköping	Informal	General	District-level	Idea	Unspecified	150	5	58%	—
Framtidens resor/Norrköping	Informal	Mobility	Municipal-level	Early	Project-internal use	25	8	23%	0.8
Sociotopkarta/Norrköping	Informal	Green space	Municipal-level	Early	Project-internal use	58	0	69%	—
Kolkajen/Stockholm	Formal planning	5 topics	District-level	Early	Unspecified	209	20	27%	3.9
Vision Industrilandskapet/Norrköping	Informal urban development	General	City Centre	Idea	Unspecified	367	23	28%	—
All applications	—	—	—	—	—	1,354, median: 112	202, median: 21.5	Median: 42%	Median: 3.0

* The number of citizen proposals submitted via conventional planning procedures were retrieved from similar local plans from the same municipality/jurisdiction. The following similar plans were used: Avesta-Krylbo: Comprehensive Plan Hedemora, 2015. Koppardalen/Avesta: Detailed Development Plan Boken 4, 2017. Fagersta: Comprehensive Plan Leksand, 2013. Årummet/Falun: Comprehensive Plan Falun-Borlänge, 2013. Urban Vision/Norrköping: Comprehensive Plan Norrköping, 2016. Trädgårdsstaden Hageby/Norrköping: Detailed Development Plan Oxelbergen 1:2, 2017. Framtidens resor/Norrköping: Detailed Development Plan Himmelstalund 1:1, 2017. Sociotopkarta/Norrköping: Detailed Development Plan Ingelstad ekbackarna, 2015. Kolkajen/Stockholm: Detailed Development Plan Värtan, 2015. Vision Industrilandskapet/Norrköping: Comprehensive Plan Norrköping, 2016.

opment, gather local knowledge from people living in the area, and present key considerations and important questions for planning decisions.

This OPT has been used for different types of planning processes in the applications. These stretch from specific small-scale development projects to large-scale planning (Table 2).

5. Results and Discussion

The results are presented for each of the normative, substantive and instrumental value components. Quantitative data for the ten applications is mixed with illustrative perspectives provided by the interviews. Observations are discussed according to findings in previous studies.

5.1. Normative Values

The democratic value component was gauged by the volume of proposals submitted via CityPlanner™ in the ten applications. The median number of proposals per application was 112, ranging significantly from 17 to 367. In five applications the number of proposals submitted exceeded 100. This demonstrates that when invited, citizens submitted proposals to a high extent. The numbers of citizen-submitted proposals via conventional public consultation in similar planning applications were lower in all ten applications; in some instances, by a factor ten. The planners confirm that conventional public consultation resulted in fewer comments compared to the use of an OPT. This pattern exists even though Norrköping planning office has tested new forms of dialogue (although still physical consultations) to attract citizens such as bicycling dialogues and consultations on trams and exhibitions. A communicator at the municipal planning office found it generally difficult to attract people to physical consultations and noted that internal routines for online consultations were lacking: “I think it should be mandatory to send plans to the planning office to post online [e.g. via CityPlanner™]...that routine is missing today”.

For *empowerment*, the compiled data enabled analysis of gender but not age. Only two applications contained age-data. Women submitted four proposals out of ten (both median and mean). However, the share of proposals submitted by women ranged considerably from 17% to 69%. In terms of age, proposal-submitters in the Sociotopkarta application were evenly spread for those aged 20 to 64. About 5% of the proposal submitters were younger than 20 years and 7% were older than 65. In the Kolkajen application, the age distribution was skewed towards the 20 to 49 age group, from which three-quarters of all proposals were submitted. In that case, no proposals were submitted by the young and only 10% by the over 65s. Compared to previous research assessing conventional public consultation (Stenberg et al., 2013), these results show greater spread in both gender and age, further illustrating how hard it is to reach young people. Likewise, several planners contended that con-

ventional consultations attracted only certain groups of citizens while underrepresenting others. According to a city architect:

Conventional planning processes, you know these various hearings, we all know who comes to these. Five middle-aged men go to all of them, but you miss entire citizen groups, women with foreign heritage who maybe don't speak the language, older people, younger people.

In line with previous studies (Kahila-Tani et al., 2016; Schulz & Newig, 2015), our study suggests that this OPT has reached a more diverse group in terms of age as well as a more even balance between the genders. While generally seen as an enabler of diversified inputs, caution should be paid to new forms of citizen exclusion such as technical lockout of elderly people with low computer skills (Czepkiewicz et al., 2017). To avoid exclusion, the planners asserted that OPTs should complement physical hearings and be included as a routine in local planning (Afzalan et al., 2017). More routinized use of an OPT would require: learning both internally and for citizens about digital participation, method development for using OPT for outreach and new forms of OPT-facilitated dialogues that match emerging methods of planning.

For *learning*, citizens were able to indicate whether they liked or disliked the proposals submitted by other citizens in seven of the ten applications. Every proposal attracted on average 2.9 likes or dislikes (Figure 2); about 78% of them being likes (not displayed here). About 30% of the proposals attracted one or two likes/dislikes and another third went uncommented, while about 6% of the proposals received 10 likes/dislikes or more. This indicates that citizens not only submitted their own proposals via the OPT, but they also responded to other citizens' proposals. Planners, consequently, obtain a ranking of the most appreciated proposals which would not be automatically generated for proposals submitted through conventional consultations. Moreover, citizens sometimes added written comments on other proposals by adding their proposal beside it, also indicating an opportunity for learning and debate, as illustrated: “I agree to establish smaller buildings and a patio in the corner, as suggested”; “I agree with the previous speaker! Less traffic, more market-place trading and pavement cafés”.

By showing how other citizens perceive and propose urban development, this OPT appears promising for visualizing the plurality of stakes, which Stenberg et al. (2013) viewed as a motor for democratic citizen deliberations and for facilitating learning by providing several alternative standpoints towards the challenges at hand. Even if the planners acknowledged this value of this OPT, they found that most citizens lack a basic understanding of formal planning processes to the extent that learning is constrained. To raise citizens' awareness the planners have therefore arranged planning exhibitions foremost at Norrköping Visualization Center, where the Cityplan-

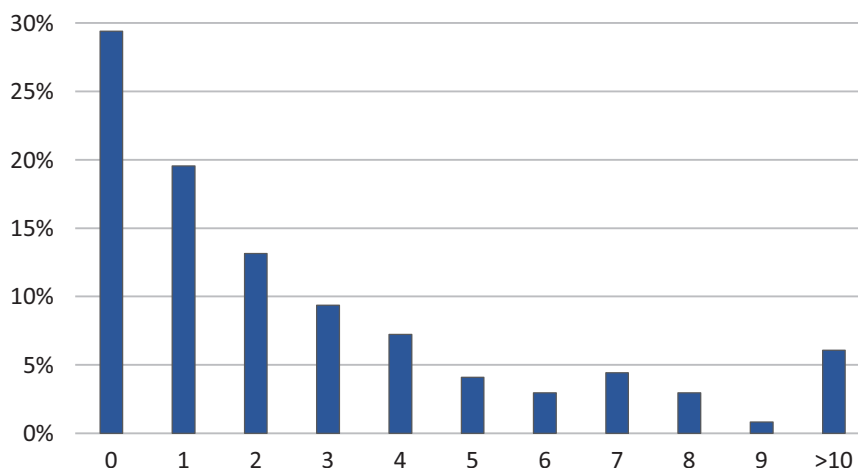


Figure 2. Percentages of proposals submitted via CityPlanner™ after the number of likes/dislikes they attracted (n = 607).

ner™ tool has been combined with visualizations of physical planning. While regarded as favourable for learning, the planners noted that citizen groups outside the educated middle-class rarely visited these exhibitions. Planners also suggest that information about citizen participation, physical preconditions and planning processes could be presented through this OPT. This would, however, need to be balanced against their current simplicity and user-friendliness.

5.2. Substantive Values

All proposals were categorized according to the topic addressed and what the citizens wanted to change/develop (Table 3). Proposals included a range of topics that citizens wanted to add or augment at a specific location thus providing a good representation of the planning context. Almost a quarter of the proposed changes related to traffic and streets. High proportions of traffic-related pro-

posals were found in most applications, often promoting pedestrianism, cycling, and public transport. Many proposals suggested changes to make current traffic situations more compatible with other urban functions such as recreation. Proposals related to park and nature were found in similar proportions, 10–15% in all applications.

For *efficiency*, the four applications receiving most proposals were compared in detail. These showed different patterns in terms of the largest topical categories (Table 3, part A). For instance, in the Industrilandskapet application, 30% of the proposals concerned housing. Here citizens expressed that vacant lots should be occupied considering the need for centrally located housing. Conversely, only 6% of the proposals in the Kolkajen application concerned housing. Another example of large topical differences was found for commercial services. In the Årummet application, 16% of the proposals concerned the need for a wider range of stores, restaurants, cafés, etc. In comparison, commercial services were the focus

Table 3. Citizen proposals submitted in CityPlanner™ categorized according to (A) topic and (B) what change the proposal targets. Numbers are displayed for four applications and for the average of all ten applications.

(A) Proposal concerning:	Industrilandskapet	Årummet	Trädgårdsstaden	Kolkajen	All
Traffic/street	14%	25%	19%	24%	23%
Recreation/culture	20%	16%	11%	21%	19%
Park/nature	10%	10%	10%	15%	13%
Housing/real estates	30%	8%	26%	6%	16%
Commercial services	8%	16%	7%	4%	9%
Public services	3%	4%	10%	10%	4%
Other	1%	4%	1%	0%	2%
Multiple functions	13%	17%	15%	18%	14%
(B) Proposing something:					
New, concrete	66%	77%	55%	64%	64%
New, avoid	1%	0%	0%	23%	4%
New, unspecified	9%	3%	7%	8%	6%
Current, complemented	18%	16%	21%	1%	16%
Current, maintain/restore	5%	3%	11%	0%	6%
No proposal	2%	1%	5%	3%	4%

of just 4% of the proposals in the Kolkajen application. These examples demonstrate that when analyzing proposals submitted via OPTs, planners can relatively easily establish what issues citizens view as important and in what context the changes should take place.

The planners found the proposals citizens submitted through this OPT more constructive and of higher quality compared to those obtained through conventional public consultation. As a planning communicator stated:

Planners were a bit afraid early on, before we started working more digitally, that it would create extra work. But the views we have received have often been positive. When we have used aerial photos instead of common maps, 3D and high-resolution photos, then people have understood much better what we plan to do...before there were so many misunderstandings. People didn't understand where we should build or how. So many of the inputs that came in were not relevant.

It is still hard to draw general conclusions about how proposals are used practically in Norrköping. However, it is possible to assess examples. For proposals regarding Norrköping's comprehensive plan, proposals submitted through conventional planning procedures, such as written statements or oral comments on hearings, and proposals submitted by Cityplanner™ were approached differently by planners. While planners have answered each conventionally submitted input individually without relating them to each other, the more extensive inputs gained from Cityplanner™ were translated into general trends/areas and answered more comprehensively and with more vision. This signals that this OPT enables a more constructive analysis of citizen inputs. Rather than treating inputs as being critical of the plan, triggering defensive responses from planners, the inputs gained via the OPT were translated into functions highlighted in the city or what to generally avoid, as the following example from the consultation report for the comprehensive plan in Norrköping demonstrates:

Green and blue structure:

Build pedestrian walks around Motala Stream, move the parking spaces along the south side of the stream in the centre and preserve the greenery and the beach shelter in the city.

Response:

The value and significance of the green and blue elements in the city are highlighted in the plan proposal and the importance of ecosystem services is described more clearly. The proposal for urban beach zone is revised and the assessment of beach protection in urban development is clarified.

Another example concerns the building of a new park where the OPT triggered citizens to add concrete suggestions, building on other citizens' ideas, generating interest among planners and politicians to act. As explained by a planning communicator:

Some of the suggestions we have gained [using Cityplanner™] have been very good and easy to implement like when we used it for the old industrial landscape. Then several [citizens] called a part "The love park". It was not called that before, but the name committee changed it so now it's called that officially on maps....Many also critically noted the lack of benches. So, the Technical Department bought benches and invited the person who submitted the proposal and he inaugurated the park.

These examples also relate to the second substantive value *context*; discussed by assessing whether proposals highlight contextual factors which facilitate planning. Results clearly demonstrate that, when invited, citizens submitted concrete suggestions (Table 3, part B). Almost 90% proposed tangible measures, related to both new functions and the current situation. The shares of concrete proposals related to the new and the current situations varied according to application-type. It was possible to obtain information about what citizens want to avoid if that is expressed in the questions posed. This was done in the Kolkajen case, explaining the high share of proposals specifying what should be avoided. The data contained very few proposals that were deemed irrelevant or unconstructive.

Furthermore, citizens are able to upload attachments to their proposal via CityPlanner™. This feature was used by 15% of the proposal submitters attaching photographs, sketches, markings on the map or reports. Drawings added on the digital map complemented the text in about 7% of the proposals. This facilitated descriptions of, e.g., where a pedestrian street should be located. About 5% of the proposals contained references to good, or in a few rare cases bad, examples. These serve both as "best practices" and more general references to attractive tourist destinations. The features of the OPT allowing such developed suggestions thus appear constructive for planning.

Planners in Norrköping were further asked about the abilities to act on citizen suggestions falling outside the scope of questions posed. Interviewees contended that planning, in general, is not yet ready to take full advantage of OPTs. This relates both to how departments should cooperate on citizen dialogues and when in the planning process the OPT should be used. Regarding the former, a planning information coordinator in Norrköping expressed that "the different departments' communication strategies do not match", constraining the joint use of citizen inputs. To make better use of citizen deliberations, the various departments and planning projects would benefit from a common strategy establishing what com-

munication channels should be used and how. Related to the latter, the different and often too separated planning projects would benefit from hosting common OPT applications. By focusing more on how a specific place/context relates to the various planning projects rather than on dividing the OPT applications by subject, the municipality could increase citizen participation and better capture proposals falling outside a specific project. As for now, the municipality is not able to manage comments outside a specific project, although Cityplanner™ does have the potential to provide this function.

5.3. Instrumental Values

To understand whether OPT deliberations give room for instrumental interpretations, this study assessed whether citizen proposals were used transparently; firstly in what stage of the planning process the applications were arranged and how they aimed to inform planning, and secondly if any systems for feedback to citizens or collective analyses were applied.

Related to timing, overwhelmingly, CityPlanner™ was used to invite proposals early on in the planning process, commonly when a city district was to be developed, rather than to replace formal dialogues. In a few other applications, this OPT was explicitly employed to generate ideas to be used in ongoing projects with specific focuses, such as future transport and urban green spaces. In four applications, it was employed to generate ideas at an early stage just prior to the formal planning process.

The questions posed generally invited a diverse range of inputs and the OPT was used transparently, i.e., showing all inputs provided and comments added. This suggests that the current OPT-usage counteracts justifications of pre-decided plans based on citizen inputs by their early application. Further, the aim of the deliberations was specified. This transparency may reduce the risk of instrumental interpretations (Stirling 2006, 2008) and of some inputs being hidden to promote specific interests (Kleinhans et al., 2015). If OPTs are to replace formal citizen dialogue, as some of the interviewed planners suggested, a high level of transparency needs to be maintained.

Related to feedback, however, the planners found that methods to transparently summarize and present citizen inputs and to provide feedback to citizens on how suggestions are utilized in planning were missing (Ertiö, 2015; Kahila-Tani et al., 2016). Lack of resources and time were recognized as constraints, as one planner responsible for a new city district accounted:

I understand that citizens feel that we give poor feedback on their points raised....It relates to the focus given to the dialogues. In many occasions, we are more pressured to bring forward the plans, and that cannot stall development. Then I think there's a risk that the citizen dialogues are negatively affected.

Several planners argue that more resources and a clearer mandate for how to involve citizens in planning is decisive for improving the feedback to citizens. Planners found it hard to balance early dialogue, aimed to obtain good citizen suggestions, with the formal planning process, allowing citizens to appeal against a plan:

Even though this creative forum [early dialogues through the Cityplanner™ tool] is good, we also have demands on this formal [procedure] that it should be possible to appeal against a plan from a legal perspective. Then we can have problems with this anonymous forum that Cityplanner™ gives.

