Editors

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Table of Contents

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Article

Just a Shadow? The Role of Radical Right Parties in the Politicization of Immigration, 1995–2009

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Abstract
The paper explores the role of radical right parties in the politicization of immigration. In scholarly literature, radical right parties are viewed as the owners of the immigration issue and as drivers of its politicization. Against this prevalent view, we argue that the significance of radical right parties in politicizing immigration is overrated: (1) Radical right parties only play a subordinate role in the politicization of immigration, whereas the contribution of mainstream parties to raising issue salience has been underestimated; (2) the politicization of immigration is not related to radical right strength in the party system. The findings are based on media data from a comparative project on public claims-making on immigration in Western European countries (SOM, Support and Opposition to Migration). We discuss our findings in comparison to the relevant literature and suggest avenues for further research.

1. Introduction

Populist, radical, and extreme right-wing parties have established themselves as serious political competitors in Western European politics in the last few decades. Some of them experienced electoral triumphs, such as the Lijst Pim Fortuyn (LPF) in the 2002 elections in the Netherlands, the Swiss People's Party (SVP), which became the strongest party in 1999, or the Austrian Freedom Party (FPÖ) winning 27 per cent in the 1999 elections and becoming part of a coalition government as a result, which was widely interpreted as the crossing of a border-line (cf., Minkenberg, 2001). Meanwhile, various parties from the populist or radical right camp, like the LPF (2002) and Geert Wilders' Party for Freedom (PVV) (2010) in the Netherlands, also succeeded in of-

fice-seeking. Despite different terminology—like populist, new populist, radical or extreme right-wing parties—all of these parties share an anti-immigrant stance embedded in a nationalist or even xenophobic ideology that has often been accompanied by a strong anti-Islamic rhetoric in recent years. In line with Minkenberg (2008), Norris (2005), Kitschelt (1995) and others, we will refer to them as radical right parties in the following.[1]

Academic work suggests that the success of these parties has had a lasting impact on the political landscape in Western Europe. First, some scholars find evi-

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[1] This, however, does not imply that there are not any differences between these labels (cf., Carter, 2005, pp. 20-24 for a good overview of scholarly dispute on this).

dence of an impact the electoral success of the radical right has on people's attitudes towards immigration (cf., Semyonov, Raijman, & Gorodzeisky, 2006; Sprague-Jones, 2011). Second, the experience of electoral pressure of the radical right prompts other parties to adapt their policy programs and mobilization strategies: the center-right by adopting a strategy of convergence, whereas the center-left uses convergence and divergence strategies (Meguid, 2005) (cf., van Spanje, 2010; Alonso & Fonseca, 2012). Third, there is substantial evidence for a tightening of immigration policies (cf., Givens & Luedtke, 2005). Some scholars view this as a consequence of the radical right parties' participation in governing coalitions or as mainstream governing parties' response to the former's electoral success (cf., Minkenberg, 2001; Schain, 2006). These observations, finally, cause both academics and political commentators to claim an overall swing to the right (*Rechtsruck*, *Verrechtsing*) in European democracies (cf., Westin, 2003).

Though labelling them single-issue parties would be an inadequate evaluation of the radical-right party family (cf., Mudde, 1999), the immigration issue certainly features prominently in their profile and campaigning. As a consequence, radical right parties are viewed as the "owners" of the immigration issue in the party political landscape (cf., Ivarsflaten, 2008; Mudde, 1999; van Spanje & van der Brug, 2007). The success of the radical right thus seems paralleled by the rise of topics related to immigration, migrant integration and asylum that have become contentious issues all over Europe.

Following a top-down perspective of issue-politicization, political actors are considered determined to put an issue on the political agenda, framing the public debate, and influencing people's preferences and priorities (cf., Carmines & Stimson, 1986, 1989; Hooghe & Marks, 2009). There is hardly any empirical evidence on party-politicization of the immigration issue in the public arena: Whilst numerous studies deal with party platforms and campaigning efforts (cf., Gruber, 2014; van Heerden, de Lange, van der Brug, & Fennema, 2014), the extent to which immigration becomes part of political contestation in every-day mass communication has been widely neglected. Nonetheless, taking the above cited literature on influence and issue-ownership into account, radical right parties are supposed to play a key role in the politicization of immigration in public discourse (cf., Hagelund, 2003; Meguid, 2005; Minkenberg, 2002; Norris, 2005; Schain, 2006; van Spanje, 2010).

The paper at hand puts this prevalent view to the test, addressing a straightforward and simple research question: Do radical right parties dominate the politicization of immigration in public discourse? The study is based on findings from the FP7 project SOM (Support

and Opposition to Migration)[2] that compared claims-making on immigration in the media of several Western European countries between 1995 and 2009. Our research includes cases with a strong radical right party presence during the whole period (Austria, Switzerland), with radical right parties that have been successful at least for some periods (Belgium, the Netherlands), and countries with no such parties represented in national parliament (Spain, the United Kingdom). As the objective of this paper is not to test *explanations* for the politicization of immigration, but to *explore* the role of radical right parties, we mainly present detailed descriptive findings and discuss them within the context of the alleged significance of radical right parties claimed in scholarly literature.

Based on our data, we put forward two arguments: (1) Radical right parties only play a subordinate role in the politicization of immigration in the mass media, whereas the contribution of mainstream parties to raising issue salience has been underestimated; (2) issue-politicization on immigration is not related to radical right strength in the party system. While our findings contradict the alleged significance of populist, radical and extreme right parties discussed in the relevant literature, they support recent contributions by scholars discomforted by the lack of systematic comparative analyses and claiming that the impact of these parties on contemporary politics is clearly overestimated (cf., Akkerman, 2012; Alonso & Fonseca, 2012; Mudde, 2013).

2. Radical Right Parties and the Politicization of Immigration

Processes of issue-politicization have traditionally been at the centre of interest in political science (Carmines & Stimson, 1989, 1986; Schattschneider, 1975). Broadly speaking, issue-politicization refers to the process whereby a topic becomes relevant for public debate and political contestation. De Wilde (2011, pp. 566-567) names three stages of that process: a polarization of opinions (i.e., some sort of conflict), intensified public debate, and public resonance. When issues are deemed politically relevant by the general public and hence become politicized, this might also result in an increase of their electoral importance. Consequently, while processes of issue-politicization can involve different societal actors, political parties and their strategies are key actors in this respect (cf., de Wilde, 2011; Green-Pedersen, 2012).

According to Green-Pedersen (2012, p. 117), politicization is equivalent to saliency, and whether a party

will politicize a certain issue (i.e., raise its salience) is dependent on strategic considerations related to party competition dynamics. The salience theory of party competition states that parties compete by strategically manipulating the saliency of issues, i.e., by emphasizing issues that they expect to be beneficial in electoral terms while downplaying those likely to cause electoral damage (cf., Budge, 1982; Budge & Farlie, 1983; Budge, Klingemann, Volkens, Bara, & Tannenbaum, 2001). The salience theory suggests that parties "own" different issues (cf., Budge, 1982), i.e., certain parties are associated with certain issues because their previous activities or their constant focus on these issues (e.g., through their parliamentary work, government policy, or campaigning) have earned them a reputation and credibility. Competing for voters, parties will therefore try to emphasize "their own" issues. However, even without owning an issue, political parties can emphasize specific issues in reaction to changes in the political environment or because they cannot ignore issues strongly emphasized by their competitors. Beyond issue-ownership, a number of other factors determine whether politicizing an issue is likely to be beneficial or disadvantageous for a party—in particular, whether the issue fits a party's ideological profile and whether there is congruence between party and voter positions with regard to the issue (cf., Hooghe & Marks, 2009; Steenbergen & Scott, 2004).

Over the last few decades, questions related to immigration, immigrant integration, and asylum have been contested issues in public discourse and subject to party conflict. In scholarly literature, public contestation over the issue of immigration is often discussed with regard to the success of one specific actor, namely the radical right party family. These parties strongly mobilize against immigration and are widely viewed as the "owners" of the issue (cf., Ivarsflaten, 2008; Mudde, 1999; van Spanje & van der Brug, 2007). While there is disagreement as to the precise definitions of "radical right", "extreme right", and "(new) populist right",[3] they all share an anti-immigrant rhetoric, sometimes combined with ethno-nationalism and, more recently, anti-Islamic polemic. The respective parties "seek to mobilize support around some form of national/regional identity, accompanied by anti-ethnic minority sentiments" (Eatwell, 2000, p. 349), turning above all against (mostly non-white) immigrants, which are often stigmatized as a social burden and cultural threat.

The immigration issue perfectly fits the profile of radical right parties, who strive for a homogenous national identity based on an ethno-centric understanding of community, which they share with their voters. It

also provides them with strategic assets on the electoral market, challenging both left and right mainstream competitors (cf., Alonso & Fonseca, 2012; Bale, Green-Pedersen, Krouwel, Luther, & Sitter, 2010), whose more moderate positioning is challenged from both sides of the political spectrum—the radical right anti-immigrants and pro-immigrant libertarian parties. Therefore, according to the salience theory of party competition, radical right parties supposedly are key players in the politicization of immigration: they can be expected to put more emphasis on the immigration issue in public discourse than any other party family.

Beyond emphasizing the issue themselves, radical right parties may also have an indirect impact on the politicization of immigration. Such indirect effects are related to party competition dynamics. First, the extreme positioning of the radical right may provoke counter-mobilization by pro-immigrant parties, whose party profile is based on libertarian values like tolerance, human rights and multiculturalism. Such counter-mobilization may even extend to non-party actors from civil society or the media, who oppose a nationalist concept of an ethnically, culturally and religiously homogenous society. Second, radical right issue-ownership could force mainstream party competitors to engage in competition over the issue themselves: Challenged by electoral threats from the radical right, mainstream left and right parties—who initially competed on the economic rather than the cultural dimension of conflict (cf., Lipset & Rokkan, 1967) and whose electorate is divided on questions of immigration—will no longer be able to suppress the issue. The pressure on mainstream parties to get involved in the debate on immigration will be dependent on the strength of their radical right competitors: claims made by hardly successful radical right parties with a small electorate located at the fringes of the political spectrum can more easily be ignored compared to the stronger and growing ones, who alienate voters from mainstream parties.

In both examples, the presence of radical right parties in the party system will boost the salience of the immigration issue in public discourse, presumably even beyond party actors.

Though there is a growing number of studies dealing with party representation in media coverage on issues related to immigration (e.g., Helbling, 2014; Koopmans, Statham, Giugni, & Passy, 2005; Statham & Geddes, 2006), systematic data on the politicization of immigration and the role of parties therein are still missing.

Following the literature on party competition and considering the potential direct and indirect impacts of radical right parties on the politicization of immigration in public discourse, we arrive at the following hypotheses: (1) radical right parties are the decisive actors in the politicization of immigration showing the largest share of claims in the media; (2) countries with rele-

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[3] For a useful summary see Carter (2005, pp. 14-23; cf. also, Eatwell, 2000; Kitschelt, 1995; Minkenberg, 2000; Mudde, 1996; Rydgren, 2007, 2005; Taggart, 1995).

vant radical right parties will reveal stronger politicization (i.e. issue salience) in public discourse compared to countries lacking such presence; (3) the stronger radical right parties (in terms of electoral success), the more politicized the immigration issue.

So far, we discussed the politicization of immigration in connection with party politics dynamics, and radical right party agency in particular. However, the literature also offers alternative explanations, which shall be discussed briefly. Scholars have long argued that the salience of an issue in public discourse would be related to "objective" conditions regarding the societal phenomenon at stake—in this case: immigration. Objective conditions, in this regard, refer to actual challenges or threats that immigration presents to society and people's lives. The number of immigrants would then be an indication of the potential conflict that receiving societies are confronted with: the higher the share of immigrants of the total population, the greater the (potential) challenge; and the greater the challenge, the more issue-politicization. However, there is still hardly any empirical evidence for this hypothesis, in particular for explaining variations in issue-politicization over time (cf., Vliegenthart & Boomgaarden, 2007; van der Brug, D'Amato, Berkhout & Ruedin, 2015). This illustrates that the immigration issue—and most likely other issues as well—do not simply appear on the public agenda as a matter of course in response to "objective" challenges or problems. Rather, issues have to be taken up and emphasized by societal and political elites who will be heard in public discourse.

Another potential explanation for the rise and decline of immigration as an issue of public controversy points to the role of events (cf., Vliegenthart & Boomgaarden, 2007). In the Netherlands, for instance, the murder of filmmaker Theo van Gogh by a Muslim fundamentalist and second-generation immigrant in 2004 led to a huge debate on multiculturalism and immigrant integration. In 2007, asylum policy became a priority topic on the public agenda in Austria after a 17-year-old girl went into hiding and threatened to commit suicide after her family had been deported to Kosovo. Protest activities in Switzerland against the building of minarets led to an intensified debate on Muslim immigrants in 2006. Unlike objective facts such as immigration statistics, peaks in the politicization of immigration in certain cases can be traced back to specific events that—for various reasons—drew public attention (Vliegenthart & Boomgaarden, 2007).

Approaching issue-politicization, like defined above, as a process of publicly expressed political contention, the role of yet another important actor needs to be discussed: the media. As both forum *and* actor, mass media have a twofold function in shaping public discourse. As a forum, they distribute news and stories reported to the general public; as an actor, the media themselves shape such news and stories, first, by deciding what issues and whose claims they include in their coverage, and, second, by acting as claimants themselves (cf., Page, 1996). Like other arenas of political contention, the media arena has its own functional logic defining the boundaries of public debate over an issue. We will return to this point in more detail in the section on data and methods.

3. The Varying Strength of Radical Right Parties in Europe

The political strength of radical right parties varies considerably in Western European countries. Whilst there are no simple answers as to why these differences have emerged, scholars highlight the importance of supply-side factors in explaining radical right electoral success (cf., Carter, 2005; Givens, 2005; Norris, 2005; van der Brug, Fennema, & Tillie, 2005).[4]

In Austria, Belgium, the Netherlands, and Switzerland, radical right parties representing an overtly nationalist and anti-immigrant approach (cf., Rydgren, 2005) have gained considerable electoral votes—though with varying success in the various countries and over time—and are thus to be considered relevant for party political contestation (cf., Sartori, 1976). In contrast, in Spain and the UK no proponent of the radical right party family has so far passed the electoral threshold to be represented in national parliament.