Thus, though not dictated by law, citizens are often treated as commentators rather than co-producers of plans. Planners acknowledge that OPTs still have a complementary rather than a direct role in participatory planning. Developing the planning process to make better use of OPTs thereby includes approaching citizens as actors who can make plans better and more just, while preserving the transparency provided by OPTs. For improving citizen-feedback, planners suggested allowing for notifications of the status of various planning processes. Another way to improve feedback would be to develop OPTs to provide better summaries of citizen inputs (Kahila-Tani et al., 2016).

6. Conclusions

This study set out to analyze how a widely used Online Participatory Tool (OPT), Cityplanner™, affects normative, substantive and instrumental values of citizen participatory planning. When analyzing ten Swedish applications of this OPT, we find a large potential for improving normative value through: (i) generating more proposals than conventional methods; (ii) engaging a wider age-range and more even gender distribution; and (iii) increasing the interaction between citizens by facilitating the sharing of ideas on city improvement. However, the results indicate that the OPT may risk technical lockouts of the elderly in particular, and have, as with conventional methods, difficulties in attracting younger age groups. To sidestep technical lockouts, further development of citizen participation in local planning arrangements is needed (Afzalan et al., 2017; Stenberg et al., 2013). We recommend that the OPT should be combined with physical meetings, preferably through outreach activities at targeted locations and groups such as the elderly, young people, and migrants. This would be even more productive if combined with learning about the role of citizens in planning. We also recommend that planners make use of the OPT function to allow citizens to like/dislike other proposals. In fact, we suggest adding a function that allows users to directly comment on or further develop other proposals. This could spur debate and encourage learning.

Related to substantive values, the proposals submitted through the OPT contributed to both the efficiency and context aspects. The vast majority of the OPT-submitted proposals contained concrete suggestions for how and why to improve a location or urban function (c.f. Faehnle et al., 2014). Categorizing proposals into topics was efficient for establishing the main issues that citizens would like to improve/change. Each application got its own topical profile, which can be viewed as a representation of the planning context. Although topical categorizations are possible to perform, such analyzing or reporting function is not yet integrated into the OPT, which has been established also for other OPTs (Jankulowski et al., 2016). A reporting function would not only be important for planners but also for citizens. As Michels and De Graaf (2010) and Ertiö (2015) note, citizens ideally should take part in interpreting the results of the deliberation, shifting their role from passive proposal submitters to active co-creators of urban development, improving participation and transparency.

Related to instrumental aspects, this study shows that the OPT has currently been used early in, primarily, informal planning. Most, but not all applications, specify what urban planning processes the proposals contribute to. The OPT is more transparent than conventional methods because it shows all inputs provided and the resulting debates. However, the OPT applications do not specify when and how planners will make use of these proposals. To decrease the risk of instrumental use of citizen inputs, and to spur further citizen engagement, we recommend that OPTs contain a function that allows citizens to get feedback on how their input was used in concrete planning (c.f. Kahila-Tani et al., 2016). Moreover, planners suggest a chat-function to establish direct interaction between citizens and planners during OPT deliberations to increase transparency and facilitate learning.

In all applications, citizens made use of the OPT to comment on issues broader than the intended planning project. We find that planners struggle to handle these proposals. We suggest that joint applications of the OPT, that focus on a specific place rather than the different planning topics, would facilitate interaction between various urban planning projects and municipal departments and allow a larger uptake of citizen-proposals falling within their respective mandate. This could reduce the number of OPT applications and facilitate broad citizen engagement enabling better use of citizen proposals falling outside the scope of a delimited project. To do so, planners require more time allocated to citizen dialogue and a clearer assignment from politicians regarding how to invite and report to citizens on how proposals are used also outside of the scope of a specific plan proposal.

Judging from the above, the OPT to some extent seems to affect the division of roles between citizens, planners, and politicians. This OPT increases the interaction among citizens and encourages planners to cooperate across departments and planning projects and

to rethink how to make use of the more diverse array of citizen proposals in planning. To reap these benefits, however, organizational changes are required. This study does not indicate that the OPT influences the interaction between citizens and politicians to any larger extent. Although it is possible for politicians and planners to get a better picture of how citizens perceive and want to develop their city, the applications of the OPT do not seem to stimulate any interaction across these boundaries, which is central in further OPT developments.

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Conflict of Interests

The authors declare no conflict of interests.

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Article

Dependent, Deprived or Deviant? The Case of Single Mothers in Denmark

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Abstract

The article explores how categories of deserving and undeserving groups are established in policy designs and how social target groups are constructed according to such distinctions. Institutionalised systems of exclusion and inclusion have a profound impact on citizenship and substantial democracy. Neoliberalist political ideas and attitudes have strengthened the focus on deserving and undeserving groups over the last years and spurred a popular belief that welfare fraud is rampant. This tendency has led to a retrenchment of established rights and increasing use of illiberal means to further punish the undeserving. This article discusses these issues further by looking at the position of lone mothers in Denmark and how they constitute a social target group defined by their class, gender, ethnic, and religious differences. Categories of deservingness are also framed in national narratives and politics of belonging.

Keywords

Denmark; deservingness; single mother; social exclusion; welfare state; women

Issue

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1. Introduction

Welfare institutions and the general public have over the last centuries distinguished between those who deserve assistance and those who do not (Gans, 1995). The categories of deserving groups and criteria needed to define these are always situated in a political context. Feminist scholars have identified intersections between nationalism, gender, and welfare (Siim & Stoltz, 2013; Yuval-Davis, 2011). Migration scholars claim that immigrants as a group have become ‘the new undeserving poor’ in the European welfare states (Bommes & Geddes, 2000; Jørgensen & Thomsen, 2018; van Oorschot, 2006). Categories of deservingness are constructed through policy target groups. Schneider and Ingram (1997) have drawn particular attention to the instrumental and symbolic messages that policy target group constructions convey. The argument of Ingram and Schneider is that the social construction of target groups which carry negative messages will undermine the quality of effective democracy. Such policy designs can discourage active citizenship: ‘Policies impact citizenship because they can encourage and facilitate participation for some, but discour-

age or exclude participation by others’ (Schneider & Ingram, 2005, p. 27).

This article is interested in the ‘others’ in this statement. The article investigates how categories of deserving and undeserving groups are established in policy designs of entitlements for single providers. The article focuses especially on single mothers as a specific target group and analyses what position this target group has in the welfare system, how this is legitimized, and which policy tools are used in the management of this target group as well as the possible implications for citizenship and democracy. The article focuses on Denmark, especially the years 2010–2013, when single mothers were heavily debated in the media corresponding with the development and increased mandate of municipal control mechanisms. Single mothers are an illustrative group for understanding the restructuring of the welfare state and the shift in the categories of deserving and undeserving. Especially the changing emphasis on control in the neoliberal restructuring of the economy and institutions for understanding changes in social welfare policies targeting single providers. Furthermore, it is argued that single mothers are a diverse group in which intersections

between gender, ethnicity, and class influence the construction of the specific target groups, policy messages, and tools. Issues of equality and welfare are therefore influenced by the particular intersections of a variety of categories.

The argument is not that single mothers are the only disadvantaged or persecuted group (the unemployed for instance have faced similar cut-backs in rights and services and have likewise been targets for increased control) but the single mothers group makes the restructuring of the welfare state and the deepening of (social) inequalities visible and can, therefore, be used to identify the broader effects which stem from neoliberal restructuring of the welfare state. This article presents the argument that people's belief that social fraud is rampant, despite the lack of empirical evidence, has led to the development of policy design emphasising control and sanctions. Policy target groups are constructed as weak and dependent, which itself legitimizes the policy designs. Social benefits available to single mothers have been subject to much attention from municipalities, politicians at parliamentary level, and the media. One explanation is that they are overrepresented among recipients of social benefits. Another explanation is that municipalities have focused mostly on developing controlling policies in areas where they have the greatest economic incentive in revealing social fraud. This would include additional benefits to single providers but not, for instance, public pensions which are financed solely through the state (Socialog Integrationsministeriet, 2011). Yet, there is a belief among the municipalities that single providers and especially single mothers are the welfare area most prone to social fraud, although this is based on convictions and estimates rather than facts (KMD, 2011). My argument is that the policy designs following from these convictions are detrimental to equality and democracy. The article ends with an analysis claiming that the policy framework is biased against ethnic and religious minorities. The policy tools developed, and the underlying rationales supporting these, cannot only be explained as a 'fight' against social fraud but show how categories are intersected and the tools are 'culturalised' to deal with social problems believed to characterize ethnic minority mothers.

2. Data and Design

The empirical material, i.e., what constitutes the policies, encompasses legislative texts, rules and regulations and action plans about the issue on the national level, is supplemented by rules, regulations, and implementation guidelines at the municipal level. This also includes the guidelines for the so-called control units/groups working at the municipal level. Moreover, the empirical material includes reports and surveys conducted on social fraud, in general, to assess how, if at all, single providers are discussed in this material.

This data is supplemented by decisions (until end-2017) made by the National Social Appeals Board (NSAB).

All principle decisions taken by the Board pertaining to single providers over the last 20 years were collected. Out of 37 decisions, 13 dealt specifically with single mothers. Ten of these decisions revoked the municipal decision to terminate social benefits. The inclusion of material from NSAB is important as it has been decisive for the policy development and represents a type of material which is often overlooked (see Chunn & Gavigan, 2004, and Crookshanks, 2012, for comparable approaches).

In the analysis, the focus is mainly on the national framework. The national framework is interpreted and implemented differently by the municipalities which in many cases have been more restrictive than the national framework. I, therefore, include different examples from the Danish municipalities. To make the argument that the target group constructions can only be analysed properly using an intersectional perspective a number of cases have been which were taken up by the media. The article draws on Yuval-Davis' and Leslie McCall's approaches on intersectionalism (McCall, 2005; Yuval-Davis, 2006). Both make a distinction between intra-categorical and inter-categorical complexities. In practice, this implies taking categories of difference into the analysis to document relationships of inequality among social groups (McCall, 2005). Consequently, it is the relationships between categories which are of interest and how these particular relationships position the target group in the policy framework. Employing an intersectional perspective makes it possible to identify the 'neglected' groups—those "whose identity crosses the boundaries of traditionally constructed groups" (Dill, 2002, p. 5). In the present article, this, for instance, leads to the focus on single mothers with an ethnic and religious minority background which turns out to be decisive for their position in the target group constructions.

3. Redistribution, Policy Designs, Neoliberalism and Citizenship

Welfare states are based on criteria regarding who is entitled to what. Likewise, there is a strong emphasis on citizens' duties and obligations. The literature on redistribution points to different principles for welfare distribution, e.g., merit, need, and equality. However, redistribution also is dependent on citizenship and identity (Korpi, 2003). Van Oorschot points to additional criteria for deservingness (2006). Besides need and merit, he points to control (the level of control over neediness, i.e., those with less control are more deserving), identity (the closer to us/the in-group, the more deserving), and attitude (the more grateful and compliant, the more deserving). Following these criteria, studies have shown that the unemployed are perceived as having less character, being less responsible and less trustworthy. Elderly people are generally perceived as most deserving, followed by sick or disabled people, while the unemployed are regarded as less deserving, with immigrants being the least deserving group (Jørgensen & Thomsen, 2016,

2018). Policy target groups are not static entities but may change over time and context. The category of single mothers/solo-support mothers has historically changed from being one of the 'most' deserving groups to being depicted as undeserving (Chunn & Gavigan, 2004; Crookshanks, 2012). Deserving groups always face the risk of falling into the undeserving category. Due to an underlying assumption that the welfare states are challenged by people and groups who might be dependent but not deserving, governments have developed policies sanctioning and punishing the groups believed to be a burden. This is an understanding conveying a liberal-paternalist message which has become a key element of neoliberalism. That society is liberal and free at the top but restrictive, paternalist, and authoritarian at the bottom, to use Wacquant's way of putting it (2009, p. 8). The flipside of this is a growing insecurity and new bases for exclusion creating new forms of marginalisation. Within this political logic, emphasising individual responsibility is hence a necessary tool for revitalising welfare societies. Labour market participation is not the only marker for distinguishing between the entitled and un-entitled.

4. Degenerative Policy Designs

Schneider and Ingram have offered a conceptual framework for understanding degenerative policy designs and analyse target group constructions. Public policies are the primary tool through which governments and policy-makers inscribe, exploit, entrench, perpetuate or change such social constructions (Schneider & Ingram, 2005, p. 5). Advantaged target populations have significant political power resources, enjoy positive social constructions, and are characterised as being deserving. Dependents are groups with less political power resources but are still constructed as deserving in a moral sense in spite of being regarded as helpless and in need of correction and discipline. Contenders have resources that compare to those of advantaged groups but are not regarded as deserving. Deviants constitute weak and powerless groups who are negatively constructed as undeserving and of no value for society. Burdens are oversubscribed and benefits undersubscribed for the undeserving groups and vice versa for the deserving groups. Differential treatment in welfare policies may reflect different considerations. These constructs also characterise how policies are implemented and with what kind of message.

5. The Danish Welfare State

The Danish welfare state has the characteristics of a social democratic/Scandinavian welfare state model with a high level of tax-based re-distribution organised by the state. Re-distribution targets all citizens. The principle of universalism gained stronghold with the Pension Reform of 1956, which was later followed by universality in relation to social policies as social security, health, and education. Universalism aims at reducing social inequality,

and although this aim has been challenged and transformed, decades later this goal of creating equal opportunities for all is perceived as instrumental for maintaining a socially coherent welfare society (Kristensen, 2007). As Kristensen argues although the universal welfare principles, such as the principle of universalism, are often based on an incomplete understanding of the citizen, in Denmark women are in general terms included in the notion of the implicit Danish citizen (Kristensen, 2007, p. 57). The ideal citizen can thus be said to be a working, able-bodied family member. The model presumes a high employment-rate, which succeeding governments have tried to foster through an active labour market policy. Migrants, therefore, become a test for the limits and sustainability of the welfare state if they face difficulties in entering the labour market.

6. Single Mothers: Strong, Deprived or Deviant?

In the following, focus will be on the construction of a particular target group: single mothers. The present article places itself within studies exploring problem representations and the role of public policy in relation to single mothers (Dwyer, 2004). These studies argue that individuals' choices are shaped and defined through political discourses based on individualisation, paternalism, and neoliberalism formulated through welfare-to-work programs and moral correctives (Gazso, 2009). Dwyer argues that 'rights are conditional on the acceptance of individual responsibilities' (2004, p. 282). Individual responsibilities are market responsibilities, hence the role as an informal caregiver is basically considered without value if a person claims social benefits (Gazso, 2009, p. 12). These studies argue that single mothers have gone from being dependent (and rightfully deserving) and/or deprived to now being deviant (Chunn & Gavigan, 2004; Crookshanks, 2012; Mokhtar & Platt, 2009; Swan, Shaw, Cullity, Hapern, & Humphrey, 2008). Most empirical studies, also comparative studies, stem from the English-speaking countries, especially the US and UK, so how do these findings resonate in a Danish context? The Danish welfare state model has been described as women-friendly and not leading to the marginalisation of single mothers (Siim, 1999). In a Danish context, research has rejected that single mothers are represented as a societal problem (Siim, 1999; Stoltz, 1997). Siim argues that 'lone mothers have not been singled out as an ideological problem or as a political issue' (1999, p. 3). On the contrary, they are framed in a cultural image as being 'strong and autonomous group' (Siim, 1999, p. 142). These descriptions seem valid for their time but at the same time, this article will argue that single mothers have indeed been problematized in recent years as a consequence of the deepening and embedment of the neoliberal political rationale and the subsequent restructuring of the economy, institutions and policy logics. This is especially visible when the target group of single mothers intersects with categories of ethnicity and religion.

As studies on intersectionalism have shown, the intersection of different categories construct different positions in society (Crenshaw, 1989; McCall, 2005; Yuval-Davis, 2011). Gazco, for instance, shows that non-white single mothers in both Canada and Britain are likely to be poorer than others (Gazco, 2009). Labour market segregation is affected by both gender and race/ethnicity. The image of the black welfare has a very long history from the 'lazy promiscuous Jezebel' figure from the past to the US food-stamp moms of today. These images are very persistent; even today images of black mothers evoke hostile attitudes to welfare support (Gustafson, 2011; Pulkingham, Fuller, & Kershaw, 2010). Although race as a category is less prominent in Denmark than in the US (and the UK) the same dynamics are nevertheless present (Albrekt Larsen & Dejgaard, 2012). Ethnic minority background is decisive for public attitudes and eventually target group constructions. Racialisation of single mothers, however, is a dimension which has been given little research attention as most focus has been on gender (Mokhtar & Platt, 2009). Adding a racial/ethnic dimension to the target group constructs makes it possible to show how characteristics are explicated. It shows how societal norms and expectations for behaviour are not colour-blind. If indeed the Danish welfare state model is gender neutral it is not neutral in terms of policy tools and rationales.

7. Single Mothers in Denmark: Some Facts

The number of single parents has been rather stable over the last 25 years. In 1992 there were 138,068 persons registered as single parents out of a total of 754,682 families with children. Single here refers to all lone parents (i.e., divorced/separated, as well as single parenthood by choice).¹ 116,388 of the single parents were single mothers. By 2017 the number increased to 115,627 single mothers and 13,912 single fathers amounting to almost 22% of all families (Danmarks Statistik, 2018). The Danish welfare model (alongside the other Scandinavian countries) is often described as being women-friendly due to its high level of universalism and individualisation (Siim, 1999; Siim & Stoltz, 2013). These numbers do not say anything about the single parents' position in society. A 2004 study of social exclusion in Denmark concluded that "single mothers are one of the most disadvantaged groups in the Danish society" (Larsen, 2004, p. 20). The most recent study on single mothers offers different conclusions: almost 20% of all single mothers are on social benefits (CASA, 2013). Not all single mothers are marginalised of course (in terms of socio-economic position) but the report identifies those who are (in 2009 14%) as being: young, having ethnic minority backgrounds (in 2009 14% of all single mothers), not having vocational training, being outside the labour force, unemployed, within education and/or receiving social benefits.

¹ The current debate on Single Mothers by Choice (SMC) or choice mothers is of a different nature and less relevant for this analysis, although the felt stigmatization of being a single mother may be more or less the same. The difference is that the SMC's are often resourceful and not unemployed nor are they accused of social fraud and hence do not fit into the target populations constructed by the public policies I am looking at.

8. Target Groups: 'Genuine Singles' as a Target Group

In Denmark, single parents are entitled to social benefits (ordinary and extra children support, housing support, and residual/free place in daycare institutions) to meet their additional expenses. If the other parent not having the child living with him/her is not able to pay the stipulated contribution, an additional support (special child support) is available. It is a universal benefit available to all who meet the criteria, criteria which do not include means-testing. The key criterion for both types of special benefit is whether or not the applicant is 'genuinely single' (reelt enlig). This status according to the law has to be confirmed annually, although many municipalities require that the applicant sends in a form every month notifying them of any change in personal relations or income. The rules stipulating eligibility for social benefits as a single parent are in theory quite simple. If one parent has the custody of the child, and thereby most financial burdens, he/she is eligible for extra support.

In practice, the concept of "genuine single" is very hard to define and the criteria are indeterminate making it difficult for the municipalities to assess whether a person is single or not (Den Social Retshjælp, 2013; KL, 2008a; Social- og Integrationsministeriet, 2012). In reality, there are no fixed guidelines. It is not specified explicitly anywhere how long time a client can spend together with an ex-partner and still be considered single and entitled to extra benefits. The administrative practices are described in a handbook by Local Government Denmark which is meant to assist the municipalities (KL, 2008b). In practice, the guidelines are stipulated legally following three cases dealt with by the NSAB in 1999. The decision and the dissemination of this are crucial, as it states that 'that there should not be proper evidence that there is a marital-like relationship' in order to terminate the social assistance and demand that assistance is paid back (Den Sociale Ankestyrelse, 1999, p. 1). Consequently, the municipalities have only to render it probable that a person is claiming benefits that he/she is not entitled to. Due to insecurity and confusion—and most likely the later decisions from the NSAB—the Ministry of Social Affairs and Integration published in July 2013 a pamphlet informing single providers about their rights and more explicitly what they cannot do (Social- og Integrationsministeriet, 2013).

9. The Rationale for a Restrictive Turn

The problem with these targeted social benefits is that they go hand in hand with distrust and increased control. Distrust is institutionalised and implemented in various control systems as the municipal control units are granted substantial power to pursue their task and ultimately legitimise the distrust itself. This assumption that

social fraud is increasing is the basis of many of the recent changes and policy actions which have been undertaken in recent years. There is no empirical evidence for either the proportion of social fraud itself or evidence indicating that it is growing. In the guidelines from 2008, Local Government Denmark writes that ‘although we at the moment do not know if there is a real increase in the number of social fraud cases, more municipalities believe that there is more organised social fraud’ (KL, 2008b, p. 41). This is in line with Gustafson’s findings from a US context (Gustafson, 2011). A report from a ‘transversal ministerial committee on better control’ concluded that there is no information about nor valid estimates of the total abuse of social benefits but estimates suggest 91 municipalities made claims for back payment amounting to €6.7 million (Tværministerielt udvalg om bedre kontrol, 2010, p. 17). The total amount spent on social benefits in Denmark was approximately €32 billion in 2010 (SFI, 2011, p. 7). In comparison, the committee estimates the value of moonlighting to amount to €2,8 billion (SFI, 2011, p. 25). Yet, the proposal of the committee is to increase the control of social fraud especially targeting genuine singles in particular. Similarly, the newspapers are full of stories of potential gains for the municipalities in uncovering social fraud (e.g., DR1, 2013; TV2 Øst, 2010). These stories have the single mother at the centre and most complaints municipalities receive deal with single mothers. In a report on the municipal decisions to terminate social benefits to single parents, the State Administration found that 49% of the decisions were directly wrong and later revoked, that in 26% of the cases the basis for the decision was weakly documented, and not documented at all in 23% of the cases (Statsforvaltningen Sjælland, 2011, p. 2).

Nevertheless, the overall message repeated by state authorities is of social fraud being a growing phenomenon and that increased control is the solution. Especially the category of genuine singles, i.e., single parents is identified as a target group. As the gender distribution mentioned above shows it is, in reality, a construction of single mothers. In 2008, the municipalities were requested to introduce more control and strengthen the effort against social fraud by the now abolished Ministry of Welfare (Ministerialtidende, 2009). The same message was repeated in 2011 with a new political agreement on strengthened efforts against social fraud (Regeringen, 2011). The logic of the agreement is that more people are taking advantage of the system undermining the social trust upon which the welfare state is built. Yet, there are no data supporting that there is more social fraud, that despite an extreme growth in anonymous tip-offs, or any evidence to support the claim that single mothers cheat more than others.

10. Tools and Rules: Controlling Policies in Practice

All municipalities are obliged to establish so-called control teams as well as the ability for citizens to submit sus-

picious and accusations of social fraud anonymously. Today, 97% of all municipalities have control units (KMD, 2011). These are used to gather data used in the cases against individual clients. The tools used by these control units could be monitoring a client’s house to see who visits and how frequently, to see if shoes belonging to a man are left outside the door during the night, if anyone borrows the car, or to investigate transactions and transfers in a bank account. In some cases, the control unit monitored Facebook profiles and even created false profiles to be able to interact with a given target and keep track of updates regarding their social life (Gaardmand, 2011a; Gaardmand & Gjerding, 2011). This is an extreme case of surveillance and one which has dubious results. In 2011, NSAB revoked one such case. Sascha had been monitored for more than a year and was not informed about this until 11 months after the investigation was initiated by the control group. During some periods the control units passed by her home on a daily basis to observe (Gaardmand, 2011c). They looked for shoes belonging to a man and scrutinised her Facebook profile. One of the findings leading to the decision to revoke her social benefits was on the grounds that she was believed to live together with her ex-boyfriend and father of her children because that he had tagged a photo of Sascha and her sister with the comment ‘nice women’. Most often these tips come from other citizens and are given anonymously. 47% of the municipalities answered that most cases involving social fraud were taken up following anonymous tip-offs (KMD, 2011, p. 18). In Aarhus, the city council employed pensioned police officers to undertake the control as they ‘knew how to do efficient surveillance’ (Gaardmand, 2011b). As the municipalities do not need any hard evidence to make a case but only render it probable that a client is committing social fraud all these different types of tools are used to do exactly that. In this case, the sanctions and burdens are heavily oversubscribed compared to the tools used regarding other groups, eg control of the working conditions of au-pairs or the use of tax havens to avoid taxes.

Although the Ministry of Internal Affairs previously declared that there is no legal basis for making systematic observations and that all citizens have to be informed about on-going investigations and the gathering of information (KL, 2008a), this is exactly what happens and indeed what the Minister of Employment asks for in her response referred to above. The municipalities, according to the same declaration from the Ministry, employ the principle of proportionality. Monitoring Facebook profiles and surveillance techniques such as those outlined above definitely are out of proportion, but the means seem to serve the goal as the practices continue. The citizen has a right to know when a case is made and investigations are undertaken. Tools such as surveillance transgress the limits of the contracts and obligations and are not transparent for the citizen. It is legitimated by the municipalities through the construction of the target group of single mothers as one prone to cheating and

not living up to the obligations and expectations of the 'good' citizen. As the citizen has the duty to disclose all material facts it is vital that citizens have the full information about the conditions and criteria but the notion of a genuine single is characterised by uncertainty and complexity and it is extremely difficult for this target group to know what their rights are. In some municipalities, single mothers are for instance informed that a boyfriend can sleep over a couple of times a week but cannot take out the trash or help with buying things (Gaardmand & Gjerding, 2011). In other cases, the civil servant has told a social client if she could have sexual intercourse with her ex-husband (Gaardmand & Gjerding, 2011). Decisions transgressing the normal level of intimacy expected and tolerated from the communication with authorities and conveying a strong normative and paternalist message on how social clients should behave (cf., Chunn & Gavigan, 2004; Crookshanks, 2012). This type of communication is only possible because the social client is constructed as a weak potentially undeserving recipient. The over-subscription of burdens and sanctions brings the system closer to the criminal system than the welfare system (cf., Gustafson, 2011; Wacquant, 2009).

The municipal decisions on withdrawing social benefit and initiating a case are based on administrative judgment but practice varies immensely between the municipalities. Scholars within law state that the evidence rarely is strong enough for the ordinary system of justice (Klingsey, Gaardmand, & Gjerding, 2011). As already emphasised, neither is this necessary as the municipalities only have to render it probable. In other words, it is up to the discretion of the civil servant at work to decide if a social client should be accused of fraud. The aim rarely is to get the social client convicted in the criminal system but 'simply' to terminate the payment for undeserving groups. Even though the municipalities breach the law by systematically monitoring a social client, this carries no consequences for the control unit. Moreover, the data gathered through illegal means can still be used in cases against the client. Consequently, the legal protection characterising a liberal democracy is being undermined by illiberal and even illegal means.

The problem is not mentioned in a new agreement on better control from 2011. Indeed, the focus has been on creating extended remedies for the control groups, for instance, by making unannounced visits to a target's home. In 2010, control units from 80 municipalities made a demand for expanded remedies for control to the Ministry of Employment. In 2013, Udbetaling Danmark, an agency managing social benefit payments took over the responsibility for social fraud from the state. The agency can improve the linkage of records which is believed to increase control and uncover fraud. The aim is also to systematize the tools used by the municipalities who still have responsibility in cases where payments do not come from Udbetaling Danmark, e.g., social bene-

fits to unemployed, reduced payment for child-care institutions, etc. The municipalities can still, and are encouraged to, use anonymous tip-offs (Social- og Integrationsministeriet, 2011). Although the agency launched a new 40 person task-force with the sole purpose of helping municipalities uncover social fraud, the control units demand more powers to use at the local level (KL, 2013). One such request is to be able to make surprise inspections, a tool currently only used by the police.

The policy tools are connected to social target groups. Single mothers have been a primary target group in the municipalities' endeavours to stop social fraud. Single mothers tipped-off are depicted as having irresponsible lifestyles, receiving large social benefits, giving birth to more children than they can support, and generally not meeting the norms of the middle class (e.g., Gaardmand & Gjerding, 2011). Subsequently, they are a deviant group and not necessarily dependent, no matter how weak their position in society.

11. Istahil, Laila, and Laily: Same but Different?

The cases of Istahil, Laila, and Laily illustrate how ethnicity and religion intersect with the construction of a single provider. Istahil, Laila, and Laily are female Somali single providers who ended up accused of social fraud in their respective municipalities. Returning to the claims by Siim and Stoltz (2013) that single mothers have not been problematised, other researchers such as Bente Rosenbeck and Nina von Hielmcrone—who have both carried out research into single mothers—see the emergence of a new group of single mothers resembling the American welfare queen trope (in Gaardmand & Gjerding, 2011). These stories are picked up from the media and are not individual analytical cases but examples of a particular target group construction. Having an ethnic minority background adds a cultural 'explanation' to an existing problem. This target group primarily lives in so-called ghettos and thereby reconfirms the government's problematisation of these urban areas. Again, there is no evidence that this group should be more inclined to social fraud than other single parents but the fact that ethnic minorities are overrepresented in the total recipients of social benefit² not only legitimates harsh actions, oversubscription of control instruments and punishment, but at the same time disregards sociological explanations and structural inequality.

Single ethnic minority mothers tend to be in a particularly difficult situation as their language skills do not always allow them to understand their rights. Furthermore, their cases are not usually taken up in a positive manner in the media; when, in 2011, the newspaper Information did a series of articles on single mothers containing accusations of social fraud, none of the other media picked up the story until Sascha's previously mentioned case was described (cf., Section 10). The first three examples

² According to Albrekt Larsen and Dejgaard (2012) ethnic minorities received 28% of all social benefits in 2008 although constituting less than 10% of the population.

were Somali women (Istahil, Laila, and Laily) but Sascha was a young majority Dane and was invited onto Danish TV. According to the producer, the Somali women were not fit for national broadcasting as ‘Muslims are difficult to propagate’ (Gaardmand & Gjerding, 2011). As Schneider and Ingram argue, not all groups have equal access to participation and mobilisation (Schneider & Ingram, 2005, p. 21). Having an ethnic minority background—and in many cases, another religious background—leads to peculiar, and in fact, degenerative policy designs and tools. Many single mothers end up losing their social benefits due to their ex-husband not having volatile housing conditions, e.g., not having a proper flat, staying in different places, or even being homeless. Often the control groups and civil servants have used this as evidence to suggest that the man must be living with the ex-partner. Somali men, in particular, have difficulties accepting divorces and the loss of authority, and for some it leads to a rather unstable lifestyle which ends up damaging the ex-partner without that being the intention (see Nauja Kleist in Gaardmand, 2011d). Although it ought to be fairly easy to investigate this, the cases show that despite the women telling the authorities that they are indeed living on their own, the women’s own statements are disregarded, and they lose their entitlements (Gaardmand & Gjerding, 2011). In some cases, it is almost absurd such as in the case of Laila where her ex-husband lived in Ukraine and yet the control group decided that she should lose her social benefits (Gaardmand, 2011d). The citizen’s advisor in Holbæk municipality stated that the majority of single mothers experiencing problems resulting from the vaguely defined ‘genuine single’ have an ethnic minority background (Fasmer, 2011a). Sometimes this leads to the loss of social benefits and in other cases withdrawal from society to avoid losing their benefits. Holbæk is interesting as it has made decisions on stopping social benefits and demanding back-payment in a number of cases targeting Muslim single mothers. The control unit has here used the statements from an Imam, regarding difficulties of obtaining a divorce for the female part according to Sharia, to make the case that the social client was living in a marital-like relationship (Fasmer, 2011b; Gaardmand, 2011d). The statements came from a meeting that the control group in Odense, a large Danish municipality, had with a local Imam which then was spread to other municipalities and was used in training program for municipal control units. Obviously, these very general statements could be taken for what they are: anon-recognized religious actor expressing his own religious beliefs. Sharia-law is neither recognized by Danish law nor can it be used to build a case against a social client. Nonetheless, that is exactly what has happened in different municipalities. The statements by the Imam have been used to render it probable that Muslim single mothers were indeed not living on their own, as for instance happened in Laily’s case. The leader of a municipal control group argues that although the religious criteria cannot be used solely as evidence:

We here are dealing with a group of citizens who in other situations makes claims based on having a special religion which demands they are offered affirmative actions” and “if their religion is that important in other situations then you cannot show up and say that in this case, my religion does not matter. (Gaardmand, 2011d)

Consequently, single Muslim mothers are constructed in a way as to make it impossible to leave a dysfunctional marriage and still share some common obligations with the ex-husband as having any contact would be taken as a proof of social fraud. NSAB has reversed all cases it has received based on the Imam’s statement but it can only do so with the cases the Board actually receives. Only the most resourceful women and those assisted by lawyers and lay representatives know what to do and Muslim lone mothers are a marginalized group who frequently have lower language skills, hence the revoked cases may not change anything unless the practice is changed by law by the state authorities.