The radical right Austrian Freedom Party (FPÖ) had its first electoral triumph in the late 1980s, reaching the peak in 1999 when it became the second strongest party with 26.9 per cent, forming a coalition government with the Christian-democrats (ÖVP). Despite an intra-party dispute, the collapse of the coalition government, and a sharp decline in the early elections of 2002, the radical right continued to play a significant role in the Austrian party system (Heinisch, 2003). With the FPÖ split-off in 2005, another radical right party actor was represented in parliament, the BZÖ. The BZÖ, founded by former FPÖ-figurehead Jörg Haider, gained 4.1 per cent in the 2006 elections and increased its share of the vote to 10.7 per cent in 2008. Together with the FPÖ regaining strength, the radical right bloc reached 28.1 per cent and 55 out of 183 seats in parliament, thus surpassing the FPÖ's 1999 victory.[5] Whilst it is true that the FPÖ's (and BZÖ's) electoral success cannot only be attributed to the immigration

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[4] For a state-of-the-art summary see van der Brug & Fennema (2007).

[5] The 2013 election brought significant changes to the Austrian party political landscape: while the BZÖ failed to reach the 4 per cent threshold to be represented in parliament, two new parties succeeded, and for the first time six parties are represented in parliament. Despite new competitors, the FPÖ further increased its share of the vote to 20.5 per cent.

issue, the latter definitely played—and still plays—a significant role (cf., SORA, 2006). FPÖ electoral campaigning is characterized by reference to the concept of *Überfremdung* ("foreign domination"), the guiding principle *Österreich zuerst!* ("Austria first!"), and (more recently) anti-Islamic rhetoric (cf., Gruber, 2014; Krzyzanowski, 2013; Rosenberger & Hadj-Abdou, 2013; Wodak & Köhler, 2010).

In Belgium, the success of the radical right parties varies greatly in the two regions: whereas the Flemish Vlaams Belang (VB, former: Vlaams Blok[6]) managed to increase its share of the vote gradually from 7.8 to 12 per cent in 2007, the Front National in French-speaking Wallonia failed to reach a comparable percentage and significance. The unique significance of regional differences in Belgium defines the political landscape. However, the Vlaams Belang replaced the striving for independence—traditionally the primary objective of Flemish nationalist parties—by putting greater emphasis on the immigration issue (Minkenberg, 2008). Similar to the concept of *Überfremdung*, the Vlaams Belang's credo *Eigen volk eerst* ("our people first") reflects a clear separation between a constructed national (or regional) unity and an outside threat, namely immigrants. Until today—and in contrast to Austria, the Netherlands, and Switzerland—the party is widely isolated within the Belgian political system as a consequence of the *cordon sanitaire* struck by all other parties (cf., Downs, 2001).

In the Netherlands, the anti-immigrant Lijst Pim Fortuyn gained 17 per cent of the votes and 26 seats in parliament in the 2002 elections.[7] Despite this short-lived success, it is considered to have substantially affected politics in the Netherlands, which was previously characterized by widespread acceptance of the multiculturalist approach upholding the inclusion and tolerance of ethnic, cultural, and religious minorities (Minkenberg, 2008). While neither the LPF nor respective party splits could measure up to the 2002 results, the 2006 election brought forth another anti-immigrant radical right party, namely Geert Wilders' PVV, which managed to win 5.9 per cent, increasing its share of the vote to 15.5 per cent in 2010. The PVV mainly focusses on anti-Muslim campaigning, justified by the explicit support of libertarian attitudes like gay rights and emancipation of women.[8]

In terms of continuous electoral success, parliamentary presence, and government participation, the Swiss People's Party (SVP) is the most prosperous right-wing anti-immigrant party included in our analysis. Though not a radical right party in terms of its historical origins, we treat the SVP as part of the radical right family because of its pronounced ethno-nationalist stance and populism, indicated not least by the party's recurring reference to the concept of *Überfremdung* (Skenderovic & D'Amato, 2008; Minkenberg, 2008).[9] Due to the SVP's electoral achievements and Switzerland's consociational government that includes all major parties, Switzerland ranks first among the countries observed in terms of radical right strength between 1995 and 2009: during that period, the SVP kept increasing its share of the vote from 14.9 to 28.9 per cent in 2007, and it has been Switzerland's strongest party since the 1999 election.

In contrast to the aforementioned countries, radical right parties are not represented in the national parliaments of the United Kingdom and Spain. In the UK, the first-past-the-post electoral system clearly privileges mainstream parties, although radical right, anti-immigrant parties, i.e. the British National Party (BNP) and the United Kingdom Independence Party (UKIP), have been successful at the local and European level in recent years.[10] Besides withdrawal from the European Union, the immigration issue is the most important item on the political agenda of these parties, focusing, in particular, on economic arguments associated with nationalist views (Halikiopoulou & Vasilopoulou, 2010).

Likewise in Spain, anti-immigrant radical right parties have only been successful at the local level, and only in recent times (cf., Ros & Morales, 2012). One reason for their poor performance, scholars argue, is their failure to dissociate themselves from associations with ideologies of the Franco regime (Norris, 2005). Another aspect stressed in the literature is the mainstream right Popular Party's (PP) success in attracting far-right voters (cf., Ros & Morales, 2012).

Having briefly described the radical right parties in the six countries included in our research, we sum up the common features and differences of the parties and countries respectively: four countries have strong radical right parties, with varying electoral success. Switzerland and Austria rank first with an average of 23

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[6] The party was reestablished under its new name after a court decision in 2004 had found the Vlaams Blok guilty of racism.

[7] In the late 1980s and early 1990s, the nationalist, anti-immigrant Centre Democrats (CD) were temporarily successful when entering national parliament. Failing to repeat this success in the 1999 general election, the party then disappeared from the political lanscape.

[8] Between 2010 and 2012 (a period which is not covered by our data), the major success of Wilders' party allowed the

formation of a minority government under the conservative Christen Democratisch Appèl leadership and the connivance of the PVV (Wilp, 2012).

[9] The SVP is said to be close to conservative and radical right parties due to its strong roots in national conservatism and its vigorous populist anti-immigrant stance since the early 1990s (Statham & Koopmans, 2009, p. 443).

[10] The British National Front was successful at local elections only during the 1970s and has since then practically lost its political significance.

per cent and 20 per cent of the seats respectively between 1995 and 2009, followed by Belgium (12 per cent) and the Netherlands (4 per cent) (see Table 1). While some radical right parties have gradually increased their power (SVP, VB), others like the FPÖ, BZÖ, LPF and PVV have failed to continue their development, which is mainly due to internal crises. Three of these parties joined national governments as coalition partners, namely the Swiss SVP, the Austrian FPÖ/BZÖ and the Dutch LPF.[11] Whilst not all of the parties mentioned in this section fit the radical right label, all of them, including the less important British and Spanish parties, share a pronounced anti-immigrant ideology and can thus be expected to play a significant role in the politicization of immigration.

Table 1. Radical right party strength at the national level (1995–2009).

Country	RR parties	RR share of seats	RR gov-part
Austria	FPÖ, BZÖ	23-22-28-15-30	2000–2003 2003–2007
Belgium	FN, VB	9-11-13-12	--
Netherlands	LPF, PVV	2-0-17-5-6-15	2002–2003
Spain	--	--	--
Switzerland	SVP	15-22-28-31	1995–2009*
United Kingdom	BNP, UKIP	--	--

Notes: RR parties: radical right parties present in country; RR share of seats: radical right parties' share of seats in national parliament in the period 1995–2009 for each legislative period (number of elections varies from country to country); RR gov-part: radical right party representation in national government. *Consociational government including all major Swiss parties.

4. Data and Methods

This paper approaches the matter of issue-politicization of immigration in the public sphere with a particular focus on party actors, especially radical right parties. The analysis is confined to six Western European countries between 1995 and 2009: Austria, Belgium, the Netherlands, Spain, Switzerland, and the United Kingdom. The time frame and country selection are based on requirements for over-time and cross-country variation regarding (expected) issue salience, radical right party strength, and immigration patterns (cf., van der Brug et al., 2015). Data were collected as part of the FP7 project SOM (Support and Opposition to Mi-

[11] Though Geert Wilders' PVV supported a minority government of the liberal-conservative VVD and the Christian-democratic CDA between 2010 and 2012, the PVV was not part of the cabinet.

gration), a comparative project investigating the role of different actor types in the politicization of immigration by means of a claims-analysis of media data. As argued by de Wilde (2011, p. 562), "whether an issue is politicized or not and deemed important by the electorate can indirectly be assessed by studying the extent to which it is publicly debated". Media data are increasingly used to studying public contestation and mobilization over issues (e.g., Koopmans et al., 2005; Koopmans, 2007). They reflect the *publicly visible expression of claims* on an issue raised by a *broad range of societal actors*. This is quite important, as a focus on politicization differs from studying party conflict. The latter refers to different positions parties may hold on an issue—whether or not they find expression in public discourse or remain latent. Issue-politicization also considers the possibility that *non*-party actors—including the media themselves—play a crucial role in raising the saliency of an issue, for which these actors have to be included in the analysis. Neither party manifestos nor data from parliamentary activity meet these requirements.

However, using media data also implies certain limitations resulting from the media's function as gate-keeper to public discourse: It is journalists and editors deciding what stories and which actors to include in media coverage, and what framing to apply to a certain event or issue. Therefore, media coverage may not represent a balanced picture of different actors' efforts to engage in the politicization of an issue. In particular, there is strong evidence in communication studies "that government officials serve as the chief sources of many kinds of political news" (Page, 1996, p. 22). Consequently, governing actors seem to dominate claims-making on politically relevant issues in the media (e.g., Koopmans et al., 2005; Koopmans, 2007), since their claims are viewed either as more newsworthy or reliable, or because government actors have better access to journalists and editors. Analysing various actors' engagement in the politicization of an issue, we thus have to keep in mind that some actors—and governing actors in particular—may have privileged access to the media because of their political or economic power or their prominence.

Conversely, other actors may suffer from more explicit exclusionary dynamics resulting from broad political and public consensus challenging the legitimacy of these actors' claims. Recall the *cordon sanitaire* in Belgium, which could result in an underrepresentation of the radical right's claims in the news, if media actors comply with this elite consensus. On the other hand, radical right parties' extreme positioning yields great potential for political conflict, raising the newsworthiness of these actors' claims. This also applies to cases with charismatic party leaders, as for instance the Austrian Freedom Party's Jörg Haider or the Swiss People's Party Christoph Blocher in the 1990s, whose unambig-

uous populism made for better stories than sophisticated policy programs presented by some political competitors. Finally, the more established radical right parties become in the party system (indicated e.g., by their share of seats in parliament or participation in government), the less likely they will be considered negligible actors by the media. In conclusion, there is no reason why one should expect the media in general not to cover claims of the radical right. If anything, radical right parties must make their claims and actions visible in public in order to achieve the status as "owners" of the immigration issue.

Applying claims-analysis, a total of 6586 claims were coded from newspaper articles for the six countries, taking two to four papers from each country.[12] Political claims-analysis is a method developed by social movement scholars which is increasingly used for examining mobilization strategies of politically relevant actors (cf., Koopmans et al., 2005; Koopmans & Statham, 2000). An instance of *claims-making* (henceforth: a *claim*) is defined as a unit of strategic physical or verbal action in the public sphere that entails a "purposive and public articulation of political demands, calls to action, proposals, criticisms, or physical attacks, which actually or potentially, affect the interests or integrity of the claimants and/or other collective actors" (Koopmans et al., 2005, p. 24, emphasis in the original). Political claims comprise various elements, including a claimant, a topic or political demand, an addressee as well as a potentially affected object actor (Berkhout & Sudulich, 2011)[13]. In this paper we focus on the claimant (i.e., the actor making the claim) and—in case of party actors—*party affiliation*[14]. In total, we distin-

guished between six different categories of party families which claims-making party actors have been assigned to (cf., Statham & Koopmans, 2009, p. 443): the radical right, liberals, conservatives (including Christian-democrats), social democrats, the greens, and finally the radical left.[15] We approach issue-politicization as a matter of salience or issue emphasis, which we measure as follows: (1) We measure individual parties' engagement in the politicization of immigration as the relative proportion of claims raised by a particular actor on all claims or all claims of a particular actor type (namely: political parties). (2) Salience at the country level will be measured as the number of claims relative to the size of the sample, which varies both between countries and years (see below).

Apart from issue salience, we will also look at the direction of claims, which provides an indication for actors' positioning in the politicization of immigration. The SOM Codebook includes a position variable with five values, distinguishing claims that are (1) strongly or (2) slightly open to migrants or cosmopolitan or multicultural in their focus, or conversely (3) strongly or (4) slightly restrictive to migrants, pro-national residents or mono-cultural in their focus, and (5) neutral claims with a technocratic or ambivalent orientation that has no clear-cut direction.[16]

Figure 1 presents an overview of the total number of claims coded per newspaper and country. For each newspaper, articles relating to issues of immigration, migrant integration and asylum were manually selected by country teams for a random sample of 375 days between 1995 and 2009.[17] [18] Unsurprisingly, we find an uneven distribution of claims reported by different media outlets, with lower numbers in tabloids compared to the quality press, the coverage of which is more claims-focussed as might be expected.

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[12] The selected newspapers are: Der Standard, Neue Kronen Zeitung (AT); De Standaard/Le Soir, Het Laatste Nieuws/La Dernière Heure (BE); The Irish Times, Irish Daily Star (EI); Volkskrant, Telegraaf (NL); El País, La Vanguardia (ES); Neue Zürcher Zeitung/Le Temps/Tribune de Genève, Blick/Le Matin (CH); The Guardian, Daily Mail (UK). In Belgium and Switzerland two additional newspapers were included to account for differences between the Dutch and French and the German and French language regions respectively. In Switzerland, the Tribune de Genève is treated as the predecessor of Le Temps; as regards the Spanish paper La Vanguardia the term tabloid does not have the same meaning as in the other countries. For more details on newspaper selections see van der Brug et al. (2015).

[13] The SOM Codebook comprises additional categories, inspired by Codebooks of similar projects, including MERCI (Koopmans et al., 2005), EUROPUB (Koopmans, 2002) and LOCALMULTIDEM (Cinalli & Giugni, 2007). The coding of articles was conducted centrally at the Universiteit van Amsterdam under the direction of Wouter van der Brug.

[14] Party affiliation was coded for established actors, i.e., gov-

ernment actors, national parliament and legislative assemblies at the regional level as well as representatives of political parties. This allows for an analysis of the overall presence as well as the positions of the respective parties.

[15] All other parties are coded in a seventh category ("others").

[16] Further details can be found in the Codebook (Berkhout & Sudulich, 2011).

[17] The period lasted exactly from January 1, 1995 to December 31, 2009, excluding Sundays.