12. Conclusions

Responsiveness to public preferences is considered to be central for policy-making. As the analysis has shown it does not follow that responsiveness improves democracy. The public perception that social fraud is rampant has not been supported empirically. Nevertheless, policy-makers and politicians have developed policy designs emphasising control, sanctions, and punishment to overcome the problem of social fraud. The policy tools and rules target weak and dependent groups. The case of the single mothers in Denmark illustrates an example of degenerative policy design damaging democracy rather than improving it. The construction of deserving and undeserving groups is not a new invention, but a distinction which can be traced back to the establishment of the welfare state and social policies. The construction of single mothers as an undeserving group is a particular type of construction which also has its own history. Many of the women described are not aware of possibilities of—or channels for—complaint and end up accepting municipal decisions. The cases show that the NSAB have turned around many of the decisions of the municipality but it can only do so if a case is taken to the Board. Marginalisation of the women and the fact that they are not well informed as to their rights is a democratic problem and a problem for substantive citizenship (Crookshanks, 2012). Municipalities—supported and encouraged by the government—have created a framework where social clients, in reality, are guilty until proven otherwise as the municipalities only have to render it probable that the person in question is committing social fraud. Paradoxically, the information used in the cases is gathered illegally but nonetheless can still be used. If a local administration does not accept the explanation it has the right to terminate funding. The mu-

nicipalities act as both the executive and judicial power in this matter. In all other situations and dealings with the authorities, the citizen has the duty to disclose all material facts which will affect their financial situation and entitlement to benefits and it is assumed that people will actually do so and in general are constructed as law-abiding citizens. Yet, in the case of single parents, they have to submit a signed document stating that they are indeed genuine singles to maintain the financial support. The message here is that this group of citizens is prone to committing fraud and has to be controlled. This is a powerful construction of a social target group which not only conveys a message of the perceived value of that group but also strips them of their established rights and separates them from the broader citizenry. Dismissing or ignoring structural conditions, socio-economic realities and how they influence marginalised people's lives has become a common strategy. Instead, the responsibility is placed on the individual. There are no political gains in challenging this message. The rather simplistic logic prevailing is that people should support themselves and contribute to the common good. As the statistics illustrate that most single parents are women the category of genuine single becomes gendered. Freedom, self-choice, and flexibility can, as Wacquant claims, be felt at the top but the same choices are not available at the bottom of society, where many single mothers are positioned and targeted through punitive, paternalist, and authoritarian policies and attitudes.

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Article

Disaster Risk Governance in Indonesia and Myanmar: The Practice of Co-Governance

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Abstract

This article discusses the discourse and practice of co-governance in disaster risk reduction (DRR). It is based on an extensive ethnographic study of DRR at global level and in two disaster-prone countries in Southeast Asia: Indonesia and Myanmar. These country cases were selected not only because of their similarly high vulnerability to disasters, but also because the overlaps and differences between them in disaster governance allowed for a comparative study of the impacts of co-governance in DRR. Indonesia is characterised by a longer history with democratic governance institutions and a largely national-led response to disasters; Myanmar has only started to develop DRR in the last 10 years, and its policies are still largely led by international actors. In both countries, disaster response has shifted from being top-down and state-centred to following a co-governance approach. This reflects a worldwide trend in DRR, the idea being that co-governance, where different state and non-state stakeholders are involved in governance networks, will lead to more inclusive and effective DRR. Our findings suggest that, in Myanmar and Indonesia, DRR has indeed become more inclusive. However, at the same time, we find that DRR in both countries has remained highly hierarchical and state-centred. Although the possible gains of encouraging future initiatives among different actors negotiating disaster response is under-explored, we find that, to date, the multiplication of actors involved in DRR, especially within the state, has led to an increasingly complex, competitive system that negatively affects the ability to conduct DRR.

Keywords

disaster risk reduction; Indonesia; governance; Myanmar; Sendai Framework

Issue

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1. Introduction

For decades, disaster risk reduction (DRR) has been organised around an emergency style of top-down, state-centred policies and institutions. But the past three decades have seen a global development shifting disaster response from reactive to proactive, from singular to more holistic with a focus on DRR, and from a state-centred model to forms of co-governance that recognise the importance of non-state actor involvement in

disaster governance and of community-based initiatives and resilience.

This emphasis on the need for inclusive co-governance of disaster in global and national policies is partly related to the recognition that disasters are in many places growing in number and that recurring events may have disastrous impacts but are at the same time largely predictable and part of normality. ‘Living with the floods’ is one of the catchphrases of this new way of thinking, reflecting a change from an earlier per-

spective that considered floods to be abnormal risk events that were addressed by technical measures. In the 'living with the floods' era, the focus of disaster risk governance (DRG) has shifted away from top-down emergency response measures to softer measures, such as improving the ways in which vulnerable populations and their governments deal with recurrent floods and other hazardous events. This also implies a shift in governance away from top-down disaster management and towards co-governed forms of response that involve different segments and levels of the state, as well as societal actors.

The international community has converged on the principle of 'inclusive DRR', which denotes 'the collaboration of a wide array of stakeholders operating across different scales' (Gaillard & Mercer, 2012, p. 95). In policies and meetings, the global DRR community has consistently repeated the expected advantages of inclusive DRR governance, stressing that it will lead to more inclusive and effective disaster governance (Djalante, 2012). To achieve inclusive DRR, it is necessary to strengthen and alter the ways in which countries and institutions govern disaster. It is now widely believed that effective DRG requires the strong engagement of multiple actors involved in DRR in a country.

The United Nations International Strategy for Disaster Risk Reduction (UNISDR) has claimed that 'good governance' of disasters should be shared by multiple state and non-state actors in a country to 'elevate disaster risk reduction into a policy priority, allocate the necessary resources to it, ensure and enforce its implementation and assign accountability for failures, as well as facilitate participation by all relevant stakeholders' (UNISDR, 2004).

Governance networks are widely expected to contribute to more effective DRG (UNISDR, 2013; Warner, Waalewijn, & Hilhorst, 2002, p. 2). Moreover, the report of the *Hyogo Framework for Action* claimed that multi-stakeholder platforms would contribute significantly to 'integrating DRR into sustainable development policies and supporting less developed countries in implementing the HFA [*Hyogo Framework for Action*]' (Djalante, 2012, p. 2924). It is also believed throughout the global disaster community that this and other governance networks could stimulate learning and innovation (Djalante, 2012, p. 2932).

DRR platforms have now become common in most disaster-prone countries. Since 1987, United Nations (UN) member states have been invited to establish 'national committees'—co-governance platforms that should consist of multiple actors involved in DRR, including representatives of governments, international organisations, nongovernmental organisations (NGOs) and the scientific community. UNISDR has actively encouraged the establishment of national governance networks' to provide and mobilise knowledge, skills and resources required for mainstreaming DRR into development policies, planning and programmes' (UNISDR, 2007). Data

from UNISDR indicate that around 93 national platforms on DRR had developed worldwide as of 2016 (UNISDR, 2017). Both Myanmar and Indonesia have established such a platform.

Several scholars have studied disaster management networks in Asia. For instance, Djalante (2012) studied adaptive governance and multi-stakeholder platforms in Indonesia using a multi-stakeholder approach; Raju and Niekerk (2013) discussed multi-organisational coordination for disaster recovery in India; and Chui, Feng and Jordan (2014) used the same lens to explore advocacy coalition frameworks in the context of policy change in Taiwan. These authors have all related the principle of governance network to a disaster-related context in Asia. Djalante (2012, p. 2923) advocated the concept of adaptive governance as an 'alternative' in governing disaster management and placed multi-stakeholder platforms at the heart of this approach, arguing that multi-stakeholder platforms offer a way to manage problems with flexible and adjustable governance systems. Raju referred to 'coordination structures' to describe the network arena of disaster recovery. He argued that effective DRR politics requires clarity on rules, a willingness to coordinate, strong leadership and deliberative command. Finally, Chui et al. (2014) addressed advocacy within the groundwork of 'advocacy coalition framework[s]'. In their study, they argued that the success of advocacy through coalitions and alliances is mainly determined by stakeholders' social engagement and common commitment to work on collective action.

Despite the recognised importance of co-governance of disaster, no academic research has specifically studied the internal dynamics among actors in DRR governance networks. Therefore, this article examines the discourses and practices of different governance networks that were established to reduce disaster risk in Indonesia and Myanmar. Our article is based on extensive ethnographic fieldwork conducted in two country case studies and among a global-level DRG-governance network.

Our research aimed to understand to what extent DRR in Indonesia and Myanmar is indeed inclusive and co-governed by multiple state and non-state actors. Although it has often been suggested in the literature and in policy reports that inclusive DRR and effective DRG face challenges (Djalante, 2012, p. 2925; Raju & Niekerk, 2013, p. 92), not much is known about the daily practices, problems and experiences of state and non-state actors involved in DRR. Looking beyond the policy commitments on expected inclusiveness and other positive outcomes, this article investigates the realities of the actual practice of inclusive DRR in DRG in Indonesia and Myanmar and asks how the principle of inclusiveness works in practice. Has it lived up to its promise to achieve common objectives and resolve conflicts? To what extent are states willing to negotiate the power arrangements in their partnerships with non-state actors?

2. Conceptual Frameworks

2.1. Disaster Risk Reduction and Disaster Risk Governance

In the academic and policy literature, DRR is defined as a means of ‘preventing new and reducing existing disaster risk to strengthen resilience’ (UNISDR, 2007). Beyond this definition, DRR has been understood as a ‘conceptual framework to minimise vulnerabilities and disaster risks, to avoid (prevention) and to limit (mitigation and preparedness) the adverse impacts of hazards’ (UNISDR, 2008). In the context of DRR, the concept of DRG has been used as a frame to explain structural arrangements and multifaceted interactions among actors working with the objective of reducing risk.

The phrase ‘disaster risk governance’ has been used extensively in policy practice. UNISDR refers to DRG as ‘the system of institutions, mechanisms, policy and legal frameworks and other arrangements to guide, coordinate and oversee disaster risk reduction and related areas of policy’ (UNISDR, 2007). In the DRR global policy setting, the Guiding Principles of the Sendai Framework for Action 2015–2030 explicitly states that ‘disaster risk reduction requires an all-of-society engagement and partnership’. It requires empowerment and inclusive, accessible and non-discriminatory participation, paying special attention to people disproportionately affected by disasters, especially those belonging to the poorest groups in society. Inclusiveness in DRR is strongly related to the involvement of all actors in collective action on DRR.

DRG, in contrast to disaster governance, aims to approach the complex dynamics of institutional settings, power relations and policy advocacy in the specific context of reducing risk. DRG concerns the entire structure of the phases of disaster management (preparedness, response, recovery and rehabilitation). However, many authors use the phrases ‘disaster risk governance’ and ‘disaster governance’ interchangeably, and a substantial number of well-written journal articles using the phrase ‘disaster governance’ may be seen to speak about DRG (Ahrens & Rudolph, 2006; Cho, 2014; Enia, 2013; Gerber, 2007; Lassa, 2010; Lindsay, 2014; Moe, 2010; Niekerk, 2015; Seng, 2010; Tierney, 2012).

2.2. Disaster Risk Governance

‘Governance’ is different from ‘government’. Whereas government is associated with the ‘authoritative expression of the state’ that is ‘usually thought to dictate to and control other state bodies’ (Heywood, 2004, p. 77), governance denotes ‘interorganizational networks’ that ‘complement markets and hierarchies as governing structures’ (Rhodes, 1996, p. 652). More specifically, the concept of governance is defined as ‘a complex set of values, norms, processes and institutions used by a society to manage its development and resolve conflict’ (Kohler-

Koch, 2005). Governance is a way of steering and governing by engaging non-state actors in the policy process (Ewalt, 2001; Peters & Pierre, 1998; Rhodes, 1996; Stoker, 1998; van Leeuwen & van Tatenhove, 2010). Governance aims to challenge the traditional policy process, where the state stands as the core entity. Governance networks are considered to be ‘self-organising’ when actors develop and regulate their interactions using rules of the game that are ‘negotiated and agreed’ by the participants, rather than following the dictates of the state (Rhodes, 1996). Governance scholars frequently use terms such as ‘coordination, cooperation, partnership, joint-working, alliance, collaboration, and network’ (Mardiah, Lovett, & Evanty, 2017, p. 58). Governance networks emphasise the work of multiple actors who act autonomously but relate interdependently within the institutionalised framework of the policy-making process (Torfing, Peters, Pierre, & Sørensen, 2012).

3. Methods and Case Selection

This article is based on an ethnographic study conducted by the first author. The co-authors guided the study and participated in the analysis and writing. At the global level, the first author participated in the World Conference on DRR, in Sendai, 2015, and the Asian Ministerial Conference on DRR, in Bangkok, 2014. At the latter conference, the first author attended a high-level ministerial meeting as an observer. The research was primarily conducted through long-term fieldwork and participatory observation in DRG-governance networks in Myanmar and Indonesia.

Indonesia and Myanmar were selected as cases for the study because they offer relevant, contrasting political contexts: Indonesia has a longer history with democratic governance institutions, as well as a largely national-led response to disasters. Myanmar, in contrast, has only started to develop DRG over the past 10 years, and policies are still largely led by international actors.

Both countries are also extremely vulnerable to disasters, making disaster response a particularly relevant topic of study. Asia has the highest number of disaster events in the world. Data from the Asian Disaster Reduction Centre show that 44.4% of the world’s disaster events have occurred in Asia. The hazardous profile corresponds to 82% of the people killed, 94% of those affected and 88.7% of the total economic damage from disaster events worldwide being in Asia (Asian Disaster Reduction Center, 2011). Within Southeast Asia, Indonesia and Myanmar have the highest levels of vulnerability, based on the indicator of the average annual number of casualties per one million residents (UNISDR, 2010). The enormous number of people killed in the 2004 tsunami mega-disaster and in cyclone Nargis in 2008 showed both countries’ high level of susceptibility to disasters.

The research design involved the use of multiple qualitative methods of data collection for each of the case studies: (1) desk study to review and analyse policy docu-

ments and the basic conceptual framework of the politics of DRG, global frameworks on DRR, global norms, political changes and decentralisation; (2) semi-structured interviews with government officials and non-state actors from both international organisations and NGOs; (3) focus group discussions in which various community groups at the village level were interviewed to study community perspectives towards risk, the DRR project, NGOs and the roles of the government; (4) a qualitative impact study to observe the implementation of a DRR project at the community level by an alliance of NGOs; and (5) participant observation in focus group discussions, reviewing minutes of meetings and observations from national and international conferences/workshops, and participation in an internship programme at a UN agency in Myanmar.

The field research was conducted over a time span of 18 months. A total of 129 people in Indonesia and 78 in Myanmar participated in this research through semi-structured interviews or focus group discussions. These participants included both government officials and non-state actors (working for international disaster-governance organisations or NGOs). The researchers used purposive sampling to select the interviewees by identifying and selecting participants based on their involvement in DRG.

The interviews addressed four topics: the role of actors, the agenda, interaction with other stakeholders and the articulation of interests (power relations). In Indonesia, the interviews were conducted in the local language, Bahasa Indonesia. In Myanmar, both English and Burmese were used, with the aid of an interpreter.

4. Research Findings

4.1. Political Changes in Indonesia and Myanmar Influence the Strengthening of Inclusive Disaster Risk Governance

4.1.1. Decentralised Disaster Risk Governance in Indonesia

Indonesia offers a strong example of how political changes influence DRG, on both the national and the local level. In 1998, Indonesian political reforms comprehensively introduced decentralisation. This decentralisation has inspired the architecture of DRG in Indonesia, where provincial and regency¹ governments have been made entirely responsible for the implementation of the DRR policy agenda. The Disaster Management Law No 24, 2007 mandates the central and regency governments to share responsibility and authority for disaster management. At the national level, referring to the Law No 24, 2007, Article 12, the Indonesian National Agency for Disaster Management (*Badan Nasional Penanggulangan Bencana* [BNPB]) was established to provide guidance, direction, standards and requirements for disaster management (Law No 24, 2007, Article 12).

From 2010 to 2013, Indonesian Regional Agencies for Disaster Management (*Badan Penanggulangan Bencana Daerah* [BPBD]) were introduced. BPBDs were established in almost 90% of the provinces and regions in Indonesia (BNPB, 2014). In addition, the growth of democratisation beginning in 1998 has led to the increasing influence of non-state actors and community initiatives. Freedom of speech is one of the pillars of political reform in Indonesia, and it appears that many non-state actors want to have a voice in DRR politics. Indonesian civil society actively engages in DRR through several multi-stakeholder platforms that are independent of the government: the National Platform (Platform Nasional [PLANAS]), Indonesian Civil Society for Disaster Management (Masyarakat Peduli Bencana Indonesia), Indonesian Expertise on Disaster Management (Ikatan Ahli Bencana Indonesia), the University Forum (Forum Universitas), the Region DRR Forum (Forum Peduli Bencana Daerah) and the Village DRR Forum (Forum Peduli Bencana Desa).

However, in practice, we found that the co-governance of disaster appeared complex and frustrating for many of the actors involved. Even when interviewees theoretically supported the idea of co-governance, indicating that it would make disaster management more effective through empowering local actors, they also highlighted many practical problems with its implementation.

The head of BNPB, the Indonesian National Agency for Disaster Management, considered the independence of local government to be one of the indicators of national resilience. 'Local government acts as the frontline in formulating local policy', he said in an interview, 'arranging resources and building community capacity'. This idea was articulated in a similar way by multiple staff members working at the national level. It echoes the idea of 'empowering' local government to govern disaster management without depending on the hierarchy of a top-down control mechanism. A mid-level Ministry of Home Affairs officer emphasised that, as long as the provincial and regency levels can perform disaster management, the main responsibility of the central government is mostly to provide guidance, assistance and capacity building:

Like children who first learn to walk, if they [the provincial/regency governments] fall, let it be; it's part of the learning process. However, if they walk and stagger unsteadily, we [the central government] will be there to help them. (interview with a male Ministry of Home Affairs officer, 1 November 2015)

In contrast, at the local level, BPBD staff members spoke of 'decentralised disaster risk governance' in a negative tone. They mentioned the lack of budget, human resources and capacity as factors hampering their work in the region. For example, one of the BPBD heads claimed that 'It's better to work in a vertical structure with BNPB

¹ The term 'regency' in the Indonesian context refers to a sub-national level of government.

because the budget from the regency level is limited’ (interview with a male BPBD head in Nusa Tenggara Timur, 28 July 2014).

The same informant also explained that staff capacity had degraded because of decentralisation:

In bureaucracy, you will not get promoted if you’re not moving to a different office [function]; at minimum, you would be rotated to two different functions. Thus, on the previous DRR Day held in Bengkulu, we—all the heads of BPBD—wanted to have centralisation with BNPB. [Centralisation] would make the rotation of human resources rest on the responsibility of BNPB, and it would no longer be part of the authority of the Head of Regency. Here, we have often received new staff from different functions that have nothing to do with disaster management—for instance, the rotation of staff from the Department of Agriculture—so every year we received new staff who understand nothing. (interview with a male head of BPBD in Nusa Tenggara Timur, 28 July 2014)

Similar complaints were made by several of this informant’s colleagues. These complaints were often related to the regency office’s financial situation. At the meeting of the Indonesian delegation for the World Conference on DRR, a high-ranking BNPB officer noted that, for the five-year period from 2015 to 2019, the central agency of BNPB received IDR 8.7 trillion (equal to EUR 580 million). This is extremely high compared with the budget of BPBD at the regency level in NTT (IDR 6.5 billion, equal to EUR 433,000). Although BNPB is allocated approximately IDR 1.2 billion–2.4 billion yearly for each province, some BPBD personnel said that they never received the funding. A head of BPBD explained what happens in reality:

We received financial assistance from BNPB during a disaster response in the aftermath of a volcanic eruption; aside from that, we don’t receive anything. (interview with a male BPBD head in NTT, 28 July 2014)

Furthermore, it became clear from the interviews that BPBD had insufficient funds to deliver services on DRR-specific agendas. Our analysis of the BPBD budget document showed that budget allocations for DRR are equal to the operations budget (e.g., staff expenses, business trips, accommodations, transportation, consultancy and meals); hence, there are no funds set aside for activities at community level or investments in DRR. Poor capacity also leads to weak budget absorption at the local level. The national system obliges government bodies to return unspent funds to the Ministry of Finance at the end of fiscal year, and, because of the obstacles described here, the funds were often received too late, at the end of the fiscal year:

Most of the budget was returned to Jakarta [at the end of the fiscal year] because some BPBD [agencies]

did not know how to use it and the budget came too late. (Interview with a male BNPB staff member, 17 November 2014)

In addition to a lack of financial resources, there were also problems concerning human resources. Decentralisation has shifted political gravity to the subnational level. In practice, this leads to a situation where the promotion and rotation of government officials happens within and between local administrative bodies, which hampers specialisation.

During an interview, a head of BPBD noted that BPBD is perceived as a new player in the bureaucracy arena at the regency level, and as ‘hardly powerful, unpopular and an outcast’. He also explained that BPBD suffers from high rotation among its officials, who have insufficient backgrounds and competencies because the agency depends on staff allocated to them by the mayor and the governor, who have no special interest in DRR:

Every time we trained BPBD staff, the government officers who came to Jakarta were new staff members. Decentralisation has [led to] a high and dynamic rotation for government officers. I spoke in front of the mayor at a meeting and asked whether the head of BPBD could be exempted from bureaucratic rotation. But they [the mayor] said, ‘it’s a decentralisation era; we [the mayors] are the ones who know who have the potential to lead [BPBD]’. (Interview with a male BNPB staff member, 17 November 2014)

Another informant said that ‘Bureaucratic rotation in BPBD is also our problem, but we can’t push more because it’s a decentralisation era’ (interview on 1 November 2015). The high rotation of officials hinders the sustainability of BPBD’s programme and is detrimental to the process of knowledge transfer within the organisation.

In conclusion, although actors at both the national and the local level support the idea of co-governance in theory, they face challenges in daily practice. In particular, BPBD suffers from insufficient human resource capacity caused by a premature decentralisation process and strong local politics, resulting in government officials not being adequately qualified based on merit.

4.1.2. Disaster Risk Governance in Transitional Myanmar

In 2008, cyclone Nargis created momentum for Myanmar to open up to the international community. The cyclone was the worst disaster in Myanmar’s history, claiming the lives of an estimated 138,000 people. Nargis turned out to be a game changer in the policy arena of DRR. In the national arena, the government of Myanmar has been working closely with the Disaster Risk Reduction Working Group (DRR WG), which aims to assist the government in achieving a ‘resilient country’ environment. Since its establishment after Nargis in 2008, the

DRR WG has transformed into a multi-stakeholder network. Its members include auxiliary government bodies (e.g., Myanmar Red Cross); international organisations (United Nations Development Programme and others); international and national NGOs; donor agencies (e.g., Japan International Cooperation Agency, Caritas Switzerland); professional societies (e.g., Myanmar Engineering Society) and academic organisations (e.g., Yangon Technological University, University of Yangon). The DRR WG is the platform to discuss, formulate and implement the DRR agenda. Although the government is one of the actors in this network, this working group is positioned outside the government structure on disaster management. The DRR WG has been involved in policy consultations, providing technical support to the government on policy development and report preparation, including developing a draft note for Myanmar's 2015 'Action Plan for DRR'.

In a transitional setting such as Myanmar, the change process is mostly felt in urban areas like Yangon. The following interview extracts show that, at the local level (district, township, village-tract), the status quo has predominantly been maintained, and international actors in particular described a lack of translation of policy to lower levels of governance:

The top level of the government changes, but the middle level and the lower level is not [changing] as fast as the top level. (interview with a female UN agency programme coordinator, 17 October 2014)

The middle–low bureaucratic staff have poor knowledge/capacity on disaster management and do not always understand the reality on the ground. (Interview with a female UN agency staff member, 17 October 2014)

But problems were not felt only at local levels. From the interviews with national-level actors involved in disaster management, it became clear that the new practice of the governance network has exposed the national government to a new way of governing. This is challenging. It is a daily experience for government decision-makers in Myanmar to receive requests to establish cooperation and partnership from International Organizations, NGOs and the private sector. Consequently, the ongoing transition pushes the government to reform almost all aspects of policy. The government is occupied with this reform process, including new partnership arrangements from various initiatives. This situation often leads to long delays in the decision-making process.

Government departments in this transition period—they are very, very busy. And then, they are not that clear what is the direction, so there were many confusions. In the past, they needed to listen to only the supervisor, only the head of department. Now they have to listen to [the] media while they also have to listen

to civil society also; then sometimes [they] take decisions very slowly. (interview with a female UN agency staff member, 17 October 2014)

[Working with the government] is like [a] double-edged sword; now they are open, but everybody now works with them. [There is a] lack of capacity to coordinate [and] the demand is really high, [but] the staffing, training people is the same quantity. They don't have a lot of capacity. They have to build the capacity. Because it's evolving with [a] different structure—working groups, different ministries. There are so many groups—how do they talk to each other and link to each other? It has been a challenge for the government and also for us. (Interview with a male international NGO programme coordinator, 4 October 2014)

These interview extracts show how the government's exposure to the new practice of inclusiveness has also had an impact on other actors in the governance network. The delay of responses to the initiatives from non-state actors is only one of the effects. There are also implicit problems that endanger the commitment to the governance network. In the heavily bureaucratic government setting of Myanmar, some NGOs admitted that it is difficult to get access to the highest levels of government.

4.2. Heavy Organisational Set-Up of Disaster Risk Governance

In both countries examined here, a striking feature of DRG is its heavy organisational set-up. The implementation of 'decentralised DRR' in Indonesia remains problematic because of the complexity of power sharing between the central and local governments and because of bureaucratic heaviness. In the present organisational structure, BNPB and BPBD are connected by a 'coordination line' rather than a 'command line'. The head of BNPB applauded the independence of local government as one of the indicators of national resilience. Local government acts as the frontline in formulating local policy, he said, arranging resources and building community capacity. However, staff members of the regency body of BPBD mentioned the aforementioned lack of budget, human resources and capacity as factors hampering their work in the region.

In addition, intra-government coordination remains a major issue for DRG in Indonesia, where approximately 22 ministries and government agencies work on DRR-related issues. Inter-ministerial meetings were mostly conducted ad hoc around programmes or events, with no specific mechanism for regular coordination; for example, in 2014, several ministries tried to work together to integrate disaster management under the *Rancangan Pembangunan Jangka Menengah Nasional*, with *Badan Perencanaan Pembangunan Nasional* coordinating.

As the following comment by a research participant suggests, such coordination of the bureaucracy-heavy organisation at the national level appeared to be a real challenge for DRG in Indonesia:

Coordination is easy to say but difficult to implement. Each ministry has their own DRR movement, which sometimes is not synergised and integrated. We aim to control the planning, which before was the domain of BAPPENAS and the Ministry of Finance. Now, all programmes are brought to us before passing it to BAPPENAS. (interview with a male Coordinating Ministry of Human Development and Culture staff member, 4 November 2015)

In Myanmar, information exchange processes became a real challenge for inter-ministerial coordination. The coordination mechanisms among the ministries failed to fill the information gap with other related ministries. The Ministry of Social Welfare Relief and Resettlement, through the Relief and Resettlement Department, is a key government body tasked with disaster management. Other relevant ministries working intensely on DRR-related issues include the Ministry of Environment and Conservation of Forestry, the Ministry of Health, the Ministry of Education, the Ministry of Construction, and Myanmar Safer Settlement and Urban Research. In a dam construction project, the Relief and Resettlement Department asserted that they had not been fully informed about the construction process, although it was crucial for them to ensure the construction was not taking place in ‘disaster-prone areas’: ‘We lacked complete information on what and how they do it [the project]’.

Many informants expressed the view that, while the transfiguration to open and engaging practice is ongoing, the old bureaucratic culture, which mostly promoted a closed and command-driven hierarchy, continues to exist. The highly bureaucratic command structure that characterises Myanmar’s historical and political context has also shaped the political culture of current government officials, who have lived under decades of authoritarian leadership:

They [the government] were in the command system for many years, they were trained to listen [to the higher command]. It’s really difficult to change the mind-set of the government department personnel...to have that interactive discussion, to have consultation, to find the consensus....In the past, they didn’t talk to people and people didn’t talk to government departments. People never think that if we interact with government departments they will respond....It’s not easy to talk together, to find the way together. If we think that it will work, it is just a story. It would not work in this short period. We need some time to bridge through that situation. (interview with a female UN agency staff member, 17 October 2014)

This statement illustrates a tendency that was also mentioned in many other interviews: the heavy bureaucratic structure continuously demanding a hierarchical and top-down decision-making process. Within this procedural structure, there are many potential pitfalls for achieving effective decision-making processes. Although there have been some changes introduced, the old practice of directing decision-making processes to higher authorities remains tangibly real.

4.3. Government Dominance in Disaster Risk Governance

Another major issue found in the two countries concerned the dominance of the government. In Indonesia, the institutionalisation of DRR followed a co-governance approach through the work of PLANAS, the National Platform. This platform is a multi-stakeholder forum for DRR in Indonesia in which the government is one of the members. During interviews and focus group discussions, both government and non-state actors acknowledged the important role of each party and affirmed the ‘good partnership’. But, although on paper (and in formal interviews with outsiders such as the first author) civil society–government advocacy channels appear to be relatively open, we found that, in practice, the relations between government and non-state actors remained highly asymmetrical. Representatives of PLANAS revealed that parties work together to ‘a limited level’. The government engages PLANAS only at the final stage of policy evaluations. In interviews, members of the network expressed demands for a more comprehensive engagement. For example, PLANAS was not fully involved in the formulation of DRR national planning and action through the RPJMN or the National Action Plan on DRR (*Rencana Aksi Nasional*), which serve as the primary references for Indonesia’s national programme on DRR. In other words, the government determines and controls the policy process.

In Myanmar, interview with the DRR WG claimed to be the ‘government-led model of DRR Coordination’ This explicitly placed the government in a central position in the network, which was reflected in the DRR WG strategic framework, where three of six outcomes for the DRR WG were directed at meeting government needs (i.e., inclusive policy and a legal framework on DRR [outcome 1]; increased government capacity at all levels [outcome 2]; and the government being provided with tools, experiences and capacities [outcome 3]). Additionally, the network has very clearly been heading further in the direction of a ‘government-led’ platform. Although there was room for negotiation with the government, the power relations between state and non-state actors were built on an asymmetrical foundation with mutual benefits. The government works closely with the DRR WG to achieve the government’s agenda-setting goals, and the relationship between the government and the DRR WG members is crucial for achieving the group’s organisational

mandates. However, the partnership initiative was undertaken predominantly to fill the government's needs (demand-driven).

5. Conclusions

This article has presented findings about the inner workings of the co-governance of DRG in Indonesia and Myanmar. In both countries, we found that the global trend towards a shift from a top-down disaster response to co-governed, inclusive forms of DRG is visible in the policies and organisation of governance. There were differences between the two countries, especially in relation to the role of the international community (strong in Myanmar) and the role of civil society (better recognised in Indonesia). However, in both countries, we found that, on closer scrutiny, it remains to be seen to what extent the ideal of co-governance will move beyond rhetoric, as both countries exhibit a tendency for the state to retain central power and marginalise non-state actors. The advocacy arena for NGOs and other non-state actors has been widening, but this space is also shrinking, because the decision-making process has failed to develop into a real partnership and the government remains dominant in policy processes.