[18] There is an overlap of 50 days between both newspaper samples, while there are differences on 325 days. The exact amount of sampled days for each country are: AT 750, BE 1216, CH 859, ES 753, NL 757, and UK 751. The larger samples in BE and CH are due to the selection of additional newspapers to cover different language regions.
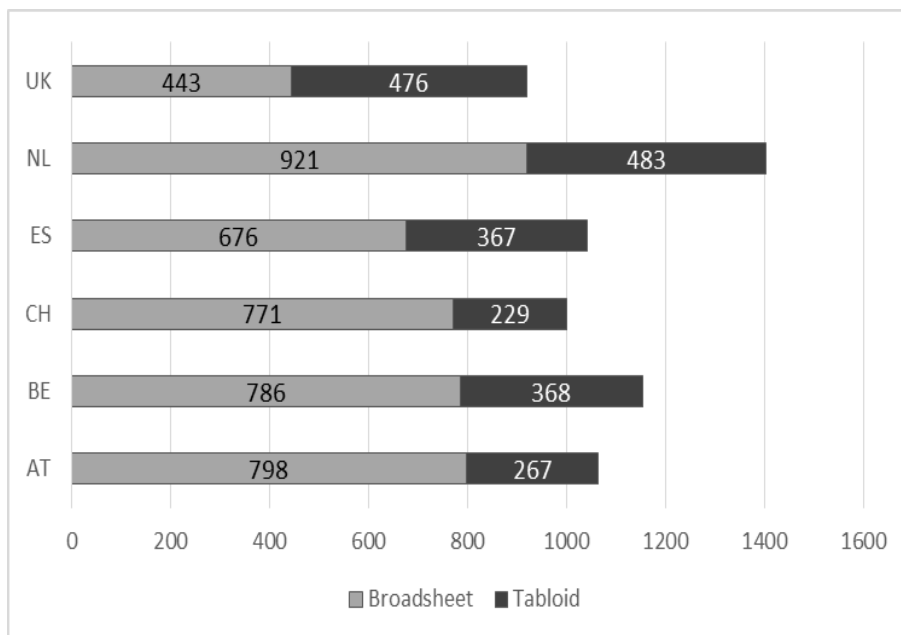
Figure 1. Number of claims on immigration per country (1995–2009).

5. Findings: Low Salience but Extreme Positioning

This section presents our empirical findings regarding the role of radical right parties in the politicization of immigration in the public arena. We will first look at claims-making on immigration by individual actors—in particular the radical right party family—before turning to (temporal) patterns in the overall salience of immigration in a given country.

Following the literature, we hypothesized that radical right parties are key players in the politicization of immigration, which should be reflected in a comparatively large share of claims. As illustrated by Figure 2, the share of claims raised by radical right parties is quite small in all six countries. In total only 4.4 per cent of all claims originate from this particular actor group.

Though these figures are indeed low, we need to compare them with the number of claims of other actors in order to come to a meaningful interpretation. It could well be that other *non*-party actors like civil society organizations or the media dominate the politicization of immigration. In this case the share of radical right party claims—though small in absolute terms—would be much higher when compared to other parties. Therefore we check next whether the debate is driven by party actors at all. Table 2 shows the top three actors in our six countries. As we can see, government and party actors are indeed crucial. Except for the UK (where the media is most important) and Belgium (where civil society ranks comparatively high), government and party actors are the two most important actor types. It is important to note that the category of governmental actors may as well include party actors, as in the case of ministers or the like, who do not only speak as representatives of government,

but also as prominent members of their parties.

Next we take a closer look at claims-making by party actors, for which we compare party families, as shown in Figure 3. Surprisingly, radical right parties are not the main claimants when compared only to other party actors. In this regard, the Swiss case represents an exception, with the highest share of claims raised by the SVP (38.8 per cent). In all the other countries, we observe that radical right parties play a subordinate role. This does not come as a surprise in the cases of Spain and the UK, where these parties were hardly successful at the ballot box and failed to be represented in parliament. In Austria, Belgium, and the Netherlands, however, one might have expected a larger share of radical right party claims. As a matter of fact, mainstream parties from both the left and the right (i.e. social democrats, liberals, and conservatives) outperform radical right parties in claims-making on immigration.

These findings clearly reject our first hypothesis according to which radical right parties should have a direct impact as key players in the politicization of immigration. In contrast to party family, they suggest that the role political parties play in the politicization of immigration might be a question of party size or government participation. This would also explain the Swiss SVP's comparatively high share of claims, since the party became the strongest party in the Swiss party system in 1999 and is part of the Swiss consociational government.

So far our findings suggest that radical right parties play a subordinate role in the politicization of immigration given their limited contribution to the saliency of the issue in the media. Turning our attention to the direction of claims in issue-politicization, the picture might be a different one. Focusing on the mean positioning on a scale from -1 (negative towards immigra-

tion/migrant integration/asylum-seekers) to 1 (positive), our findings generally reveal that the debate is slightly biased towards a more liberal orientation (see Table 3). Interestingly, the exception is the United Kingdom, where radical right parties are neither represented in parliament nor do they contribute significantly to the politicization of immigration through claims in the media. Turning to party actors (i.e., excluding claims from all other actor types like civil society, the media etc.), the debate turns more negative in all countries. However, the radical right parties make the most negative claims on immigration. Therefore, they stand out with their negative positions despite their subordinate role regarding issue salience, and thus clearly contribute to the polarization of the debate on immigration.
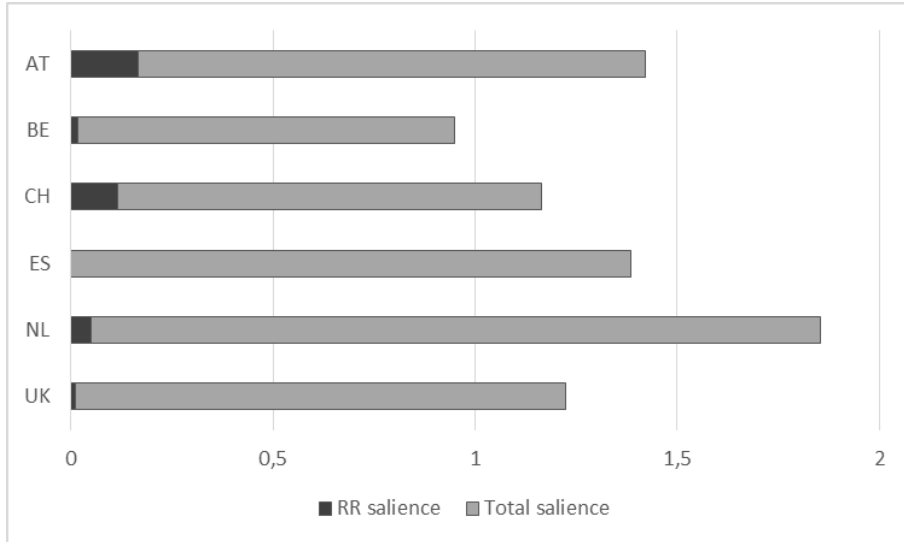
Figure 2. Issue salience per country (1995–2009). Notes: Issue salience is the average number of claims per number of sampling days.

Table 2. Top three actors in politicization (1995–2009).

	Actor 1		Actor 2		Actor 3	
AT	Gov	(38.4)	Party	(27.4)	CS	(9.4)
BE	Gov	(28.7)	CS	(23.8)	Party	(19.8)
CH	Gov	(26.8)	Party	(24.5)	CS	(13.1)
NL	Gov	(34.1)	Party	(19.9)	Exp	(9.4)
ES	Gov	(45.0)	Party	(13.6)	CS	(10.0)
UK	Media	(31.1)	Gov	(22.6)	Party	(10.3)

Notes: Gov: government; CS: civil society; Exp: Experts. Share of claims in parentheses. N = 6585.
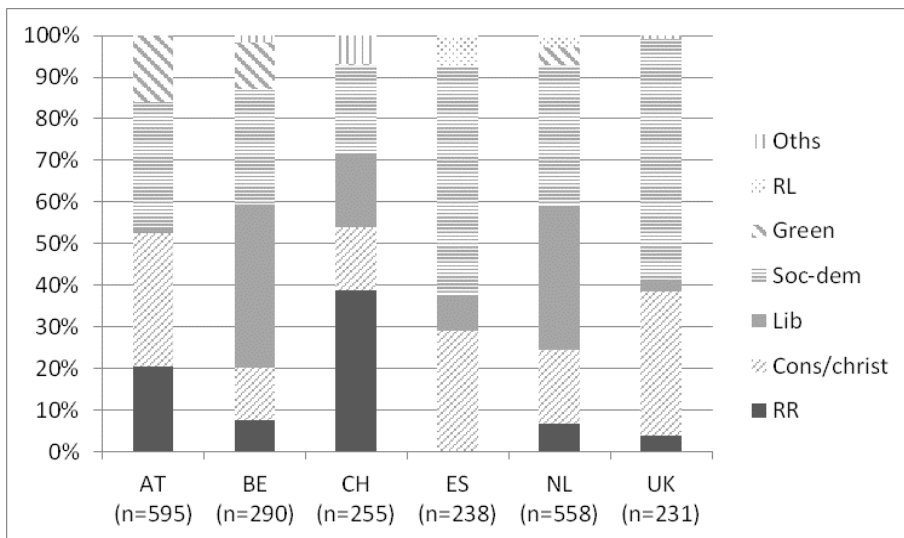
Figure 3. Share of claims per country by party family (1995–2009).

Table 3. Average positioning according to actor type.

	All			Parties			RR		
AT	0.19	(0.68)	n = 913	0.04	(0.69)	n = 511	-0.74	(0.43)	n = 109
BE	0.25	(0.69)	n = 973	0.01	(0.70)	n = 249	-1.00	(0.00)	n = 19
CH	0.20	(0.65)	n = 821	-0.09	(0.66)	n = 220	-0.54	(0.50)	n = 85
ES	0.15	(0.67)	n = 1019	0.07	(0.56)	n = 233	--	--	--
NL	0.14	(0.55)	n = 1191	0.01	(0.58)	n = 498	-0.53	(0.60)	n = 34
UK	-0.07	(0.84)	n = 612	-0.36	(0.78)	n = 154	-1.00	(0.00)	n = 7

Note: Positioning is measured on a 5-point scale between negative (-1) and positive (1) towards immigration/migrant integration/asylum-seekers. Standard deviation in parentheses.

Even if radical right parties do not have a direct impact on the politicization of immigration as expected, they may still have an important indirect effect, for which their extreme positioning might be a first indication (see Section 2). An indirect effect is unfortunately more difficult to assess using our data. Still, our cross-country and longitudinal design at least enables us to compare radical right presence/strength with patterns in the politicization of immigration, which will provide some indication for a potential indirect impact of radical right parties.

Our second hypothesis stated that the salience of the immigration issue should be higher in countries with politically relevant radical right parties (indicated by representation in national parliament). This is due to (a) counter-mobilization by pro-immigrant actors in response to the radical right's extreme positioning, and (b) more issue-emphasis by mainstream parties suffering electoral threats by successful radical right competitors.

Different levels of issue salience across countries can, of course, also be affected by factors related to the media system and differences in reporting styles between countries and outlets. So we have to be very cautious not to overestimate the contribution of radical right parties to differences in the various countries. Still, such comparison provides a first tentative insight into potential indirect impacts of radical right parties on the politicization of immigration.

Clustering our six countries in two groups—with and without relevant radical right parties—we would expect Austria, Belgium, the Netherlands, and Switzerland to reveal higher degrees of issue salience compared to Spain and the UK as there are no serious radical right competitors in the party system of the latter two. As reflected in the average salience measure for each country, however, this is not what we find (see Figure 2). Considering the whole 15-year-period, Spain (1.38) and the UK (1.21) outperform both Switzerland and Belgium despite the former two's absence of radical right parties in national parliament.

Turning from radical right presence to strength, we hypothesized a positive relation between radical right strength and issue salience. We explore this potential relation in two steps. First, we compare the predicted order of countries according to radical right strength against country-averages on issue salience: considering the whole time frame, we would expect Switzerland and Austria to reveal the most intense debates on immigration, reflected in the highest shares of issue salience. Both countries yield considerable—and (temporarily) increasing—radical right presence in parliament. Contrariwise, Spain and the UK should display comparatively low levels of issue salience, whereas Belgium and the Netherlands should rank in between. As shown in Figure 2, this is not what we find. The Netherlands show the highest proportion of claims (1.83) by far. However, this is not least due to the outlier in 2004, when the yearly averages strongly—and temporarily—increased as the issue became highly salient around the time of the murder of film-maker Theo van Gogh (cf., Berkhout, Sudulich, & van der Brug, 2015). As expected, Austria shows comparatively high levels of salience (1.4), whereas Switzerland only ranks second to last (1.18) notwithstanding the strength and continuous growth of the SVP in the Swiss party system. Spain (1.38) and the UK (1.21) outperform both Switzerland and Belgium despite the former two's absence of radical right parties in national parliament.

Second, we focus on temporal trends within countries. Over-time variation should be particularly pronounced in the Netherlands, Austria, and Switzerland: issue salience should have strongly increased in the Netherlands in 2002, it was assumed to decrease in Austria in 2003 before rising again in 2009, and it should have steadily increased in Switzerland (see Table 1). Figures 4–9 show patterns in issue salience, share of radical right claims (grey and black bars, left vertical axis) and radical right party strength (black line, right vertical axis) per country.

Austria had three peaks in issue salience—in 2001, 2007, and 2009—, showing at least some correspondence to temporal patterns in radical right strength, though not always simultaneously. Until 2007, Belgian radical right parties steadily gained strength in parliament. Issue salience, on the other hand, reflects more fluctuation—sometimes in the opposite direction—than one might expect: Issue salience decreased in

1999 and 2003 although the radical right strengthened its presence in parliament. In Switzerland, changes in salience values correspond to increasing radical right party strength only in 2007, whereas salience decreases although the SVP's share of seats increased in 1999 and 2003; the 1998 peak in salience precedes the SVP's electoral victory in 1999, while the opposite happened in 2003/2004. The Netherlands are characterized by two peaks: The electoral success of the LPF in 2002—corresponding to a small increase in issue salience—and the salience outlier in 2004 related to the murder of film-maker van Gogh. Excluding the latter, however, there is no evidence for an increase in issue salience from 2002 onwards compared to the prior period, when radical right parties did not have any electoral success and hence no parliamentary presence. Since there are no radical right parties in either the Spanish or British parliaments, temporal patterns in issue salience cannot be related to the strength of this party family at all.
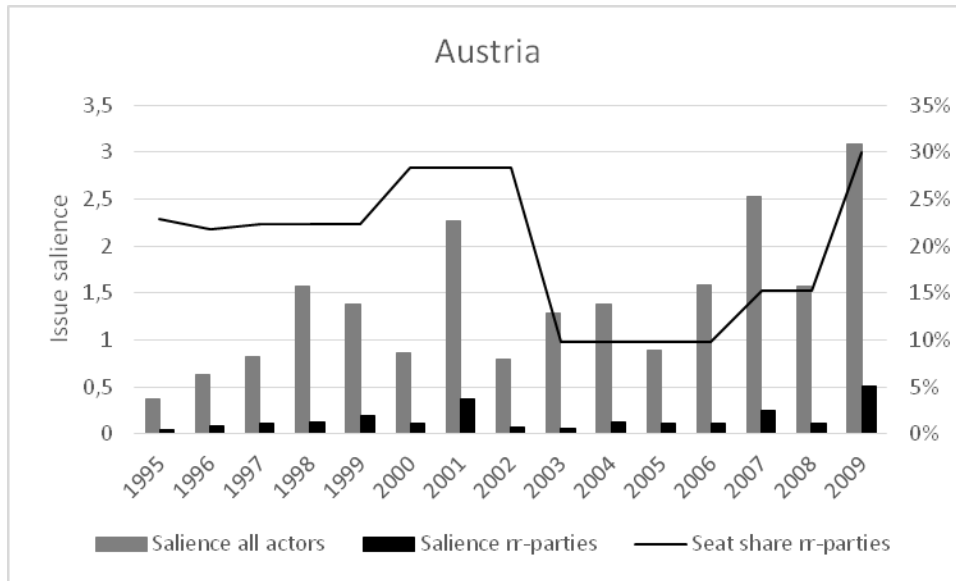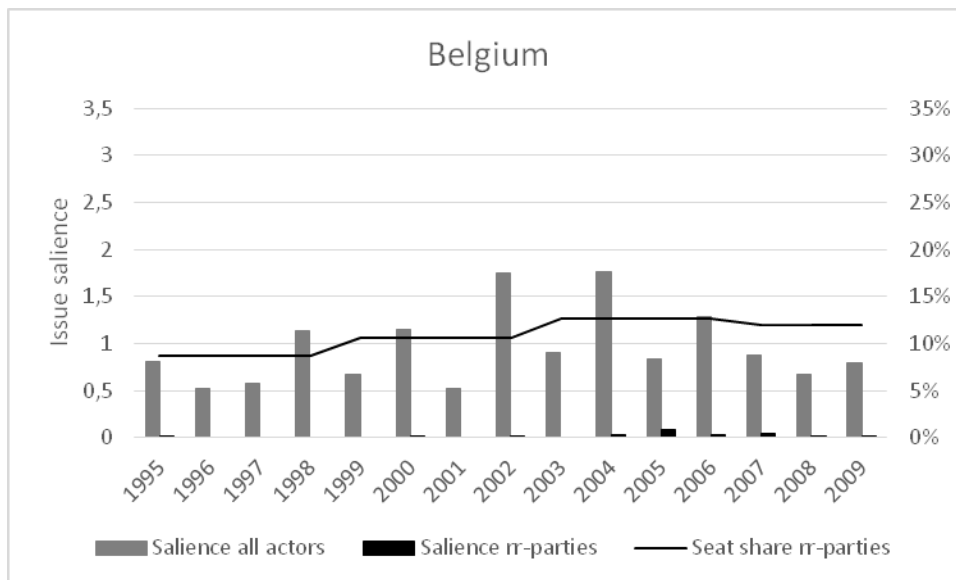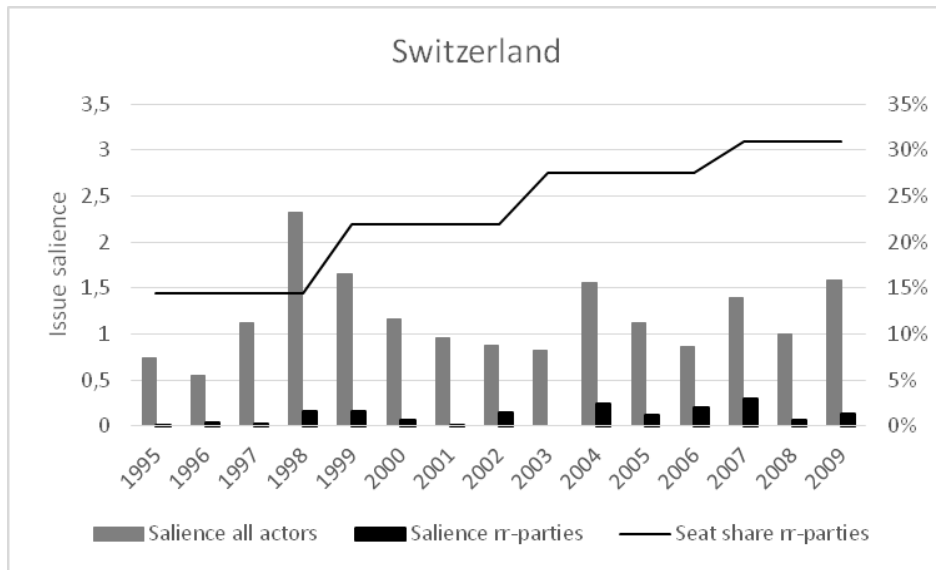

Figure 4. Austria.

Figure 5. Belgium.

Figure 6. Switzerland.
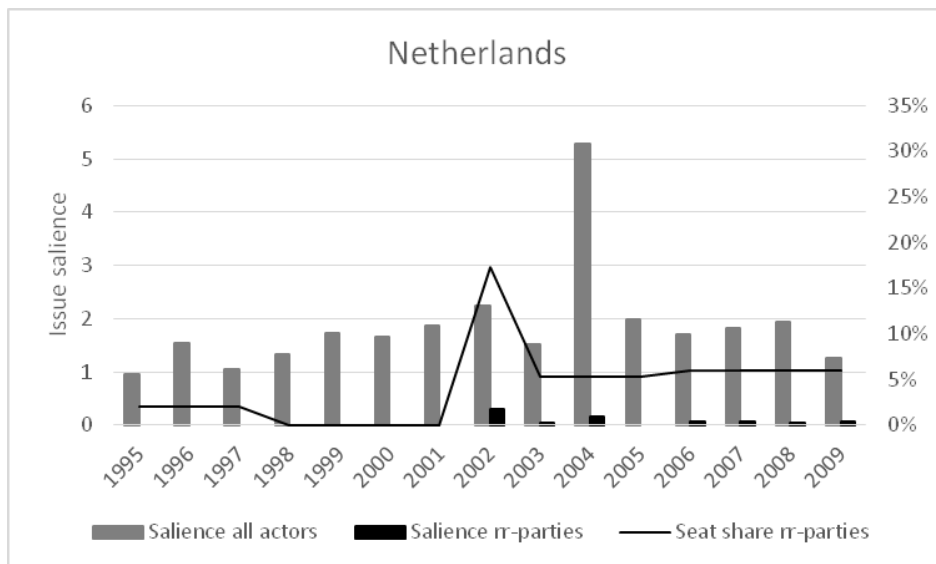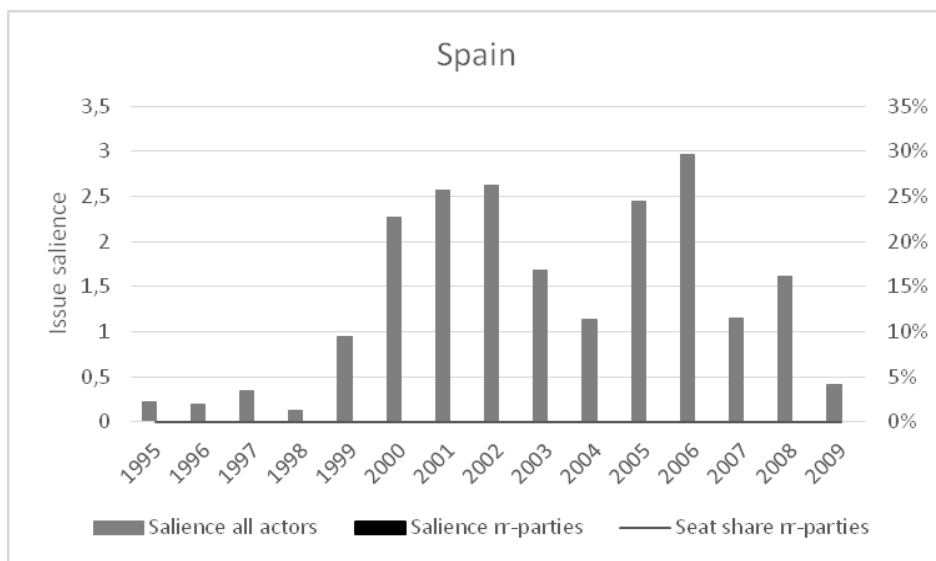

Figure 7. The Netherlands.
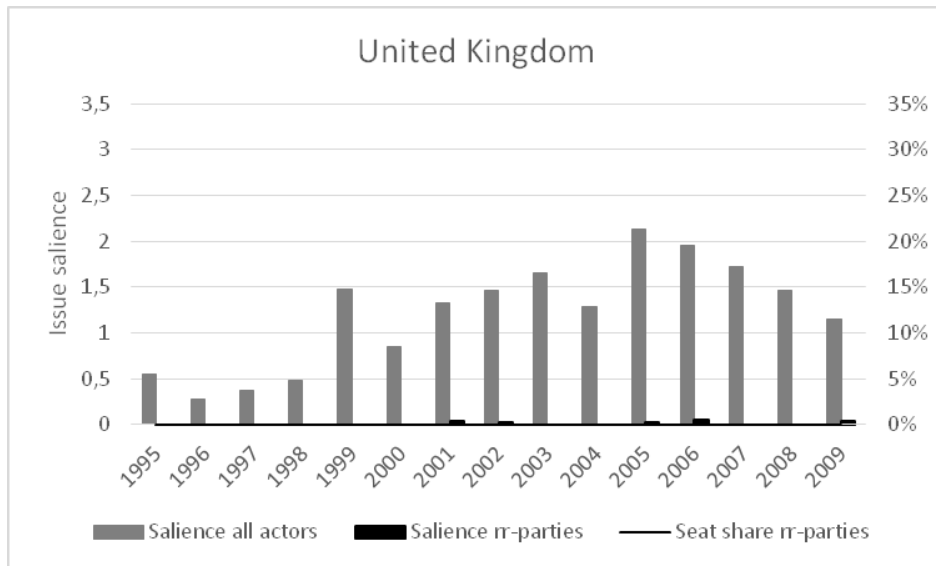

Figure 8. Spain.

Figure 9. United Kingdom.

Figures 4–9. Issue salience and radical right (rr) party strength over time.

The longitudinal analysis within countries again reveals no systematic pattern confirming the hypothesized relation between strength of radical right parties and the salience of the immigration issue: for instance, the number of claims has not grown considerably in Switzerland despite the SVP having steadily increased its power. Likewise, the Netherlands and Spain display considerable peaks that are not related to the performance of radical parties; and the Austrian pattern does not allow for a straightforward conclusion either, as salience figures increase and decrease with no clear-cut correspondence to radical right parties' electoral or parliamentary strength.

All in all, issue salience in a given country thus seems to be unrelated to radical right party presence and strength. A comparison of Spain, the UK and Switzerland clearly reveals that neither the absence of relevant radical right parties (Spain and UK) nor their strength in the party system (Switzerland) are reflected by the degree of politicization of immigration in a given country.

In summary, our findings clearly show that radical right parties are not the dominant actors in the politicization of immigration. It is, above all, the governing actors and mainstream parties who emphasize the issue. Neither does radical right presence/strength seem to have an impact on total issue salience and temporal trends therein. This, however, does not preclude that radical right parties have an important indirect effect on their competitors' strategies. The large number of claims by governing and other party actors may indeed be a response to electoral pressure from the radical right. Bearing this in mind, the fact that Spain and the UK reveal a slightly different composition of actors in the politicization of immigration compared to the other countries calls for a more detailed analysis of the po-

tential indirect radical right impact—a point to which we will return in the conclusion of this paper.

6. Conclusion and Outlook

As indicated in scholarly work on radical right parties in Europe, this paper was based on the assumption that this party family would play a key role in the politicization of immigration in the media. In line with the salience theory of party competition, it was assumed that radical parties—who are considered the "owners" of the immigration issue—would be most active in claims-making on immigration compared to other party families. We also assumed that their strong position within the party system would be reflected in the issue-politicization of immigration in a given country: countries with a strong radical right party presence were expected to reflect higher levels of issue-politicization compared to countries lacking such presence; furthermore, the stronger the radical right, the higher the degree of issue-politicization. The reason for this is that other parties can be expected to pick up on issues of their competitors depending on the competitor's strength in the party system. We explored these hypotheses empirically using data from the SOM claims analysis in six Western European countries reflecting variation in the presence and strength of radical right parties, covering a period of 15 years (1995–2009).

In contrast to our expectations, our findings indicate that radical right parties play a subordinate role in the politicization of immigration. First, radical right parties are not the drivers of the politicization of immigration in the media. Both mainstream left and right parties reveal higher shares of claims on immigration than their radical right competitors. The exception is the

Swiss SVP, which turns out to be the main claimant on immigration issues in Switzerland. Second, overall issue salience does not seem to be related to either radical right party presence or strength. Cross-country comparison reveals higher degrees of issue salience than expected for the UK and Spain (despite no relevant radical right parties), whereas Switzerland does not come up to our expectations. Temporal trends in issue salience do not support the hypothesis either: Peaks in issue salience do not follow a clear-cut pattern in line with radical right parties' strength (indicated by electoral success and the share of seats in parliament).

According to our data and analytical approach, radical right parties seem to be much less important in the politicization of immigration than assumed in general. This finding yields some important questions. First, why are mainstream parties so dominant in the politicization of immigration, while radical right parties are not? Second, what other reasons serve to explain trends in the politicization of immigration? While it goes beyond the scope of this paper to systematically test alternative explanations for issue-politicization of immigration, we will briefly address these questions in the remainder of this paper.

The dominant role played by mainstream parties in the politicization of immigration strongly questions the importance of party family, ideology, and issue-ownership as determinants of party issue-politicization, since these factors made us expect radical right parties to be much more important. Rather, it points to party strength and government participation as promising explanatory factors. The Swiss case illustrates this very well: only the SVP turns out to be the party with the highest share of claims, whereas their radical right counterparts in the other countries unexpectedly lag behind their mainstream competitors. However, the SVP is a special case with regard to various aspects. Whilst it is a right-wing anti-immigrant party, it is not a radical right party in terms of its historical origins. Furthermore, due to Switzerland's specific governing system, the SVP was constantly represented in Swiss consociational government during our period of investigation. Finally, the SVP has become the largest party in Switzerland since the 1999 elections. Therefore, the findings for the SVP may be associated to a lesser extent to party family but rather more to party size and governing authority.