However, we also found that, in both Indonesia and Myanmar, advocacy through alliances and consortiums is continuously developing: Improvements in capacity, resources and strategy to build a robust advocacy profile significantly strengthen credibility and bargaining position vis-à-vis the government. Although we found that shared commitment—considered crucial by Chui et al. (2014)—is important, we emphasise that the influence of stakeholders is determined by both the network and the positional power of the network vis-à-vis the government, and the process of interactive governance requires actors on both sides (government and non-state actors) to play an active role.

The co-governance model of DRG, despite its global popularity, may not rest on a shared commitment. In particular in Indonesia, we found that actors at decentralised local levels would have preferred a clearer hierarchical system that would give them more leeway to develop specialised DRR and a clear negotiation situation to obtain more funds from the central level.

Our research also found that co-governance has led to substantive implementation challenges. Far from clear with respect to the rules and command structures that Raju and Niekerk (2013) saw as key to DRG, we found that the organisational structures in both countries are heavy on bureaucracy and suffer from poorly integrated work, coordination issues, and organisational ego and competition. Importantly, in both countries, we found that the set-up of co-governance has not led to the strengthening of inclusive DRR at local levels. In Indonesia, decentralised budgets leave no room for DRR programmes at local level, and, in Myanmar, co-governance has not yet been translated to the local level. Even though we find

that co-governance has led to more inclusion in policy processes in both countries, the prospect of more effective and innovative DRR at the local level (Djalante, 2012) remains elusive.

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Conflict of Interests

The authors declare no conflict of interests.

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Article

Healthcare Reform Repeal Efforts in the United States in 2017: An Inquiry into Public Advocacy Efforts by Key Interest Groups

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Abstract

The Affordable Care Act (ACA) was subjected to repeated repeal and replace efforts in the United States Congress in 2017. Attempts to repeal and replace the law failed, but penalties for not complying with its mandate that individuals purchase health insurance were removed in tax legislation passed late in the year and administrative actions taken by President Trump yielded additional concerns about the stability of the law's reform approach and the expanded health insurance access that it created. This article explores public advocacy efforts by key interest groups from three major policy sectors—health providers, the insurance industry, and the business community—that had served as an “axis of opposition” to past American healthcare reform efforts. It identifies resource and incentive policy feedback effects that appear likely to influence these groups due to design features of the ACA and assesses whether patterns of advocacy efforts in 2017 are consistent with what might be expected if these design features had their predicted effects. Our assessment reveals patterns of interest group advocacy that are consistent with what might be expected to arise from resource and incentive based policy feedback effects, and interest group political dynamics that differ from what was in place prior to passage of the ACA. It also reveals advocacy patterns that are not well explained by resource and incentive based policy feedback effects, and—in so doing—yields insights that are relevant to the design of policy reforms and future research.

Keywords

Affordable Care Act; Obamacare; policy feedback; policy design; policy reform; resource-incentives; resource effects; sustainability of policy reforms

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1. Introduction

During 2017, the Affordable Care Act (ACA)¹ and a number of its key provisions were subjected to repeated “repeal” and “replace” efforts in the United States (US) Congress. In this article, we identify policy positions and discuss advocacy activities by key stakeholder groups whose interests were affected by major design features of the ACA. We focus on advocacy efforts associated with interest groups from three sectors—healthcare

providers, insurance, and businesses, sectors which have been called the “axis of opposition” to healthcare reform in the past (Brown, 2011). Our analysis yields insights relevant to Congress's consideration of ACA repeal and replace efforts in 2017 and the use of policy reform designs that seek to foster resource and incentive-based policy feedback effects.

The ACA repeal and replacement debates in 2017 reflect a pattern of policymaking that has become more common in recent years. For decades, scholars

¹ The ACA is formally entitled the Patient Protection and Affordable Care Act (PPACA), which is actually comprised of two pieces of legislation enacted in the first half of 2010. Like many others, we use the “ACA” title in this article.

have asserted that “policies create politics” (Lowi, 1972; Schattschneider, 1935), and these arguments have fallen on receptive ears as scholars have documented an increasingly crowded “policy space” in modern governance (Hogwood & Peters, 1982). Scholars now widely recognize that policymaking often seeks to alter and/or undo policies that have already been enacted. While policy feedback studies have proliferated due to this recognition, they have often focused on broad discussions of policy feedback effects and studies of mass public reactions to policy reforms (Campbell, 2012). Resource and incentive effects, while widely recognized, appear under-studied—perhaps because material incentives that typically underlie them are widely recognized motivators of political advocacy. We seek to address this gap in the literature and offer insights on interest group dynamics associated with the ACA and the connections between policy design, resource and incentive effects, and policy advocacy.

2. The ACA: An Overview of the Law and Its Consideration in Congress

The 2017 attacks on the ACA reform, or “Obamacare”, were not surprising. The ACA was partisan and controversial in 2010 when it was debated and passed, and it continued to be so after enactment. The law’s opponents have challenged the ACA in the US courts and voted to pass bills in Republican controlled Congresses seeking to repeal the law after its enactment, despite certain veto by President Obama, who signed the ACA into law. With the election of President Trump in 2016 and a Republican controlled Congress which had campaigned on ACA repeal and replacement, efforts to roll back the law in 2017 surprised no one.

In 2009 and 2010, the Democratic Congress that enacted the ACA was eager to take advantage of its control of Congress and the White House to achieve a legislative goal that had evaded it in the past. One key element of the legislative strategy was to build support, or at least some level of tacit cooperation, from key groups that had stymied healthcare reform in the past (Brill, 2015; Jacobs & Skocpol, 2010; Quadagno, 2011). These groups, which Lawrence Brown has referred to as the “axis of opposition”, included healthcare providers, the insurance industry, and the business community (Brown, 2008, 2011), and the ACA was designed in ways that would yield resource flows to these groups as it also sought expanded access to health insurance, lower healthcare costs, and increased healthcare quality.

The healthcare access provisions of the ACA expanded health insurance availability in multiple ways. First, the law included regulatory requirements on health insurance companies. These included requirements that insurance companies cover dependent children on their

parents’ health insurance policies to age 26, a prohibition against health insurance requirements that discriminate against individuals with pre-existing health conditions, and requirements that health insurance policies cover certain “essential” health benefits². Second, the law expanded eligibility for Medicaid to include more low-income people—specifically, childless adults. However, the federal enforcement mechanism for expanding Medicaid (elimination of federal Medicaid reimbursements to states choosing not to participate) was ruled unconstitutional by the US Supreme Court in the *National Federation of Independent Businesses (NFIB) vs. Sebelius* (2012) case³, which made the Medicaid expansion optional for states. However, by May 2017, 32 states—including Washington DC—had opted to participate in Medicaid expansion (Dhue & Tausche, 2017; Russell Sage Foundation, 2017). Third, the law required Americans to purchase health insurance or face a tax penalty for failing to do so, and it enabled development of health insurance exchanges in each state where individuals could purchase insurance policies to comply with this mandate. Fourth, the law provided federal subsidies to lower- and middle-income people through insurance premium tax credits and cost sharing payments. And fifth, the law required employers with 50 or more full-time employees to offer health insurance coverage for their employees, and it also provided targeted subsidies to smaller employers to assist them in paying costs associated with coverage.

The ACA also included provisions to reduce healthcare costs and increase the quality of healthcare⁴, but these goals were probably less relevant to pacifying the “axis of opposition” than were the access related provisions. As a result of the access-expanding provisions discussed above, by September 2016, the proportion of the US population without health insurance had dropped by more than 20 million to 28.2 million (National Center for Health Statistics, 2017). This expanded healthcare access was enabled by a reform strategy focused on increasing the number of persons seeking services from healthcare providers, expanding the numbers of persons with health insurance, and further supporting employment-based health insurance. All of these areas of focus reflected a strategy which sought to align the access related goals of the law with the economic interests of healthcare providers, the insurance industry, and businesses.

While the election of President Trump and a Republican Congress in 2016 made repeal and replacement efforts inevitable, the Congressional debate over these measures and the repeated failures associated with them were not widely predicted. As Senator John McCain articulated in his widely covered speech on the floor of the US Senate preceding his deciding vote against one of the repeal and replace bills, the Congressional debates and consideration of the repeal and replacement

² These benefits were established by regulation in 2014, and included wellness and preventive care, mental health services, dental care for children, and others.

³ This case also upheld the constitutionality of the individual mandate to purchase health insurance as a legitimate exercise of Congress’s powers under the US Constitution.

⁴ For an overview of the ACA, see Kaiser Family Foundation, 2013.

of Obamacare did not follow “regular order”. It was a highly partisan process with few formal hearings and little opportunity for public and interest group input. As a result, to a significant degree, the debate that did occur took place in the media. In spite of these unusual circumstances (or, given Senator McCain’s speech and decisive vote, perhaps in part because of them?), all four major ACA repeal bills considered were defeated in the Senate.

In spite of these defeats in Congress, ACA opponents did experience some public policy successes in weakening the law—particularly during the latter part of 2017. The Trump administration took administrative actions to weaken the law in the fall of 2017, including elimination of cost-sharing payments to insurance companies to offset the costs of medical treatments for high risk/cost persons. Congress also repealed tax penalties for individuals failing to comply with the “individual mandate” to purchase health insurance in a tax reform bill passed late in the year. These and other policy changes clearly undermined the reform, and created further uncertainties around individual healthcare insurance markets across the states. Viewed in totality, these actions also further undermined the stability of individual health insurance markets, which had already been compromised by reduced national efforts to publicize open enrollment periods for healthcare insurance exchanges, with the result that a number of health insurance companies sought to reduce their participation in the exchanges.

3. Theoretical Foundations: Policy Feedback Effects and ACA Policy Advocacy

Resources have long been recognized as a motivating factor for interest group engagement in pluralist theory and in American government (Dahl, 1971). Interest groups engage to protect their material interest. However, studies of the tie between interest group engagement and resources and related incentives have not often been a major point of focus in studies of policy feedback. Broadly speaking, policy feedback refers to “how policies, once passed, influence political dynamics going forward” (Lowi, 1972; Patashnik, 2008, p. 29; Schattschneider, 1935). While there are several approaches to the study of policy feedback (see Jacobs & Weaver, 2015, for an overview), our work here is particularly informed by work in the historical institutionalist tradition (Patashnik, 2008; Pierson, 1993).

While scholars have argued that policy affects politics for quite some time (Lowi, 1972; Schattschneider, 1935), Pierson called attention to policy feedback effects and offered a framework for understanding differing forms they can take (Pierson, 1993). He argued that policy feedback may affect interest groups, state actors and capacities, and mass publics, and suggested that it can take different forms. One form of policy feedback relates to resource effects, which is the impact of public policies in conferring resources on particular groups or individuals. Incentive effects, by contrast, refer to the manner

in which public policies “influence the probability of particular outcomes and the payoffs attached to those outcomes” (Pierson, 1993, p. 598). While these two kinds of policy feedback effects are analytically distinct, they may both contribute to the development of material stakes or investments on the parts of particular interest groups, which—in turn—may affect their constituency interests and the diversity and cohesiveness of their policy advocacy efforts (Patashnik, 2008, p. 31). Interpretive effects, by contrast, focus on public policies as sources of information and meaning, which can also affect subsequent political and policymaking processes by influencing how groups and individuals obtain and interpret information (Pierson, 1993, p. 611).

Policy feedback effects also differ regarding their likely impacts on subsequent policymaking. Scholars of policy feedback in the historical institutionalist tradition have suggested that policy may be self-reinforcing (“positive”) or self-undermining (“negative”), depending on whether its effects tend to induce policy stability/expansion or policy rollback/re-orientation (Jacobs & Weaver, 2015; Weaver, 2010). They have also emphasized the time-dependent characteristics of policy feedback and the post-enactment patterns of group support and/or opposition that may occur over time (Karch & Rose, 2017; Pierson, 2000). Taken together, these and other considerations mean that existing policies may influence subsequent policymaking in ways that vary both over time and across policies.

Patashnik (2008) drew upon the conceptual foundations in Pierson’s work and emphasized the importance of policy feedback in influencing the sustainability of public interest reforms. In this regard, he argued that two “over-arching feedback effects are crucial” (Patashnik, 2008, p. 31). These feedback effects relate to the effect of the reform on identities and cohesion of key stakeholders and to the impact of the reform on the investments of key actors. In the latter case, where interest group investments associated with the reform are substantial, policy advocates are expected to mobilize to protect those investments. By contrast, where investments are modest, political advocacy in support of the reform are expected to be minimal as well. In the former case, stable group identities and political affiliations may yield stable constituencies which advocate cohesively in defense of the reform. By contrast, more fluidity in stakeholder group coalitions may make interest group advocacy patterns more unpredictable.

An important point to recognize in this regard is that the ability of policies to enable major post-reform investments and stable coalitions of interest groups are not pre-determined. Rather, these kinds of policy feedback effects – and therefore the capacity of reforms to “remake politics”—is “contingent, conditional, and contested” (Patashnik & Zelizer, 2013). Relatedly, one would therefore expect that the existence of significant post-reform investments and more stabilized coalitions would increase the likelihood of stronger advocacy ef-

forts in support of the reform, but would not determine it altogether. In short, the path from policy design features of a reform to stakeholder investments and strengthened and stabilized stakeholder coalitions supporting the reform to clear and effective advocacy efforts is probabilistic and path dependent rather than fully predetermined by the design of the reform.

Since the ACA's enactment, Patashnik and others have drawn on this body of policy feedback literature to analyze prospects for the law's sustainability. While this literature on the ACA is multifaceted, much of it has emphasized the complexity of the law's design and the potential confusion that this complexity yields for mass publics (Oberlander & Weaver, 2015; Patashnik & Zelizer, 2013). Other portions of it have focused on the importance of partisanship in affecting citizen perceptions of the ACA and its implementation (Chattopadhyay, 2018; Oberlander, 2016).

Missing from this literature is any systematic attempt to assess the extent to which groups that are economically affected by the law are taking clear positions in regard to it or taking active steps to protect their interests. Similarly missing is any attempt to understand whether or not key groups affected by the law are advocating for or against it in cohesive fashion, or are engaging it patterns of advocacy that are tied to specific threats to their resource-based interests. In this article, we begin an initial effort to fill these gaps in the literature on the ACA and its sustainability.

4. Analytical Approach

To assess likely resource-incentive policy feedback effects associated with the ACA's policy design and policy advocacy efforts of affected groups relating to repeal and replacement of the ACA in 2017, we draw on existing literature to discuss the likely resource-incentive effects of the ACA on groups within the healthcare, insurance, and business sectors. We also investigate patterns of ACA policy advocacy in 2017 for seven key groups in these sectors. Our investigations focus on two broad questions:

Question 1: Did key groups from the healthcare, insurance, and business sectors actively support the ACA and its key access related provisions against attempts to repeal/replace it in 2017?

Question 2: To what degree do patterns of interest group policy advocacy during the 2017 ACA repeal/replace debates in the US Congress reflect: a) advocacy consistent with resource-incentive policy feedback effects?; b) the development of cohesive coalitions supportive of the ACA?, and; c) chronological variations in advocacy efforts that appear tied to resource-incentive based interests?

4.1. Descriptions of the Groups and Rationale

Our analysis focuses on key groups which constitute significant portions of Brown's "axis of opposition" to past

healthcare reform efforts and which were cultivated by policy design features of the ACA. We chose these groups from the healthcare, insurance, and business sectors, based on the likelihood they would be affected by the law and its implementation, as well as their key historical roles in healthcare reform policy debates (Brown, 2011).

The American Medical Association (AMA) is the largest single physician group in the US, with membership of approximately 20% of all practicing physicians. However, the association also represents many more physicians, estimated at around 90%, through its House of Delegates (Graham, 2016). More than 190 medical society specialties and state level societies cast votes on policies in this forum (Graham, 2016). The AMA has also spent substantially more on lobbying than any other healthcare professional group (OpenSecrets, n.d.).

The American Hospital Association (AHA) is the national organization that represents hospitals and health care networks. Its membership is approximately 5,000 hospitals, health care systems, networks, and care providers, along with 43,000 individual members (AHA, 2018). The Federation of American Hospitals (FAH) is the national advocate for investor-owned or managed community hospitals and health systems in the US. Its membership includes over 1,100 health care facilities. Both groups were included in the analysis in order to ensure that both non-profit and for-profit health care facilities are represented.