As mentioned above, media coverage may not represent a balanced picture of different actors' claims-making efforts. Though there is no reason to believe that claims by the radical right will generally be excluded from coverage, a number of studies (e.g., Koopmans et al., 2005; Koopmans, 2007) have shown that government actors generally seem to dominate claims-making in the media, since their claims are viewed as either more newsworthy or reliable, or because government actors have better access to news coverage. Thus the high share of mainstream parties' claims on immigration may be related to their status as governing parties in some cases. However, we did not find systematic evidence for an increase in *radical right parties'* claims once these actors became part of a national government. Still, we cannot preclude with certainty that non-governing radical right parties may be underrepresented in claims-making as reported in the media. Future research should concentrate on a comparison of different data types on political parties' attempts to politicize the immigration issue, comparing e.g., issue-emphasis in press releases with media data, or parliamentary activities with party campaigning.[19] This would be a fruitful way to overcome the potential bias in media data regarding an adequate representation of non-governing parties' efforts to politicize an issue. Our research design did not allow for such an approach.

Even though radical right party strength did not emerge as a good predictor for the salience of issue-politicization on immigration, mainstream parties' large share of claims could still be a reaction to electoral pressure from the radical right. Assessing this potential indirect impact of the radical right in more detail, however, requires a different research strategy and goes beyond the scope of this paper.

Another interesting question is whether there is any reason to believe that radical right parties actually make *fewer* claims on an issue than their competitors. Why would that be the case? Immigration may primarily be addressed by them focusing on a problem definition ("too many foreigners") rather than a political solution ("we demand x or y in order to overcome the problem"). This would be in line with their simplistic policy program and often populist strategies of mobilization. In that case, claims-making would be a bad indicator for issue-politicization in respect of this particular actor. However, the operational definition of claims applied in our research was very broad and did not only cover political solutions, which is why we are quite sure that radical right parties had the same chances as other parties to have their messages conveyed. Still, future studies may explicitly address this matter, e.g., systematically distinguishing between problem definition *and* claims for political solutions articulated by political parties.

Turning our focus to alternative explanations for the overall degree of issue-politicization on immigration at the country level, and temporal trends therein, two approaches are repeatedly discussed in the literature: first, objective conditions concerning immigration to a country, and, second, the role that events play. Objective conditions, such as immigration numbers and the composition of immigrant populations, were studied in detail within the larger framework of the SOM project. While the findings showed that the issue was not politicized in

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[19] See e.g., Vliegenhart & Roggenband (2007), who compare the salience and framing of immigration/integration in the Dutch press and parliament.

the absence of noticeable immigration numbers, temporal trends in the salience of the issue were unrelated to immigration flows (cf., van der Brug et al., 2015; see also Vliegenthart, & Boomgaarden, 2007). It is more difficult with regard to the role events play, which seems to be an important aspect when it comes to explaining certain peaks in politicization (Vliegenthart, & Boomgaarden, 2007). Still, further research is needed if we seek to understand why certain events turn out as triggers for politicization while others don't.

Recent contributions to the study of radical or extreme right anti-immigrant parties indicate that the latter's impact on politics may be overestimated (cf., Akkerman, 2012; Alonso & Fonseca, 2012).[20] Our findings support this assessment. Despite some serious limitations discussed above, our study clearly revealed that anti-immigrant radical right parties were sparsely represented in claims-making on immigration in the media in the period 1995–2009; an exception is the Swiss SVP. Their unique contribution to the politicization of immigration rather seems to be their extreme positioning, which may also function as a driver of other parties' attempts to address the issue. In conclusion, while scholarly literature on the emergence and success of radical right parties is extensive, more comparative research should be devoted to their precise role in influencing the political and, in particular, the mass media agenda. We have not got any satisfactory answers to this question as yet.

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Conflict of Interests

The authors declare no conflict of interests.

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Article

The Diffusion of Labour Standards: The Case of the US and Guatemala

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Abstract

The number of free trade agreements (FTAs) concluded by the United States of America (US) has grown vastly over the past two decades. While FTAs contribute to increased global competition and as such may also contribute to socially-undesirable practices in the area of working conditions and the environment, the proliferation in FTAs has paradoxically also augmented the potential for making free trade more fair as some of these agreements now include labour provisions. However, the question is whether these trade agreements have also actually diffused internationally recognised labour standards. This article studies the FTA the US signed in 2004 with a number of Central American countries and which, at a later stage, also included the Dominican Republic.[1] This FTA is commonly referred to as CAFTA-DR and includes a chapter on labour standards. The article argues that the effects of the inclusion of labour standards in CAFTA-DR have been limited and therefore should be viewed as an unsuccessful attempt at policy transfer. This is illustrated by the case of Guatemala, a country known for its lack of respect for labour standards and which is currently the subject of a complaints procedure under the CAFTA-DR. It is maintained that this lack of effectiveness is the result of many factors. Among these is the weakness of the labour chapter of CAFTA-DR resulting from the fact that the chapter is the outcome of bargaining processes both within the US and between the US and Guatemala, where symbolic results were valued more highly than actual substance.

Issue

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[1] The CAFTA-DR countries were Costa Rica, Honduras, El Salvador, Guatemala, Nicaragua and, at a later stage, the Dominican Republic. In this article I will refer to CAFTA-DR, even in cases where it was technically still limited to the CAFTA countries.

1. The Diffusion of Labour Standards

Linking labour standards to trade has been the subject of much debate since the Second World War. This debate gained momentum in the 1990s. In the context of the 75th anniversary of the International Labour Organization (ILO) in 1994, then Director-General Michel Hansenne emphasised the growing social contradictions brought about by intensified globalisation, necessitating more effective international cooperation. In particular, Hansenne called for increased implementa-

tion of social rights (Hansenne, 1994). After years of discussion within several international settings, it was during the World Summit for Social Development in Copenhagen in 1995 that core labour standards (CLS) were defined as "...including those on the prohibition of forced and child labour, the freedom of association, the right to organize and bargain collectively, and the principle of non-discrimination" (WSSD, 1995).

Defining certain rights as fundamental, thereby attempting to increase ratification and ultimately compliance, was also the subject of discussion within the

ILO (Kellerson, 1998), and in 1998 the ILO took one of its most concrete steps on this when it adopted its Declaration on Fundamental Principles and Rights at Work. The Declaration defines four categories, with associated conventions, whose principles and rights (although not the specific provisions of the conventions) are to be upheld by all member states, regardless of whether they actually ratified these conventions. These categories are: the freedom of association and the effective recognition of the right to collective bargaining (conventions nos. 87, 98); the elimination of forced or compulsory labour (conventions nos. 29, 105); the abolition of child labour (conventions nos. 138, 182); and the elimination of discrimination in respect of employment and occupation (conventions nos. 100, 111) (ILO, 1998). This Declaration proved to be a major step toward limiting the rather complex debate on the large number of labour standards to a 'take-away' package consisting of a set of core labour standards that were considered more important than others. This package, hereafter referred to as CLS, was subsequently taken up (partly or as a whole) by other actors to guide the formulation of their own policies, including trade policies (Van Roozendaal, 2012). In short, a consensus developed to include certain "rules" in trade agreements, and this was also reflected in the US's bilateral and multilateral trade agreements.

Including such standards in trade agreements and developing procedures to achieve compliance to such standards can be seen as a typical form of policy diffusion through trade instruments. In social sciences the transfer and diffusion of policies, institutions[2] and alike is an important field of study (Busch, Jörgens, & Tews, 2005; Campbell, 2004; De Deugd & Van Roozendaal, 2012; DiMaggio & Powell, 1983; Dolowitz & Marsh, 1996, 2000; Gilardi, 2012). Institutions can be defined as "…formal and informal rules, monitoring and enforcement mechanisms, and systems of meaning that define the context within which individuals, corporations, labor unions, nation-states, and other organizations operate and interact with each other" (Campbell, 2004, p. 1). Studies in this field try to understand how institutions, norms, and policies travel from one level to another, whether it is on a local, national, transnational or international level. In this way, it adds to discussions about convergence and divergence of national responses to globalization. The mechanisms that explain policy diffusion can be anywhere in a spectrum from voluntary to coercive, although they might not always be easy to distinguish and might even be mixed (Dolowitz & Marsh, 2000; Gilardi, 2012). The seminal work by DiMaggio and Powell (1983) stresses uncertainty, coercion and the conformity to norms. As this

article will show, CAFTA-DR is an illustration of how both potentially coercive measures and more voluntary measures may be included in order to get countries to conform to certain labour standards. Whether the use—or the threat of use—of these measures has been successful with respect to transferring labour standards is one of the questions that needs to be answered. Success is defined by Dolowitz and Marsh (2000, p. 17) as "…the extent to which policy transfer achieves the aims set by a government when they engaged in transfer, or is perceived as a success by the key actors involved in the policy area". Dolowitz and March (2000, p. 17) distinguish three reasons for the failure of policy transfer: uninformed transfer, which is the result of a lack of information about the original circumstances in which a policy thrived; incomplete transfer, which involves a situation where key institutional elements for success in one country are not transmitted to another; and finally inappropriate transfer, which concerns a situation where the context is so different that an institution cannot have the same effects it did in the country of origin. A fourth reason concerns a situation where the sending country is not really interested in policy transfer, but is merely interested in the symbolic value of it (Campbell, 2004, p. 43). When the aim is only symbolic, coercive measures will not be used, which also adds to symbolic adaptation on the receiving side. Nevertheless, as Campbell (2004, p. 43) asserts, such symbolic value may eventually lead to a more substantive institutional change as others can use these symbols to put pressure on an actor.

This article seeks to explore whether there has been institutional change in Guatemala, that is to say, changes in labour law and practices, as a result of the attempt to transfer certain changes by means of a trade agreement. In other words, did this attempt lead to a convergence of the Guatemalan institutions towards the internationally promoted CLS? As will be illustrated in this article, increasing the political support for the trade agreement was a major aim of including labour standards in it, but this has only had a limited effect. After a brief analysis of the origin of CAFTA's labour clause and its content, this article will analyse the agreement in terms of its content and its actual effects.[3]

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[2] For the purpose of this article, standards are broadly considered to be a form of institutions, and more specifically a form of policy.

[3] This article is based on an analysis of primary material such as reports from governmental and organisational departments, on a review of literature, and is informed by several conversations with experts working in the (research) field. In addition, US and Guatemalan news sources were used. The main US source concerned Inside U.S. Trade, which was searched online from 2003–2014. The Guatemalan news sources Prensalibre, La Hora, El Periódico and Agencia Guatemalteca de Noticias were searched online from 2000–2014, and articles were retrieved concerning CAFTA.

2. Labour Standards in CAFTA-DR: What Rules Have Been Established?

In 2001, the US explored the possibilities for what later became known as CAFTA-DR. CAFTA-DR's intention was to decrease barriers to trade between the participating countries and thereby increase trade and investment. The agreement was further legitimised by the argument that it would enhance security in the region, as it would support fragile democracies and contribute to alleviating poverty and reducing illegal migration (Ribando, 2005, p. 2). The US promoted CAFTA-DR as an agreement that would serve to "…not only reduce barriers to US trade, but also require important reforms of the domestic legal and business environment that are key to encouraging business development and investment" (US Trade Representative, 2003).[4]

Guatemala, one of the members of the proposed FTA, is notorious for its lack of respect for labour standards. For decades, Guatemalan authorities and employers engaged in the violent oppression of trade unions and workers. This also occurred under civilian governments (Compa & Vogt, 2001, pp. 212-215). The ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) argued that "…for several years it has been noting in its observations serious acts of violence against trade unionists which have gone unpunished…", and it shows that between 2007 and the beginning of 2011, 52 trade unionists were "allegedly" killed, while other trade unionists have received death threats, or have in some cases been abducted and tortured (CEACR, 2012).[5] In numerous observations, the Guatemalan government has been asked to prioritise the protection of trade unionists and to improve the country's justice system in order to resolve crimes against trade unionists (see for example CEACR, 2010, 2011, 2012). The violence against trade unionists is also illustrated in reports from other institutions, such as Human Rights Watch (2011, 2012), despite the optimistic remark in the 2005

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[4] The interest of Guatemala compared to the US in this agreement was very different. The US is Guatemala's most important import and export partner, and since the agreement was signed the importance of the US has increased tremendously in terms of value, from 17% of total exports in 2004 to 42% of total exports in 2012. In terms of imports, Guatemala relied on the US for 34% in 2004, and for 38% in 2012. For the US, the stakes in Guatemala are lower, as Guatemala is not in the top 5 of its export partners, nor of its import partners (WTO International Trade and Market Access Data, 2014). In 2011, it occupied 39th place among US export markets, and 47th among its import markets. The largest export product from the US to Guatemala is oil, the largest import products are knitted apparel, precious stones and fruits and nuts (US Trade Representative, n.d.).

[5] CEACR makes often use of the word "alleged", for example in reference to murders.

Report of the Working Group of the Vice Ministers Responsible for Trade and Labor in the Countries of Central America and the Dominican Republic that "(t)here has been a marked decrease in reported violence against trade union leaders in 2003 and 2004…" (Report of the Working Group of the Vice Ministers Responsible for Trade and Labour in the Countries of Central America and the Dominican Republic, 2005, p. 41). The International Trade Union Confederation (ITUC) calls Guatemala "(t)he most dangerous country to be a trade unionists" (ITUC, 2013, p. 20).

In addition to the life-threatening dangers to which trade unionists are exposed, they are also confronted with a situation that makes organisation very difficult. Freedom House summarises this as follows: "Roughly three-quarters of the workforce is employed in the informal sector, where workers lack standard labor protections. Anti-union policies include a 25 percent union registration requirement for collective bargaining within a company; a stipulation that strikes need to be supported by 51 percent of the workforce, as well as a broad definition of the "essential services" sectors within which strikes are barred; and extremely weak protections for workers fired for organizing" (Freedom House, 2012, p. 8). Between 1954 and 2014, 97 freedom of association cases were brought to the attention of the ILO on behalf of Guatemalan workers (ILO NORMLEX, 2014a).

Throughout the negotiations of the agreement, labour standards were subject to heated debate in the US. This was no surprise, as not only were labour standards increasingly linked to the subject of trade, but also the issue of violation of labour rights had been a constant presence in the US–Guatemalan relationship for some time, starting with the Generalized System of Preferences (GSP) programme. However, the multiple complaints that had been filed under the 1984 labour clause of the GSP to the government of Guatemala for not respecting labour standards had never resulted in a suspension of benefits, although some argue that the pressure itself led to small improvements (Douglas, Ferguson, & Klett, 2004, pp. 288-291), while others suggest that the threat of sanctions helped to restore democracy in 1993 (Compa & Vogt, 2001, pp. 219-220). That Guatemala was certainly at times sensitive to threats became apparent in 2001, when it was already undertaking reforms and the US effectively threatened to cut off its beneficial market access if it failed to continue to reform its labour law to conform to ILO guidelines (Hall & Thorson, 2010, pp. 56-57).

Just as with the GSP, labour standards were included in the CAFTA-DR. Chapter 16, article 1 stipulates that "(t)he Parties reaffirm their obligations as members of the International Labor Organization (ILO) and their commitments under the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up (1998)….Each party shall strive to ensure that such

labor principles and the internationally recognized labor rights set forth in Article 16.8 are recognized and protected by its law." Article 16.2.1(a) conditions that "(a) Party shall not fail to effectively enforce its labor laws, through a sustained or recurring course of action or inaction, in a manner affecting trade between the Parties, after the date of entry into force of this Agreement". However, 16.2.1(b) provides opportunities to deviate from this. Article 16.8 states that "(f)or purposes of this Chapter: labor laws means a Party's statutes or regulations, or provisions thereof, that are directly related to the following internationally recognized labor rights:

> …a Party's statutes or regulations, or provisions thereof, that are directly related to the following internationally recognized labor rights:
> (a) the right of association;
> (b) the right to organize and bargain collectively;
> (c) a prohibition on the use of any form of forced or compulsory labor;
> (d) a minimum age for the employment of children and the prohibition and elimination of the worst forms of child labor; and
> (e) acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health."

The Chapter furthermore provides for institutional and procedural arrangements, and for mechanisms to support cooperation between the countries involved and to facilitate the development of labour standards.

There are four points to be noted with respect to Chapter 16. The first concerns the specific formulations. The emphasis is on "strive to ensure" that the above-mentioned labour rights are "recognized and protected by its law". A violation can only be established when it is possible to prove that a country has not strived, or when there is a violation of its own laws that is characterised by "recurring course of action or inaction" and related to goods that are traded between the partners. When these elements are present, the possibility of using sanctions is within reach. While these formulations can be considered rather weak and may even stimulate countries to further weaken them[6], they do not prevent action. For example, in May 2013 the US requested formal consultations with Bahrain based on having not strived to ensure the protection of labour rights (Letter from Acting United States Trade Representative Marantis, Acting United States Secretary of Labor Harris to the Minister of Industry and Commerce Fakhro and the Minister of Labour Humaidan of Bahrain).

A second point involves the nature of the rights. The text places the US's own definition of labour rights (called internationally recognised labour rights) above the ILO's CLS, as defined the 1998 ILO Declaration. However, the two overlap to a great extent. The main difference between the US Trade Act definition and the ILO Declaration is that the latter does not include a reference to 'acceptable working conditions' but does contain a reference to non-discrimination. The US definition thus adds the category of acceptable working conditions (Article 16.8(e)) but fails to include non-discrimination (CAFTA-DR FTA, 2004; US Trade Act, 2002).[7]

Thirdly, the Chapter allows for individuals to make complaints concerning violations, but does not require governments to respond to these complaints in an effective manner. Article 16.4 of the agreement stipulates that all countries need to have a contact point which "…shall provide for the submission, receipt, and consideration of communications from persons of a Party on matters related to the provisions of this Chapter". This means that countries not willing to activate a specific complaints procedure do not need to and can just establish a contact point for communications of any sort. However, in the US this provision allows citizens to complain if they believe a country is not fulfilling its obligations. Subsequently, the US Department of Labor's Office of Trade and Labor Affairs will determine whether to accept the complaints or not (Federal Register, 2006).

Fourthly, another point of importance relates to the possibility to use sanctions once a violation of the agreement is alleged. This possibility only applies to Article 16.2.1(a), as article 16.6.7 states that "(n)o Party may have recourse to dispute settlement under this Agreement for any matter arising under any provision of this Chapter other than Article 16.2.1(a)".[8] In addition, the potential punishment is also different. Only in such case as a country has failed to enforce its labour laws repeatedly regarding trade of goods between the parties may a fine be imposed which, according to chapter 20 of the same agreement, cannot "…exceed 15 million US dollars annually", which is put in a special fund to support labour projects. This differs from

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[6] Elliott (2004, p. 6) has suggested that because of the emphasis on national laws, countries may decide to not improve these national laws.

[7] See for an extensive discussion of developments in FTAs, Van Roozendaal and Voogsgeerd (2011).

[8] The limitation as to what part of the agreement the sanction applies to is of course of importance. In the case of Bahrain, which has a similar FTA with the US, it will secure the country from being confronted with sanctions. The US pointed out specifically in its 2013 request for consultations about violations with the country that this will not involve a procedure leading to sanctions, as the request is based on another article (Letter from Acting United States Trade Representative Marantis and Acting United States Secretary of Labor Harris to the Minister of Industry and Commerce Fakhro and the Minister of Labour Humaidan of Bahrain, 2013).

commercial disputes, where no cap is provided (CAFTA-DR FTA, 2004; Bolle, 2014).

When the CAFTA agreement was adopted by the U.S. Senate 2005, it was accompanied by a promise that US$ 40 million would be made available to support capacity building in both labour and environmental areas over four years (Bolle, 2005, p. 6). This amount increased significantly; between 2006 and 2010, US$ 142 million was spent on technical assistance in the area of labour (US Trade Representative, 2011a).

3. The Labour Chapter in Context

As demonstrated earlier, the discussion over the link between labour standards and trade is part of a debate on different views regarding the effects of global liberalisation, in which two important viewpoints can be distinguished. On the one hand, there is the perspective that free trade in the long run will lead to economic improvements for all, and only requires regulation to secure this effort. On the other hand, there is the perspective that trade should be more regulated in order to contain the negative effects for those who are less able to defend their interests. The identification of such negative effects can range from domestic job losses to stimulating unacceptable working conditions.

Over the last three decades global free trade has increased, in terms of value, by an average of about 7% annually (WTO, 2013a). The WTO has partly contributed to this increase in trade to some extent through the reduction of tariff barriers under trade agreements (WTO, 2013b, pp. 55-56). In 2014, 379 regional trade agreements, of which the vast majority are FTAs, were in force (WTO, 2014). This process of trade liberalisation has been characterised by what Bergsten calls "competitive liberalisation", through which countries have shown their increased willingness to ease restrictions on trade and often also investment "…to compete effectively in international markets, rather than simply at home" and "…to compete aggressively for the footloose international investment that goes far to determine the distribution of global production and thus jobs, profits and technology" (Bergsten, 1996). Over the past 20 years, this competition has been facilitated by bilateral and regional trade agreements (WTO, 2014), more than by an international approach. The main reason for this is that it is far simpler to strike an agreement with a small number of countries than with a large number of countries (Bergsten, 1996). This approach of competitive liberalisation through bilateral agreements gained momentum with the negotiation of the North American Free Trade Agreement (NAFTA) in 1993, and was further enhanced through the negotiation of a number of US FTAs in the mid-2000s (Cooper, 2011, pp. 7-9).

In many countries, including the US, the lowering of trade barriers has given rise to concerns among the public about the negative effects of trade. While a 2013 poll by Gallup showed that 57% of the Americans view trade as a way to increase US exports and therefore as a potential for economic growth, this was different in the early 1990s, when most Americans viewed trade as a "threat to the economy". Though the general view on trade became more positive between 1993 and 2005, still more than one-third of the population saw it as a threat. From 2005 until 2011, the number of Americans polled by Gallup viewing trade as a threat actually outnumbered those seeing it as a way to spur economic growth (Jones, 2013), and in particular, polls pertaining to NAFTA show that US citizens became increasingly concerned about its effects. Whereas in 1991 most Americans were still positive about NAFTA, this changed radically in the following years. In 1992, 33% of the public supported NAFTA and in 1993 only 31% (Klamer & Meehan, 1999, p. 76). NAFTA polls in 2008 showed that 53% felt that NAFTA had had negative consequences for the US economy in general (English, 2008). In 2012, a poll showed that only 34% of those surveyed believed that NAFTA had provided benefits for the US economy (Angus Reid Public Opinion, 2012).

While polls may not always show consistent results and may suffer from methodological problems, politicians are sensitive to them (Shapiro, 2011). And what these polls show us is that there is a significant group with a negative perception of the effects of free trade. Due to the conflict between the different governments' drive to enter into new FTAs, and the negative view of voters, trade has become an important subject of debate in US politics. Despite the fact that trade is not the most important issue, "…it remains an emotional 'wedge issue' for the electorate, as it has been for the last 25 years" (Hurd III, 2012, p. 2). In addition, from 1995 onwards trade was caught up in the increasingly hostile and polarised relationships between Democrats and Republicans that was beginning to characterise the US political landscape. While both parties include pro and anti-free trade politicians, the changing relationship and the increasing importance of social issues related to trade has severely restricted bipartisan support for trade (Destler, 2005, pp. 282-290). Destler (2005) convincingly shows that the so-called "trade and …" issues posed a new challenge to the American trade policy which cut right through the bipartisan deals that had characterised the trade debate before. With the significant decrease in American tariffs during the beginning of the 21st century, social concerns grew under the pressure of economic globalisation, with one of the central issues being the inclusion of labour clauses in US FTAs. During the NAFTA negotiations, President Clinton responded to growing concerns in the Democratic Party about labour (and environmental) standards in Mexico by adding the North American Agreement on Labor Cooperation to NAFTA, which aided the agreement's adoption. However, trade unions were

not satisfied with the NAFTA side agreement on labour. With the Democratic Party becoming increasingly financially dependent on trade unions, this dissatisfaction translated into strong support for labour issues to be included in, for example, fast-track legislation.[9] On the other hand, among Republicans and the business community (who were afraid that references to labour might be used to change US domestic laws), the link between labour standards and trade was strongly contested. This resulted in 1997 in the failed attempt of the Clinton Administration to renew fast track legislation (Destler, 2005, pp. 253-271).

In the early 2000s the Bush Administration also proposed fast-track legislation. According to Destler (2005, pp. 290-302), at this time the strong divisions between Republicans and Democrats on the issue had softened a bit, with both sides realising their mutual dependence: The Bush Administration wanted the trade promotion authority (TPA) legislation to support fast-track and many Democrats were only willing to give the much needed support if issues that mattered to them, among which were labour standards, were included. To that end, section 2102(6) of the US Trade Act of 2002 states that the negotiating objectives of the US should be "…to promote respect for worker rights and the rights of children consistent with core labor standards of the ILO (as defined in section 2113(6)) and an understanding of the relationship between trade and worker rights", and this section in turn defines these CLS as "…(A) the right of association; (B) the right to organize and bargain collectively; (C) a prohibition on the use of any form of forced or compulsory labor; (D) a minimum age for the employment of children; And (E) acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health." The new TPA for Bush did not mean, however, that trade had become uncontroversial. On the contrary, CAFTA-DR encountered much opposition, with one of the issues being, once again, weak provisions on labour standards (Destler, 2005, p. 304).

Already from the moment the negotiations were announced, the AFL-CIO as well as other interest groups had been very critical, and even the US Assistant Trade Representative pointed out in 2003 that getting CAFTA-DR approved by the US Congress would be a close call (Lobe, 2003). Before the CAFTA-DR agreement was concluded, the Labor Advisory Committee for Trade Negotiations and Trade Policy (LAC) of the United States Trade Representative (USTR) was requested to give its opinion. This committee, consisting of 58 labour representatives in 2004, was highly critical of the agreement, as illustrated by the following quote:

"The agreement clearly fails to meet some congressional negotiating objectives, and it barely complies with others. The agreement repeats many of the mistakes of the NAFTA, and is likely to lead to the same deteriorating trade balances, lost jobs, and workers' rights violations that NAFTA has created" (LAC, 2004). LAC found the agreement's labour provisions too weak to make a difference, and feared that the agreement would destroy American jobs. It argued that the provisions in the agreement did not support bringing labour laws up to the level of CLS. The LAC maintained that the GSP, under which Latin American countries could be withheld tariff benefits if they failed to comply with standards, was better equipped to improve labour standards than CAFTA-DR (LAC, 2004). In fact, the emphasis on national labour laws was seen as a major step backwards (AFL-CIO, 2005) and trade unions felt that the sanctioning mechanism, which treats violations of the labour chapter differently than commercial violations, was not in line with the US Trade Act of 2002 (LAC, 2004).

In spite of this criticism, 54 members of the U.S. Senate voted in favour of the ratification of CAFTA-DR (with just 45 against) in June 2005. The US trade union federation AFL-CIO was so dissatisfied with this result that it threatened to withhold financial support to Democratic candidates for the House who had voted in favour of the agreement (Inside US Trade, 2005). This threat proved to be unsuccessful, and in July 2005 the U.S. House of Representatives approved CAFTA-DR with 217 in favour and 215 against.[10]

Criticism of CAFTA-DR was not restricted to the US, and the agreement was questioned by trade unions and other social groups across borders. Trade unions and other groups representing workers' interests outside the US agreed on the need for the agreement to include a strong reference to labour standards. In Guatemala, a group of bishops from the Latin American region highlighted the lack of public debate on the FTAs[11]

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[9] Fast Track or Trade Promotion Authority gives the President the opportunity to negotiate trade deals that cannot be amended by Congress anymore: they can just be voted up or down.

[10] The combination of the limited effect of this threat and the importance of the AFL-CIO to the Democrats paint a rather conflicting picture of the relationship between the two entities. US trade unions are an important supporter of the Democratic Party, although they have weakened considerably (Warren, 2010). Still, in 2008, Obama received almost 60% of the union-affiliated households' votes and the unions spent about US\$ 400 million on the 2008 election of Democrats (Hananel, 2012). While the AFL-CIO depends on the Democrats to influence policy, having its wishes granted is less than guaranteed. Heany (2012, p. 212) argues that since the 1960, "…labor has received fewer dividends from its relationship with the Democrats". This lack of influence can lead to strange collaborations, such as that of the AFL-CIO and with the Tea Party to stop Obama's new fast-track authority (Bolton, 2014).