America's Health Insurance Plans (AHIP) is the national association representing insurance providers. AHIP states that it "advocates for public policies that expand access to affordable health care coverage to all Americans through a competitive marketplace that fosters choice, quality, and innovation" (AHIP, 2018). Their membership includes life and health insurance companies, managed care organizations, Blue Cross and Blue Shield Plans, self-funded plans, cooperatives, fraternal societies, disease management organizations, HSA banks, and third party administrators (AHIP, 2018). AHIP represents more than 175 insurance organizations.

The US Chamber of Commerce is the world's largest business organization representing the interests of more than 3 million businesses of all sizes, sectors, and regions ranging from small local businesses to large industry leaders (US Chamber, n.d.). The National Federation of Independent Business (NFIB) is an organization that advocates for small business owners. It has approximately 325,000 members and locations in all 50 US states and Washington DC. Their policy areas of interest include healthcare, taxes, labor, and regulatory reform (NFIB, n.d.). The Small Business Majority provides education and resources to their network of around 55,000 small business owners and over 1,000 business groups in the United States. Their purpose is policy advocacy and entrepreneurship, focusing on issues related to capital, healthcare, taxes, retirement, paid leave and other policies directly impacting entrepreneurship (Small Business Majority, n.d.). The Chamber of Commerce and

NFIB are among the top business organizations spending on lobbying activities (OpenSecrets, n.d.). The SBM is a liberal leaning organization that represents business interests that are not well represented by the other two groups included in the business sector portion of our sample. Small business owners, self-employed individuals, and small business employees are reported to make up more than half of enrollees in ACA marketplace plans (Chase & Arensmeyer, 2018). Similarly, a 2017 US Treasury Department analysis shows that small business and self-employed sole proprietor tax filers were more likely to obtain health insurance coverage through an exchange plan than other employee types included in their analysis (US Department of Treasury, 2017). SBM's focus appears well aligned with these small business interests.

4.2. Data Collection

Because debates about the ACA have often focused on the law as a whole, we focused initial attention on policy feedback associated with the entire law. However, we are also concerned about the portions of the law that have resource implications for the groups we are investigating, so we also collected data on positions of key groups on its healthcare access related provisions.

Key access related provisions of the ACA relate to regulating health insurance, expanding individual healthcare insurance markets, and strengthening the employment-based portion of the healthcare insurance market. Specific insurance regulatory provisions included requirements that insurance policies cover dependents until age 26, individuals with pre-existing conditions, and certain essential health benefits. The individual health insurance market-related provisions include Medicaid expansion, the individual mandate and associated health insurance exchanges, and individual insurance subsidies. The employment market-related provisions we investigated include the mandate that employers with 50 or more employees provide health insurance and the tax subsidies that accrue to employers to offset costs of healthcare provision.

To investigate advocacy-related activities of the above groups in 2017, we reviewed the websites of the selected groups, and supplemented that review with key word searches to identify documents and evidence generated by those groups but not found on the groups' websites⁵. Our searches focused in two areas: 1) the taking of a public position in support or opposition of the ACA as a whole and of the key access related provisions mentioned above and 2) the nature and intensity of policy advocacy relating to the law, as indicated by the types of advocacy activities undertaken and the number of advocacy efforts identified by documents obtained through our searches. While we focused particularly on policy advocacy relevant to ACA repeal and replacement de-

bates during 2017, our website and key word searches also yielded evidence regarding group positions and policy feedback efforts undertaken prior to that year. Earlier data that are not relevant to the 2017 repeal and replacement debates are not directly addressed in our findings, but do inform our discussions of ACA policy advocacy.

To ascertain the positions and advocacy activities of the organizations investigated, we collected: 1) position statements; 2) documents reflecting efforts to influence legislation such as letters to key policy decision-makers and Congressional testimony, and; 3) documents reflecting efforts targeted toward the broader public, such as public statements and press releases. We then coded the documents to reflect support or opposition for the ACA and its provisions, as well as the nature and extent of policy feedback effort undertaken by each of the groups mentioned above. Our coding also differentiated between policy advocacy efforts by individual groups in our sample and efforts in which groups in our sample joined together to advocate for their shared interests. We also coded data based on timing associated with key chronological stages in the 2017 ACA Congressional debates.

4.3. Coding and Analysis

Our website reviews and internet searches enabled identification of documents developed by the seven interest groups to advocate publicly regarding the ACA and/or its access related provisions in 2017. We used these documents to code the groups' public support or opposition to the ACA as a whole in 2017 and—where possible—to key provisions as well. We applied a three-point coding scheme:

- O—Clear/documented opposition to the law/provision;
- N—Neutral—no clear/documented position found/identified;
- S—Clear/documented support for the law/provision.

The second portion of our analysis focused on ascertaining the extent and nature of policy advocacy based on the documents collected. Documents reflecting policy advocacy were coded to reflect the types of advocacy undertaken, including letters to decision-makers and testimony before Congress and press releases and public statements disseminated toward the broader public. We also analyzed chronological patterns of policy advocacy efforts to ascertain how they aligned with key stages of the repeal and replace debate in Congress during 2017. And finally, we also identified the extent to which the groups we investigated coalesced with one another to express their interests jointly, based on the documents collected.

⁵ This keyword search data collection effort involved identifying the groups we are investigating and conducting keyword searches on the worldwide web based on their names, specific repeal/replacement efforts ("American Healthcare Act", for example), the ACA, and key ACA provisions being investigated. Documents resulting from those searches were then collected, organized, and stored electronically for use and reference.

5. Findings

Our findings suggest that groups in all three key interest group sectors advocated for or against specific ACA provisions in ways that are consistent with their perceptions of their resource-incentive based interests, although these interests were not clear-cut in all cases and positions varied across groups. Table 1 summarizes findings on advocacy positions taken by groups in our sample, and Tables 2 and 3 summarize data collected on the extent of advocacy efforts identified and the timing of these efforts, respectively. Below, we review available information relevant to resource-incentive impacts of the ACA, and discuss findings presented in these tables, by sector.

5.1. *The Healthcare Sector: Hospitals and Healthcare Providers*

The ACA and its implementation has had significant impacts on American healthcare providers. Impacts on hospitals are relatively well-documented, as hospitals saw an increase in patient volume due to growth in the health insured population and hospital admissions are reported to have grown approximately 3–4% a year prior to 2017 (Barkholz, 2017). Also, under US law, hospitals are required to provide care to the indigent, and the ACA's expansion of Medicaid is reported to have helped reduce burdens associated with this care—by \$6.2 billion in Medicaid expansion states alone (Dranove, Garthwaite, & Ody, 2017). Indeed, the FAH and the AHA jointly commissioned a study of the impact of ACA repeal on hospitals, and it found that loss of insurance coverages associated with ACA repeal would lead to hospital revenue losses of \$165 billion or more (Dobson, DaVanzo, Haught, & Luu, 2016).

The economic impacts of the ACA on (non-hospital) healthcare providers appear less well documented. Some have argued that healthcare providers have been negatively impacted by the law due to costs associated with increased healthcare regulation (Anderson, 2014), while others have argued that the healthcare industry has benefited from increased patient volume and employment associated with the expanded availability of health insurance (Page, 2013; Zhen, 2015). These competing conclusions suggest that the ACA's impacts are complex and may affect individual healthcare providers differently. Recent polls, however, suggest that only 15.1% of primary care physicians support full repeal of the law, while most (73%) support changes to the law short of repeal (Pollack, Armstrong, & Grande, 2017). While primary care physicians (PCPs) are only one specialty and are not representative of all physicians, “they are important for informing the public debate, given PCPs’ central role in the health care system” (Pollack et al., 2017).

As the data presented in Table 1 indicate, the AHA, the FAH, and the AMA all took positions supportive of

the ACA as a whole in 2017. They also took positions on specific provisions of the law that were consistent with their common economic interests. For example, during the course of the year, all three groups took positions supportive of ACA provisions on Medicaid expansion, the individual mandate to purchase health insurance, and cost-sharing payments which subsidized healthcare costs for specific individuals—all of which support their ongoing interests in a steady stream of paying insurance and healthcare service consumers. The AMA, AHA, and FAH also took positions supportive of access-related health insurance regulatory provisions, which effectively expand healthcare consumer markets, although their support of these provisions—with the exception of the pre-existing condition provision—appears less consistent than their support for the individual health insurance market provisions based on the documents we reviewed. Perhaps not surprisingly, we did not find strong statements of support (or opposition) from the groups in the healthcare provider sector regarding the employer mandate and small business subsidies.

The data presented in Table 2 suggest that groups in the healthcare provider sector were more actively engaged in defending the ACA than were the groups we investigated from other sectors. In the table, we report a total of 95 activities reflecting ACA policy advocacy efforts, and 58 (61%) came from the three groups in this industry sector. The advocacy efforts undertaken also appear to reflect the relatively closed nature of the Congress's 2017 deliberations on the ACA. Twenty-three of the documents compiled reflect direct communications to lawmakers through letters and/or testimony. By contrast, of the advocacy documents identified, thirty-two were press releases and public statements of various kinds, suggesting that publicly oriented interest group advocacy efforts may have been a more prevalent advocacy approach than direct communications with legislators in Congress. It is worth noting that there were multiple cases where groups within the healthcare provider and insurance sectors joined together to oppose specific repeal and replacement efforts. These coalition efforts included activities to support continuation of cost reduction sharing payment subsidies to individuals, continuation of the individual mandate, and Medicaid expansion.

The data in Table 3 reveal that advocacy efforts by healthcare provider groups occurred throughout the 2017 year, but were most prevalent during the Spring and Summer months as repeal and replace bills were considered in the House and Senate. The first joint letters we were able to identify involving these groups, AHIP, and the US Chamber of Commerce were released in April 2017 and focused on support for continuation of cost sharing payments.

5.2. *The Health Insurance Industry*

Insurance companies are major stakeholders in health reform, as they are directly affected by both regulatory

Table 1. Positions of key groups on the ACA and its healthcare access provisions, by sector for 2017.

Industry Sector/ Major Groups		ACA Law as a Whole*	ACA—Major Healthcare Access Provisions*							
			Health Insurance Provisions			Individual Health Insurance Market			Employment-Based Health Insurance Market	
Sector	Major Groups	Support vs Opposition	Young Adults on Parents’ Insurance	Pre- Existing Conditions	Essential Health Benefits	Medicaid Expansion	Individual Mandate and Health Insurance Exchanges	Individual Subsidies	Employer Mandate	Small Business Subsidies
Healthcare Providers	American Medical Association	S		S	S	S	S	S		
	American Hospital Association	S		S	S	S	S	S		
	Federation of American Hospitals	S		S		S	S	S		
Insurance	AHIP	S		S		S	S	S		
Business	NFIB	O			O		O		O	
	US Chamber	O						S	O	
	Small Business Majority	S		S		S		S		

Definitions: S = support for ACA law and/or provision(s); O = opposition to ACA law and/or provision(s); Empty Cell = Group positions were not clearly discernable from the data collected.

* Positions on the ACA and its provisions were coded based on documents from the groups involved that indicated group positions. For the ACA as a whole, opposition to one or more ACA repeal bills in Congress in 2017 was interpreted as “support” (S) for the ACA, while clear statements of opposition to the law and/or support for one or more of the pieces of repeal legislation was interpreted as opposition (O) to the ACA. Coding of positions on individual provisions was based on documents which addressed the provision and/or key concepts underlying it, and which were concurred on by the group being assessed and/or released on its letterhead. Documents used for coding can be made available upon request.

Table 2. Advocacy efforts: Congressional consideration of ACA repeal & replace legislation.

Sectors & Groups		Advocacy Documents/Efforts *				Totals	
Sectors	Groups	Policy & Issue Briefs (joint document**)	Letters to Decision-makers & Testimony Before Congress (joint documents**)	Press Releases/Public Statements (joint documents**)	Total Advocacy Efforts	Total Sector Efforts/Documents	Total Joint Advocacy Efforts**
Healthcare Providers	AMA	1	7 (2)	13 (3)	21	58	5
	AHA	1 (1)***	10 (4)	14 (2)	25		7
	FAH	1 (1)***	6 (4)	5 (2)	12		7
Insurance	AHIP	0	8 (3)	4 (2)	12	12	5
	NFIB	0	4	3	7	25	0
Business	Chamber of Commerce	1***	4 (2)	2 (1)	7		3
	Small Business Majority	0	0	11	11		0
Totals		4	39	52	95		

Definitions: Policy & Issue Briefs—documents focusing primarily on providing information and analysis concerning one or more issues relating to ACA.

Letters & Testimony Before Congress—Letters, testimony, and/or statements targeted toward key federal ACA decision-makers.

Press Releases/Public Statements—Press releases or statements targeted toward the broader public.

Notes: * The numbers in the cells of this table indicate documents identified, which—in turn—reflect “efforts” of each of the groups relevant to ACA repeal and replace consideration in 2017; ** “Joint” documents are ones signed and/or released by more than one of the seven groups in this table. They reflect collaborative efforts by these groups to provide information and/or advocate for shared interests and/or concerns. The “Total Joint Advocacy Efforts” column of the table identifies the number of “joint” documents involving each group, and it reflects the sum of joint advocacy documents/efforts of each type (ie. briefs, letters/testimony, & Press Releases/public statements) shown in parentheses [“()”] for each group; *** These policy briefs are dated in December 2016, but informed 2017 repeal and replace deliberations.

changes in the insurance industry and efforts to expand health insurance access. While recent studies point toward challenges in setting premiums based on new and changing insurance rules in expanding individual insurance markets and the importance of the re-insurance supports provided by the ACA (Hall & McCue, 2016), broader analyses accounting for Medicaid and Medicare revenues reveal substantial gains in stock prices and point toward positive financial performances in the industry as a whole (Sommer, 2017). In this turbulent context, insurance companies have repeatedly argued for efforts to stabilize insurance markets, which allow them to gain experience necessary to set premiums at levels that cover their costs. In this context, the impacts of the ACA on the insurance industry appear variable to date (Hall & McCue, 2016), but there is clear and common interest in market stability which enables insurance companies to be profitable over the long term.

In 2017, after releasing a statement to the House Ways and Means Committee which identified ways to enable broad participation in the individual health insurance market without an individual mandate (AHIP, 2017), AHIP—the primary national association representing in-

surance companies in Washington DC—consistently opposed proposals to repeal and/or replace the ACA. As the findings in Table 1 suggest, it also provided consistent support for key provisions associated with expanding the individual health insurance market—Medicaid expansion, the individual mandate, and individual subsidies, including the cost share subsidies paid to insurance companies to offset the costs of insuring a client pool that now includes more high cost customers. AHIP does not appear to have vocally opposed the expanded insurance regulations ushered in by the law, even though these regulations required changes in their operations and payment of claims which insurance companies might not have paid previously. While this may seem surprising to some, this finding may reflect the recognition among insurers that these regulations are a part of the agreements struck with Congress to expand health insurance markets as a part of the ACA.

The data in Tables 2 and 3 reveal significant efforts by AHIP to influence Congress’s ACA deliberations during 2017, and these efforts were most prevalent during Senate consideration of repeal and replace legislation. Table 2 shows that we identified 12 documents

Table 3. Advocacy efforts: Timeline of advocacy efforts during congressional consideration of ACA repeal & replace legislation in 2017.