[11] This conclusion is also supported by the fact the Guatemalan news sources Prensalibre, La Hora, El Periódico and Agencia Guatemalteca de Noticias were searched online and turned up

and the lack of provisions in the agreement that would allow for investment in social development. According to these bishops, CAFTA-DR would confront subsistence farmers with cheap imports from the US. Furthermore, the agreement would not improve labour and environmental standards, with job growth taking place at the expense of labour conditions (McCarrick, Ricard, Imeri, & Chavez, 2004). Trade unions from Guatemala shared these concerns. In 2004 and 2005 trade unions protested against the agreement. The unions feared that it would lead to job losses (El Periódico, 2005a, 2005b; Hansen-Kuhn, 2005). As with unions in the US, Guatemalan unions advocated a labour clause in the agreement. In joint declarations from 2002 and 2003, US and Central American trade unions called for an adjusted trade agreement, which would stress the adherence to the CLS and a strong dispute settlement mechanism (AFL-CIO, n.d.). However, Abrahamson (2007, p. 348) argues that Guatemalan social groups did not have an opportunity to influence the agreement.

This shows that the FTA has been subject to dispute between the trade unions across the two countries on the one hand and the governments in both countries involved on the other. However, while the effects of CAFTA-DR in general and the labour chapter in particular have been part of a public discussion in the US, this was less the case in Guatemala. In the US, the labour provision was a compromise that enabled the passage of the agreement. However, while the agreement drafted was not received with great enthusiasm among the trade unions affected by it, the effects of the labour chapter may have altered this perspective.

4. The Effects of the Labour Provisions

As we have seen above, the origins of the CAFTA-DR labour clause can be traced back to the US domestic political struggle between the Democrats and the Republicans. The inclusion of CLS in all US agreements was an attempt to increase support for these agreements. Nevertheless, even an agreement that is perceived to be flawed may still be praised for its unexpected positive output. As we have seen, the lack of consent of the trade unions with the labour provisions was largely due to a lack of faith in the provisions' effectiveness. Therefore, it is of importance to understand whether these expectations were realised.

There are two ways in which the effects of the trade agreement and its labour standards chapter can be measured. A distinction should be made between the effects of the negotiations leading up to the agreement (pre-ratification effects) and those of the labour provisions specifically in terms of effects on labour law and on labour practices (see also ILO, 2013).

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only a limited number of articles dealing with this issue.

4.1. Pre-Ratification Effects

Before CAFTA-DR was officially on the table, Guatemala had already ratified all eight fundamental conventions named in the ILO Declaration (ILO NORMLEX, 2014b) and around 2003 it was making progress in adapting its labour legislation and practices (ILO, 2003, p. 3 [note 3]; US Department of Labor, US Trade Representative, & US Department of State, 2005, pp. 73-97)[12]. Around the time the negotiations were launched in 2003, a study conducted by the ILO (at the request of the Central American countries) pointed to a number of problems in the field of labour legislation and labour practices (ILO, 2003, pp. 18-22).

However, while recognising that legal revisions were much needed in areas to prevent discrimination and to establish rules for union election, a 2005 study by US Department of Labor, US Trade Representative and US Department of State maintained that many parts of the conventions related to CLS were "largely in conformity" with Guatemalan law (US Department of Labor, US Trade Representative, & US Department of State, 2005, p. 73). The idea that the problems were mainly limited to implementation and enforcement and not to the laws themselves became part of a heated debate between those supporting a strong labour chapter and those against, leading to accusations that the US Department of Labor had withheld politically unwanted reports which had concluded that the labour legislation in CAFTA-DR countries actually fell significantly short, while the Department claimed that these reports were lacking in quality (Inside US Trade, 2003a; Margasak, 2005). In 2012, however, the Department of Labor recognised the non-existence of recommendations from the Working Group of the Vice Ministers' 2003 report that Guatemala reform its labour law as a "…significant omission…" (US Department of Labor, 2012, p. 18), thereby acknowledging that the legal situation in at least some areas also demanded attention.

Although the ILO report had prompted the country to make further improvements (Report of the Working Group of the Vice Ministers Responsible for Trade and Labor in the Countries of Central America and the Dominican Republic, 2005, p. 40), actions to strengthen inspections or improve labour legislation were not a formal condition for the US to get the agreement ratified. In fact, the inclusion of such a condition in FTAs only became customary in 2006. Nevertheless, in the case of CAFTA-DR, there was an understanding that before the agreement was signed, the member countries would improve their legislation and practices (ILO, 2013, pp. 36-37). As noted before, that such concerns

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[12] Labour legislation was adapted in areas related to issues raised in the ILO (ILO, 2003, p. 3 [note 3]); and under the GSP (US Department of Labor, US Trade Representative, & US Department of State, 2005, p. 75).

were brought forward was mainly related to the negative public stance in general, and of trade unions in particular, on free trade. Different representatives from the Democratic Party emphasised that the agreement would lack enough support to pass if labour standards were not included in a meaningful way, that is, going beyond the formulation of "enforcing own labour standards" (Inside US Trade, 2003b; Inside US Trade, 2003c). In response to this, the US Trade Representative promised to not conclude "(n)egotiations on labor provisions in the agreement…until the U.S. was satisfied that the labor standards in the Central American countries 'were up to the level that we're satisfied with', and Central Americans make a commitment to implement that standard…" (Inside US Trade, 2003d).

What this level entailed exactly remained unclear. On the one hand, this put pressure on the CAFTA-DR countries to undertake action, while on the other hand it left plenty of room to manoeuvre for the CAFTA-DR countries. These countries responded to this "challenge" by requesting that the Inter-American Development Bank support an assessment of the situation in their countries and come up with proposals to improve the situation (Inside US Trade, 2004). The resulting Report of the Working Group of the Vice Ministers Responsible for Trade and Labor in the Countries of Central America and the Dominican Republic (2005) optimistically noted that "(s)ignificant progress has been made in assuring that the Guatemalan constitution and labour code contain full protections for the fundamental rights of the ILO" (p. 40) and emphasised the developments made in the different countries. In Guatemala, this ranged from proposals (such as "steps taken" to improve labour inspections, proposed budget increases for labour ministry) to completed reforms such as a decentralisation of courts and the protection from exploitative work by children (p. XIII). At the same time, it recognised that there was a lot left to be desired. For example, there was a lack of compliance with the laws, there remained limitations to the Ministry of Labour's ability impose fines in cases of labour standards violations, inspectors were politically appointed, court decisions were delayed, and there was slow progress in reforming legislation on gender discrimination (Report of the Working Group of the Vice Ministers Responsible for Trade and Labor in the Countries of Central America and the Dominican Republic, 2005, pp. 40-47). Of interest were the matters that were not mentioned. What remained undiscussed in this report were legal issues that inhibited the full ability of workers to organise themselves (such as requirements for whom could be elected or for when union could be established) and the high number of (death) threats against trade unionists and the general anti-union culture.

The latter points were rather hard to neglect, and were addressed in the 2005 report of the US Department of Labor, US Trade Representative and US De-

partment of State, which was drafted to inform the decision-making process on the ratification of CAFTA-DR. While the report did mention the lack of protection of workers to exercise their rights and the (death) threats against trade unionists, it also uncritically established that "…the Special Prosecutor's Office has investigated 141 cases involving trade unionists, 46 of which were filed in 2004. The large majority of cases were found to be without merit by judges or by the Special Prosecutor's Office"[13] (p. 82) and "(i)n June 2004, the Government of Guatemala reported positively to the ILO that, since 2001, efforts had been made to ensure that labor rights were respected in the country as effectively as possible, producing a decline in acts of violence against trade unionists…No murders of trade unionists related to their trade union activity were reported in 2003 or 2004" (pp. 82-83). While indeed the US Department of State's human rights reports for 2003 and 2004 used quite neutral language on the work of the Special Prosecutor's Office, the 2009 report started to notice the limitations in the office's capacity to deal with the large number of cases. Others argued in 2012 that the problem was not limited to size, as the Special Prosecutor "…refused repeatedly to investigate crimes against trade unionists, unilaterally determining, without investigation, that the individual or family was attacked and/or assassinated for non-union activity" (US Leap, n.d.).

In sum, the CAFTA-DR negotiations did stimulate Guatemala to reflect on its development in terms of labour standards, and efforts that had already been undertaken continued. However, as no specific reforms were formulated as a condition to the ratification of the agreement in the US, it did not lead to major changes. Research by Heintz and Luce (2010, pp. 24-25) on the legal requirements and the practices in area of Freedom of Association and Collective Bargaining shows some improvement during the years before the ratification of the agreement, but only when the strength of the changes on certain criteria is weighted. All other measurements show no improvement. The CIRI database, which reports on changes in labour practices in workers' rights[14], did not report an improvement between 2003 and 2005 (Cingranelli & Richards, 2013a).

4.2. Effects of the Agreement

Legal problems exist in Guatemala when labour laws are measured against international fundamental labour rights, such as in relation to conditions for establishing a union or striking. For years, CEACR requested the

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[13] The full name is the Special Prosecutor's Office for Crimes against Unionists and Journalists.
[14] CIRI uses the American definition, excluding discrimination but including minimum working conditions (Cingranelli & Richards, 2013b, p. 65).

amendment of legal provisions, for example with respect to conditions imposed on the establishment of industry-wide unions, the requirements for being elected as a trade union leader, and limitations on the right to strike (CEACR, 2013). However, when reviewing the US Department of State's Country Reports on Human Rights Practices between 2005 and 2013, no reports of *de jure* improvements were made. In addition, the CIRI database shows that between 2005 and 2011 the labour standards situation in Guatemala was rated at the lowest level and no improvements were made that altered that daily practice. According to the US Department of Labor (2012, pp. 16-25), in the period 2005–2010, Guatemala was the only CAFTA-DR country that decreased its labour law enforcement budget and decreased the number of labour inspectors. This report concludes that "(s)ome countries have provided increased resources, training, and infrastructure for their inspectorates. Unfortunately, other countries, most notably Guatemala, lag behind" (US Department of Labor, 2012, p. 25). While the country did establish more courts with labour jurisdiction, enforcement of court orders was noted as an "ongoing problem". More positive developments were noted in terms of "promoting a culture of compliance" and in battling the worst forms of child labour (such as increasing the compulsory education age) (US Department of Labor, 2012, pp. 26-35), but the effects of these efforts should not be overestimated. For example, effects in terms of child labour are unclear from other sources, such as the Human Rights Reports of the US Department of State (between 2005–2013) and the Reports on the Worst Forms of Child Labor of the US Department of Labor (between 2005–2011). Only the study by Heintz and Luce (2010, pp. 30-33) shows some improvement in area of Freedom of Association and Collective Bargaining when the strength of the changes is weighted.[15]

The above shows that the CAFTA-DR did not have a strong effect on labour standards practices. It also seems that the threat of sanctions has also not made a difference thus far. The possible execution of this threat became more tangible in 2008, when the AFL-CIO and six Guatemalan trade unions filed a complaint against Guatemala. The core of the complaint is that the Guatemalan government seriously and repeatedly failed to enforce its own domestic labour laws. All five of the individual cases cited in the complaint included references to matters also included in ILO conventions

87 and/or 98, among which was the murder of a representative of banana workers. The complaint requested the US government invoke the consultation mechanism which the FTA foresees, and, if necessary, also the dispute mechanism (AFL-CIO et al., 2008).

The Office of Trade and Labor Affairs (OTLA) of the US Department of Labor accepted the complaint about 7 weeks later. The findings of OTLA were not to be misunderstood; the Guatemalan Ministry had send out inspections to the facilities, but the inspectors were simply denied entrance. When courts took over cases, the Ministry was not informed about the outcomes, and the rulings of the courts were not complied with on a regular basis. The report concluded with some specific recommendations on how to improve the failing system and announced that it would look at progress six months later, but felt at the time that formal consultations with Guatemala were unwarranted (OTLA, 2009). One of the effects of the complaint was that the Guatemalan government sent inspectors to two of the factories subject to complaints and anti-union activities and workers were ordered to be reinstated, which had a long-term effect in only one case (ILO, 2013, p. 53). According to Vogt (2014, p. 137), such minor progress actually made it more difficult for the US to request consultations, as the Guatemalan government was demonstrating good will.

Just after the OTLA report, excluding the recommendation for formal consultations, was published, the Obama Administration came to office, but no immediate action was undertaken. This changed in 2010, when the US filed its first labour rights case ever under an FTA, thereby requesting formal consultations (US Trade Representative, 2010). That year, important FTAs with Panama, Colombia, Peru and Korea were pending and the Obama Administration wanted to pass them through Congress. Even though, as a result of a 2007 compromise between the Democrats and the Republicans, these four agreements are equipped with a labour chapter much stronger than the other agreements, some members of the House of Representatives, mainly Democrats, were not supportive of these FTAs (Cooper, 2010; Liberto, 2011).[16] Some therefore argue that Obama, pursuing a free trade agenda, filed the complaint against Guatemala to show that he is willing—albeit at a slow pace—to follow up on the labour aspects of the FTAs, making the Democrats and the trade unions more willing to accept the pending trade deals (Council on Hemispheric Affairs, 2010). This was needed, as Democrats held the majority in both the House and the Senate in 2010.

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[15] There are a few reasons to be cautious about this result and the result in the pre-ratification phase, as mentioned earlier. The authors employ different kinds of measurements, and the vast majority show no improvement in the case of Guatemala. At the same time the authors argue (p. 33) that in countries with weak labour standards to begin with, this type of measurement may put too much weight on small improvements (Heintz & Luce, 2010).

[16] As in 2007 Democrats had a majority in US Congress and demanded a stronger commitment to labour standards in trade agreements, these FTAs contain stronger language on labour standards (Destler, 2007).

The official reasons put forward by the US for filing this case were the "failures to investigate alleged labor law violations", and the lack of enforcement measures being taken once a problem presented itself. Specifically violence against trade union leaders, freedom of association, the right to organise, and collective bargaining are mentioned. The official US government press release also mentions that these violations create disadvantages for the US (US Trade Representative, 2010). The letter written by the US Trade Representative and the US Secretary of Labor states that "(t)he United States also has grave concerns about the problem of labor-related violence in Guatemala, which is serious and is apparently deteriorating" and it lays the fault with the Guatemalan government, stating that "(t)he concerns of the United States include apparent failures by the Government of Guatemala to respond adequately to protect those threatened with violence and apparent failures to adequately investigate and prosecute such crimes" (Letter from US Trade Representative Kirk and US Secretary of Labor Solis, 2010).