Sectors and Groups		Group Documents/Efforts, Divided by Timing of Release*					
Sectors	Groups	Months Prior to Introduction of ACA Repeal Legislation 12/1/16–3/6/17 (joint documents**)	House Consideration of the AHCA 3/7–5/4/17 (joint documents**)	Consideration of Bills in Senate 5/5–9/30/17 (joint documents**)	Tax Bill and ACA Administrative Changes 10/1–12/31/17 (joint documents)	Total Advocacy Efforts	Total Joint Advocacy Efforts
Healthcare Providers	AMA	0	8 (1)	11 (2)	2 (2)	21	5
	AHA	1 (1)	6 (2)	16 (2)	2 (2)	25	7
	FAH	1 (1)	4 (2)	5 (2)	2 (2)	12	7
Insurance	AHIP	1	2 (1)	7 (2)	2 (2)	12	5
	NFIB	1	3	3	0	7	0
Business	Chamber of Commerce	1	4 (1)	1 (1)	1 (1)	7	3
	Small Business Majority	0	5	6	0	11	0
	Totals	5	32	49	9	95	

Notes: * The numbers in the cells of this table indicate documents identified, which—in turn—reflect “efforts” of each of the groups relevant to ACA repeal and replace consideration in 2017; ** “Joint” documents are ones signed and/or released by more than one of the seven groups in this table. They reflect collaborative efforts by these groups to provide information and/or advocate for shared interests and/or concerns. The “Total Joint Advocacy Efforts” column of the table identifies the total number of “joint” documents involving each group, and it reflects the sum of joint advocacy documents/efforts undertaken by each group during the time periods covered by the columns in the table, as shown in parentheses [“()”] for each group.

reflecting AHIP policy advocacy efforts during 2017, and—in contrast to the efforts identified by healthcare providers—they were more frequently directed toward Congressional policymakers through letters or testimony. The table also reveals AHIP’s involvement in at least five joint advocacy efforts, which included efforts to retain cost sharing reduction payments and the individual mandate to purchase health insurance. Table 3 reveals AHIP advocacy efforts occurring throughout the year, with particular prevalence in the summer months as the Senate debated the issue.

Overall, the positions taken by AHIP appear slightly more nuanced than the relatively straightforward supportive positions taken by the AHA and the AMA. During 2017, AHIP consistently advocated for ACA provisions supportive of an expanded individual insurance market, and particularly the Medicaid expansion and cost sharing payments they have received under the law. They appear to have been less vocal in providing feedback concerning the employment based market provisions, perhaps reflecting the fact that the ACA enabled more moderate changes in this market than in the individual market. And, not surprisingly, AHIP’s policy advocacy also focused on maintaining stability for the insurance market as a whole.

5.3. The Business Sector

While observers agree that the ACA has affected American businesses economically, the nature and desirability of these effects have been the subject of debate. On one hand, the employer mandate and tax increases might be diverting funds from company growth. Employers and groups representing them have also complained about health insurance cost increases since enactment of the law (NFIB, 2016). On the other hand, others in the small business community have viewed the economic impacts of the law more favorably, and have argued that there have been reductions in the rate of health insurance premium growth (SBM, 2017). They also point out that expanded individual health insurance markets benefit small business owners and employees have greater access to health insurance, thus resulting in reduced “job lock” which may enable smaller businesses to be more competitive in attracting and retaining employees.

The data in Table 1 reveal that two of the three business groups we investigated—the more established NFIB and the US Chamber of Commerce—expressed clear opposition to the ACA as whole during the 2017 Congressional debates and particular opposition to the law’s em-

ployer mandate. The NFIB also took clear positions in opposition to other mandates in the law, including the individual mandate to buy health insurance and the required essential health benefits package⁶. We identified relatively fewer clear positions in opposition to other access related provisions of the ACA on the part of the Chamber of Commerce, but did find evidence of its support for continuation of cost sharing reduction payments. By contrast, the SBM was a vocal supporter of the ACA in the face of the multiple repeal and replace efforts considered during 2017. The SBM has also voiced clear support for key provisions of the ACA relating to pre-existing conditions, Medicaid expansion, and subsidies for individuals to purchase health insurance.

A review of the data on advocacy efforts by business groups in Tables 2 and 3 suggests that the extent of advocacy activity carried out by the business groups we investigated was lower than what was identified for the other sectors. Overall, we identified 25 documents reflecting advocacy activities across all three business groups in our sample. A disproportionate share of these documents (11/25, or 44%) came from the SBM, which—in contrast to the other two groups—opposed repeal and replacement of the ACA. The kinds of policy advocacy activities conducted by the three business groups we investigated also varied. We identified a total of fourteen documents reflecting policy advocacy efforts on the part of the NFIB and the US Chamber of Commerce combined, and these documents were split between efforts directed toward Congressional decision-makers and the general public. By contrast, we identified eleven documents reflecting policy advocacy efforts on the part of the SBM, and these documents predominantly reflected efforts to support public understandings of the ACA's impacts that are supportive of the law's continuation. It is noteworthy that we also found that the Chamber of Commerce joined with health provider and insurance groups in activities to support the continuation of cost sharing reduction payments to subsidize higher cost patients on the individual market. And, as was the case for the other interest group sectors we investigated, the data in Table 3 reveal heightened interest group advocacy during the Spring and Summer when Congress was debating ACA repeal and replacement legislation.

Overall, the findings discussed above suggest that advocacy efforts of the two major business groups are not much different than what might have been expected of them prior to the ACA reform. In this sense, they appear to remain a part of an “opposition” to the ACA health reform. It is also worth noting, however, that—at least as measured by the extent of evidence on their advocacy that is publicly available—the major two ACA opponent groups, the NFIB and the Chamber of Commerce, appear to have been less active in opposing the law than the other groups were in supporting it. By contrast, the SBM actively supported the ACA as expected, and it appears

to have been more active in supporting the law than the NFIB and the Chamber of Commerce were in opposing it.

6. Discussion and Implications

The analyses above are best viewed as exploratory, but they do suggest that interest group dynamics associated with healthcare reform in the US have changed since Brown (2008) articulated the obstructionist roles performed by the “axis of opposition” about a decade ago. In 2017, key healthcare provider groups and the insurance industry appeared more supportive of health “reform” and healthcare access than they had been in the past. They engaged actively to defend the law's health insurance access provisions on multiple occasions during the year. However, the positions of major business groups that have long opposed American healthcare reform efforts—the NFIB and the Chamber of Commerce, in particular—remained similar to what they have been in the past, even though the Chamber of Commerce did actively support efforts by health provider groups and the insurance industry to continue cost sharing reduction payments which supported stability in the health insurance exchange markets. Our measures of the extent of group advocacy during 2017 also suggest that advocacy efforts supporting repeal and replacement of the law may have been less vociferous than the efforts made by groups which opposed the law's repeal and/or replacement.

These findings are consistent with what one might expect if the access expansion provisions of the ACA actually had the kinds of resource-incentive policy feedback effects that the law's crafters had hoped would materialize. Healthcare providers and the insurance industry benefited from expanded customer bases in the individual market and from resource subsidies and incentives that are tied to expanded access to healthcare. They took positions in support of the law and actively supported provisions that benefited them, including the cost sharing reduction payments and the individual mandate to purchase insurance. Their engagements in defending the ACA are also apparent in their decision to combine efforts with one another and go public with expanded efforts to support continuation of cost sharing payments and to oppose repeal of the individual mandate. Indeed, the data we present above suggests that these groups mobilized more actively to oppose repeal and replace efforts than the business groups did to support them. All of these findings, while preliminary, suggest that the strategy of tying expanded access to healthcare in ways that are consistent with the resource-incentive interests of health providers and the insurance industry was at least partially successful in building support for the ACA law.

However, the variations in policy advocacy patterns presented in our analyses also suggest that resource-incentive effects are subject to limitations affecting their

⁶ In addition, it is worth noting that NFIB was the plaintiff in the 2012 Supreme Court case that allowed states to decline participation in Medicaid expansion, a point that is not reflected in Table 1's presentation of findings regarding policy advocacy efforts undertaken in 2017.

impacts on political advocacy. Some of these limitations on the impact of resource-incentive effects are already recognized in the policy feedback literature. First, resource effects of existing policies may not always be clear, and they may also be experienced and perceived differently by different groups. Our analysis suggests multiple possible effects of the ACA on the insurance industry, some of which negatively impact industry resources (regulations requiring coverage of essential health benefits, for example) and others which tend to enhance industry resources (cost sharing subsidies, for example). How these effects “net out” for the industry as a whole and various members of it is not always clear. And, even if there is clarity on net effects and their distribution across groups, different groups may perceive these effects differently. For example, the NFIB is particularly concerned about regulations and costs to its members, while the SBM perceives a need for small businesses and their employees to have better access to health insurance. Thus, even clarity on resource-incentive effects may not necessarily yield clarity regarding how these effects are valued by differing groups, and these valuations may affect the extent and nature of political support provided by affected groups.

Second, resource-incentive effects do not fully explain policy advocacy patterns across ACA provisions. For example, while small businesses might be expected to oppose a mandate on employers to provide health insurance, we find no evidence that the SBM opposed this mandate. It thus appears that the positions of the organizations on individual ACA provisions may be driven by other factors—including ideological orientations of the groups themselves and strategic political considerations tied to the overall mix of provisions in the law and existing balances of political power—rather than by the resource-incentive effects of particular provisions. Groups with particular ideologies and/or strong ties to the political party in power, for example, may accept certain policy provisions that are not in their interest in order to maintain good relations with party leaders who can aid them in other ways.

And finally, our investigations reveal not only uncertainties and differing perceptions on resource-incentive effects and potential strategic considerations relevant to policy advocacy on individual provisions, but also changes over time. This limitation associated with the impact of policy feedback effects is well recognized in the policy feedback literature (Karch & Rose, 2017; Patashnik & Zelizer, 2013), and it—along with the factors above—suggests that one cannot predict interest group policy advocacy on the basis of resource-incentive effects alone. During the course of 2017, for example, the data presented above shows significant variations in the extent of advocacy during the course of the year, with the most extensive interest group engagement occurring during the spring and summer months while repeal and reform legislation was being considered. This is not surprising, but does suggest that groups respond not only to re-

sources and incentives, but also to the extent of perceived threat and opportunity in their environments at particular points in time.

While our investigations focused primarily on the 2017 repeal and replace debates in Congress, our key word searches yielded information not only on group positions taken in 2017, but also on positions and feedback provided between 2010 after the law’s initial passage and the end of 2016. We uncovered evidence that several groups—the AMA, AHIP, and the Chamber of Commerce—became more supportive and/or less opposed to the ACA over time. For example, there was early debate among AMA members on whether or not to support the ACA (Meyer, 2010) and this debate was eventually resolved in ways that led the AMA to support the law consistently in 2017. A similar strengthening of support for the ACA’s individual mandate is apparent in the trajectory of AHIP’s communications to Congress on the individual mandate in 2017. Its early feedback to Congress on the individual mandate, for example, appeared to view the mandate’s repeal as inevitable, while later feedback focused directly on preventing its repeal. Within the business sector, by contrast, the Chamber of Commerce appears to have vigorously opposed the law through 2014, the year many of its key provisions took effect. After that, the Chamber’s President suggested that the ACA was here to stay (Whitney, 2014). In this context, it is perhaps not surprising that the Chamber’s policy advocacy in opposition to the law in 2017 appeared less vocal than that of the NFIB, which appeared to oppose the law more vigorously and consistently. Consistent with Patashnik’s (2008) analysis, the Chamber may have reached the point where it simply accepted the ACA and/or its overall structure as a new reality with which it must deal.

All of the factors discussed above—uncertainty and differing perceptions regarding resource-incentive effects, ideological orientations of affected groups, potential strategic complexities relating to the overall mix of provisions and the larger political context, and strategic adjustments in positions over time—appear to hold potential to influence the extent to which resource-incentive effects mobilize political action in any particular case. This suggests that efforts to understand patterns of interest group advocacy associated with policy reforms should account for not only resource-incentive effects, but also other variables such as those outlined above and perhaps others as well—including the extent to which key political institutions (such as Congress) signal openness to learning of and responding to interest group advocacy concerns.

It is important to recognize, however, that our findings are subject to a number of limitations. First, our analysis relates to just one policy reform in the US and Congress’s reconsideration of it in one year (2017), so it is important to recognize that policy feedback dynamics may be different in other cases, circumstances, and/or national settings. In addition, within the context of the

ACA, our assessment is based on investigations of just seven interest groups (albeit major and important ones), and our findings might be supplemented productively if other groups—or more specific subsets of them—were also investigated. Third, our selection of provisions to investigate was based on the likely interests of these seven groups in the ACA's access related provisions. The dynamics of resource-incentive based policy feedback at the level of legal provisions might be different if cost or quality related provisions received more focus in our analyses. Fourth, our data gathering processes were based on existing information on group websites and additional internet searches, so it is possible that we missed policy advocacy positions and/or activities that would provide a more comprehensive picture of likely impacts of ACA policy feedback effects. Fifth, while our analyses provide insight into patterns of ACA advocacy efforts, they are not designed to yield strong insights on the effects of these advocacy efforts on the final resolution of Congress's ACA repeal and replace debates. Finally, our analysis does not directly control for alternative factors which might explain the patterns of positions taken and advocacy efforts advanced during ACA the repeal and replace debates. We do not, for example, attempt to disentangle resource-incentive effects from ideological or partisan ties that might also help explain positions and advocacy efforts that were undertaken during 2017.

Nevertheless, our findings have implications for the design of policy reforms and future research. They suggest that policy reformers may productively draw on insights from resource-incentive theories as they seek to design sustainable reforms. However, they also point out that the utility of these insights may be limited in key respects. They may be limited by the extent to which the policies have uncertain resource-incentive effects, are subject to variable perceptions among key groups based on their ideological orientations and the values they associate with various policy feedback effects, and are subject to complex interconnections among reform provisions and factors in the larger socioeconomic-political context that affect strategic judgments made by affected groups.

Our findings also yield insights relevant to future research. First, future research on policy feedback effects should take account of resource-incentive effects, as well as other factors that may limit their impact and importance in particular circumstances. Second, the findings above suggest that policy feedback may give rise to advocacy dynamics that vary across provisions in a law, and which therefore hold the potential to unravel a reform through “a thousand cuts”, rather than through full repudiation or repeal—an insight also noted by Patashnik (2008, p. 32). Future research on the contexts in which full repeal is likely to occur versus contexts where laws may unravel as a result of progressive adjustments to key provisions may therefore be appropriate, perhaps drawing on Patashnik's (2008) work in this area. Finally, our discussion highlights once again the importance of exist-

ing literature suggesting that patterns of policy feedback and group advocacy may change over time (Patashnik & Zelizer, 2013; Pierson, 2000; Karch & Rose, 2017). This suggests that there may be value in studies focused on identifying factors that influence interest group decisions to change positions and/or alter policy advocacy efforts, and the likely magnitude and timing of these changes.

7. Conclusion

Patashnik and colleagues argue that the sustainability of public interest reforms turns on their capacities to re-make politics (Patashnik, 2008), and they also suggest that there are limits to the impact of policy feedback effects because “the capacity of public policies to re-make politics is contingent, conditional, and contested” (Patashnik & Zelizer, 2013, p. 1072). Our findings reveal the existence of interest-group based policy advocacy patterns that appear consistent with resource-incentive effects of the ACA, and this suggests that there has been at least some “re-making” of politics associated with the ACA reform. The AMA, AHIP, key hospital groups, and even portions of the business community are now defending a major American healthcare reform (and/or portions thereof), rather than serving as an “axis of opposition” to expanded healthcare access. Although our analysis above does not directly address this point, this kind of political change may provide at least part of the explanation for why key portions of the ACA remained intact a year after the election of a unified Republican government that had campaigned on a platform advocating repeal and replacement of the ACA.

Our findings also suggest that the influence of resource-incentive effects on patterns of interest group advocacy may not be as straightforward as some might expect. Groups that perceive or value resource effects differently may engage in differing patterns of policy advocacy. Policy advocacy patterns also appear to differ across provisions in ways that run counter to what would be predicted by narrow applications of resource-incentive theories to specific provisions. These differences may be contingent on interconnections among ACA provisions and perhaps perceptions by interest groups that are conditioned by both their ideological orientations and broader political circumstances. Consistent with existing literature, our investigations also uncovered chronological variations in the positions and advocacy efforts undertaken by key groups, and this suggests that the timing of key challenges and opportunities may also affect policy advocacy patterns associated with resource-incentive effects.

Thus, while our findings are consistent with the idea that resource-incentive effects of public policies influence patterns of policy advocacy, they also suggest that the impacts of resource-incentive based policy feedback effects on interest group advocacy are not as simple as some might assume. Our hope is that this conclusion and the ideas on resource-incentive based policy advocacy

expressed above may inform future research efforts to improve our understanding of both the current health-care policy debate in the US and larger questions about policy feedback effects and reform.

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Conflict of Interests

The authors declare no conflict of interests.

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