However, the consultations did not have the desired result. The US government tried to come to an agreement, this time through the CAFTA-DR Free Trade Commission, but this also had no result as the Guatemalan government did not agree to changes in the law that would allow labour inspectors to impose sanctions on employers when in violation of labour law or to make employers in the export zones put money in a fund to cover the cost of workers' compensation when factories closed (Vogt, 2014, p. 138). A few months later, the US Trade Representative called for the creation of an arbitration panel (US Trade Representative, 2011b), which was established at the end of 2012, but it took until November 2014 for the first submission to be filed (Initial Written Submission of the United Sates, 2014). In the meantime, activities were undertaken to settle the conflict. In April 2013, the two governments signed an action plan that included detailed steps that Guatemala had to undertake in order to correct the lack of labour law enforcement. The plan included commitments on information exchange between different ministries, the establishment of an electronic system to track court decisions, police assistance for inspectors when inspecting work sites, resources for labour inspectors, the right of labour inspectors to issue fine recommendations and shorten the timeframe for handling a case, increasing compliance with labour standards in the export sector, and making sure that companies would be withheld benefits if they do not adhere to labour law (Enforcement Plan, 2013). That the commitments were made at all was, according to Vogt, probably the result of the fact that the workers' delegation to the ILO had requested the establishment of a Commission of Inquiry in order to investigate com-

plaints in the area of Freedom of Association and the Right to Organise (Vogt, 2014, pp. 138-139).[17]

After having already granted Guatemala in October 2013 six months to fulfil its commitments (Vogt, 2014, p. 139), the Guatemalan government once again got an extension of four months from the US at the end of April 2014. The Guatemalan trade unions and AFL-CIO responded furiously to this. They argued that the Guatemalan government shows unwillingness to solve the problems by not amending its laws, not enforcing the law, and not adhering to major points in the enforcement plan, such as with regard to the frequency and role of labour inspectors, non-compliance with court orders, sanctioning authorities of the ministry, and so forth (letter from AFL-CIO and Guatemalan unions, to the US Trade Representative Froman, US Secretary of Labor Perez, the Ministro de Trabajo y Previsión Social Solorzano and the Ministro de Economia de la Torre, 2014).[18] In September 2014, the US decided that Guatemala's efforts were not substantial enough, and in November 2014 the US submitted its concerns to the Panel, arguing that Guatemala had not enforced its own labour laws and that this had affected trade between the US and Guatemala in more than 400 cases (Initial Written Submission of the United Sates, 2014; US Trade Representative, 2014). This shows that, even though it took the Obama Administration a long time to act upon the labour chapter in the agreement, it eventually did proceed with this. Again, other factors than the intention to strengthen labour standards may have played a role, such as the Trans-Pacific Partnership (TPP) which is currently being negotiated and is viewed critically by the Democrats for the same reasons that the other FTAs were (Committee on Education and the Workforce, 2014).

5. Understanding the Weak Attempt to Forced Diffusion of CLS

This article argues that the effects of the inclusion of labour standards in the CAFTA-DR have been—until now—insignificant and that this can be understood as a case of an attempt at forced diffusion which has failed. The weak formulation of the provisions and sanction mechanism in the labour chapter, combined with the limited action undertaken, suggest that initial support for the inclusion of labour standards was mainly symbolic. Given the weak language and the lack of action that followed, it seems that both countries accepted the inclusion of labour standards in the FTA

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[17] In December 2014 no Commission had yet been established (ILO, 2014).

[18] Nevertheless, according to a recent ILO study, the complaint and its aftermath have made some Guatemalan and US companies anxious for their exports, calling upon the Guatemalan government to act and resolve the issue (ILO, 2013, pp. 53).

without a clear intention to act upon it. Guatemala was not committed to changing its labour laws and, particularly, practices, but the CAFTA-DR agreement forced the country to address the issues raised by the agreement. On the basis of the long history of the country failing to protect workers, the government's lack of commitment did not come as a surprise. While officially being categorised as a democracy by Polity IV (2014), Isaacs (2010, p. 115) argues that in Guatemala "…today's political class has mastered the art of deception. Politicians may follow democratic practices that sometimes yield positive outcomes. Yet they do not provide truly representative or responsible governance". She paints a grim picture of a country torn apart by decades of civil war, which has created a society where violence has penetrated everyday life; a weak and political legal system which does not defend justice but sustains impunity; the takeover of political parties by elites, the military and criminals; a left-wing opposition not strong enough to counter vested interests or defend the interests of highly impoverished population; and the shimmering hope that this would change with the election of Colom in 2007 long gone. The US Department of State notes that although Guatemala is a multiparty constitutional republic with free and fair elections, it is also characterised by "…widespread institutional corruption, particularly in the police and judicial sectors; police and military involvement in serious crimes such as kidnapping, drug trafficking, and extortion; and societal violence, including often lethal violence, against women" (US Department of State, 2013, p. 1). Recent events even indicate a turn for the worse.[19]

Under these circumstances, the lack of political incentive in the US to actually transfer labour standards until recently has not helped to improve the situation. As noted, the Bush Administration saw the inclusion of a labour clause in CAFTA-DR first and foremost as an attempt to make the agreement more acceptable to the Democrats and to get it ratified by the US Congress. Because of this, the agreement lacks real teeth, with its emphasis on national standards and including only a limited fine for the violation of a restricted part of the agreement. In short, the institutional change framed was one of a symbolic nature, as both the Bush Administration as the Guatemalan government were forced to deal with the issue of labour standards, but were not supportive of it. While on paper the FTA definitely had some coercive features that would enable it to go beyond being symbolic, no measures were taken to actually enforce the labour chapter. Only with the arrival of the Obama Administration has this symbolic

nature led to an attempt to change matters more substantively. It remains to be seen, however, what the effects of such attempt will be. The question is whether the available measures are enough to force an unwilling country to change its institutions and its politics in such a fundamental way.

Conflict of Interests

The author declares no conflict of interests.

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AFL-CIO, STEPQ, SITRABI, SITRAINPROCSA, Coalition of

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[19] The highly acclaimed Attorney General who been responsible for the (later overturned) conviction for genocide of former President, General Montt, has been forced to resign and has been replaced with an Attorney General connected to Montt's political party (Isaacs, 2014).

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Article

Drawing Lessons When Objectives Differ? Assessing Renewable Energy Policy Transfer from Germany to Morocco

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Abstract

Given the tremendous energy challenges Morocco faces, and its potential role as an exporter of green electricity to Europe, the country has been particularly targeted by Germany's efforts to promote the uptake of renewable energies abroad. This paper explores whether ideas and policies in the field of renewable energy effectively traveled through transfer channels established between Germany and Morocco. In particular, the question of how Morocco's policy objectives shaped the result of transfer processes is discussed, shedding light on a currently under-researched determinant for policy transfer. Drawing upon forty-five semi-structured interviews with Moroccan, German, and international stakeholders, as well as card-ranking exercises, the article provides first-hand insights into the dynamics and drivers of Morocco's "energy transition". Findings presented in the article show that differing policy objectives did not preclude the transfer of ideas between Germany and Morocco, but shaped its outcome with regard to policy instrument selection. While basic policy orientations in favour of renewable energies were facilitated by transferred knowledge, a perceived incompatibility between domestic policy objectives and the policy instruments used in the foreign model led to selective lesson-drawing from the German example. This finding underlines the importance for "senders" who wish to actively promote sustainable energy policies abroad to adapt outreach strategies to the policy objectives of potential followers.

Issue

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1. Introduction

Understanding what drives and shapes the diffusion and transfer of sustainable energy policies is highly relevant at a time when numerous countries in the world find themselves at energy policy crossroads and look for inspiration abroad. Among potential determinants for the transfer of principles, policies, or instruments between "sending" and "receiving" countries, this article takes a closer look at the role of policy objectives. For both senders and receivers (or "leaders" and "followers", as they are more commonly referred to in the literature), understanding the impact of similar or differing

policy objectives on the prospects of policy transfer is essential. For followers interested in drawing lessons, a critical evaluation of the fit between domestic policy objectives and foreign models is necessary to avoid transfer-related policy failure (Dolowitz & Marsh, 2000; Pegels, 2014, p. 184). Pioneers can use these insights to promote learning from their policies more effectively by taking into account the goals followers primarily pursue.

Following the widely used definition by Dolowitz and Marsh (2000, p. 5), transfer is understood in this paper as a process "by which knowledge about policies, administrative arrangements, institutions and ideas in one political setting (past or present) is used in the de-

velopment of policies, administrative arrangements, institutions and ideas in another political setting". Consequently, the aim in this paper is not to test whether Morocco "copied" the German Energiewende, but to enquire how policy objectives shaped the use of evidence from this example and of information provided by German transfer agents in the Moroccan debate and in policy decisions for renewable energy in the electricity sector. Focusing on policy objectives as a potential determinant for transfer is particularly relevant here: while many factors known to facilitate policy transfer (communication channels, structural incentives, the presence of German transfer agents) come together in the case of Morocco and Germany, priorities pursued through an increase of renewables in the electricity mix differ, as discussed below.

The German energy transition—or Energiewende—is one of the most prominent examples of an energy transition (Rat für nachhaltige Entwicklung, 2013; Weidner & Mez, 2008), making it a likely potential source of inspiration for countries considering changes to their own energy system. Although recent studies reveal considerable interest in the German energy transition or "Energiewende" from observers abroad (GIZ, 2012a; Konrad-Adenauer-Stiftung, 2013, 2014), little is known about the extent to which lessons are effectively drawn from this example and how active policy promotion by Germany impacts decision-making in other countries.

Assessing transfer from the German energy transition is rendered challenging given the multitude of policies, programs and instruments in place to achieve its targets for renewable energy (80% of the electricity mix by 2050), C02-reduction (80–95% by 2050), the reduction of primary energy consumption (50% by 2050), and nuclear phase-out (to be completed by 2022). The German Energiewende is a "transition from below", started in the late 1970s (Maubach, 2013, p. 42), a time when the term "Energiewende" started to be used in the pro-renewables and anti-nuclear community (Krause, Bossel, & Müller-Reissmann, 1980). The German government's decision to re-accelerate nuclear phase-out following the Fukushima disaster in 2011 and the definition of long-term goals up to 2050 in the 2010 Energy Concept and the 2011 Energiewende legislative package (BMWi, 2011; BMU, 2011) increased global attention for Germany's Energiewende. Rather than marking a radical change of path, these decisions build up on policies in place at least since the early 2000s (Renewable Energy Act adopted in 2000, building up on the Electricity Feed-in Act from 1990; nuclear phase-out decided in 2002), leading to a steady increase of the share of renewables in the German electricity mix to up to 27.3% in 2014 (Graichen, Kleiner, Litz, & Podewils, 2015). The core policy instrument used to promote the uptake of renewables in Germany are technology-specific feed-in tariffs, although a recent reform of the German Renewable Energy Act fore-

sees test runs for auctions of ground-mounted photovoltaic capacity from 2015 onwards (Bundestag, 2014). Today, 47% of installed renewables capacity in Germany is citizen-owned (Agentur für Erneuerbare Energien, 2014).

While its quantitative targets are clearly defined, the hierarchy of *political* objectives[1] the Energiewende is to achieve remains subject to discussion (Joas, Pahle, & Flachsland, 2014). One important objective and rationale for Germany's energy transition since its beginnings has been to gain followers on the way towards more renewables (Bundestag, 1988). Despite recent criticism concerning their economic efficiency, German feed-in tariffs and the resulting uptake of renewables contributed to a spectacular decrease in prices for renewable energy technologies worldwide, in particular for photovoltaics, making them more accessible to potential followers. The aim to promote renewables in partner countries also led to the establishment by Germany of various programs to encourage the uptake of renewables in other countries (Steinbacher & Pahle, 2015). Morocco has been particularly targeted by these efforts (GIZ, 2012b), which makes it a relevant case to analyze the transfer of knowledge and ideas from the German energy transition and, in general, through transfer channels established with Germany.

Morocco's potential role as a multiplier for sustainable energy in developing countries, but also its market potential as the "most promising destination for solar and wind energy in the MENA region" (Vidican et al., 2013, p. 2), and the prospect of importing "green" electricity from Morocco in the future, led Germany to invest considerable resources in technical and financial assistance in the field of renewable energy (KfW, 2014). Numerous programs, including policy advice, capacity-building measures, pilot projects and a bilateral energy partnership, have been established since the 1980s between Germany and Morocco, creating multiple channels of communication through which policy transfer can take place.

Although Morocco is not a major CO2 emitter on a global scale, a better understanding of its approach to renewable energy policy is of relevance: with its ambitious plans for renewable energy in the power sector, Morocco can aspire to a leadership role in Northern Africa and can serve as a source of inspiration and lessons for other African countries (Amrane, 2013). Its approach to energy transition governance can thus potentially provide lessons for other emerging and developing countries willing to avoid lock-ins in high-carbon energy systems in the future.

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[1] At this occasion, it should be noted that "targets" such as the share of renewable energy were not considered "objectives" for the purpose of this paper. The aim was to explore what objectives should, in fine, be achieved via a higher share of renewables rather than considering such an increase as an objective in and of itself.

Given these favorable basic conditions for transfer, the aim in this paper is to explore to what extent principles, policies or instruments in the field of renewable energy travelled through the channels of communication established between Germany and Morocco, given that the priorities the two countries pursue through the deployment of renewable energy differ in central respects. To carry out this analysis, the article follows a three-step approach: it sheds light on the policy objectives Morocco pursues with its "energy transition" (Section 4), provides examples of how lessons from the German energy transition and knowledge provided by German transfer agents were used in policy-making for renewable energy in Morocco (Section 5), and discusses what conditions made (selective) transfer possible between Germany and Morocco (Section 6). Prior to this, expectations from the policy transfer literature (Section 2) are summarized and methods presented (Section 3).

Analysis in this article is based on findings from forty-five semi-structured interviews, ranking exercises, as well as document analysis carried out in the framework of field research in Morocco in the first quarter of 2014. Results suggest that strong established transfer channels, Morocco's own claim to leadership, and Germany's reputation as a leader led experts and decision-makers to use evidence provided by German transfer agents despite differing objectives. However, while the diffusion of basic policy orientations ("more renewables") was effectively facilitated by German transfer agents, this was not the case for policy instruments, where negative lessons drawn from the German experience contributed to the choice of multi-criteria tenders to promote renewables.

From a theoretical point of view, the case of renewable energy policy transfer to Morocco shows that differences in objectives do not preclude lesson-drawing, but lead to selective transfer, hybridization (Evans, 2009, p. 246) or policy osmosis (Genovese, Kern, & Martin, 2012). From the perspective of "leadership by diffusion" (Biedenkopf, 2012; Steinbacher & Pahle, 2015), the transfer of knowledge on energy transitions requires followers' (potentially differing) political objectives to be taken into consideration. This finding adds to the discussion on the role of issue-linking and promoting co-benefits to facilitate the adoption of climate-friendly policies by countries with priorities other than climate protection (Cosbey, 2009).

2. Policy Objectives as Potential Determinants for Transfer

2.1. Diffusion and Transfer of Sustainable Energy Policies

The growing literature on policy transfer and diffusion[2]

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[2] For an account of the terminology debate see for example

has provided crucial insights into if and how models and policies spread across time and space. The spread of diverse environmental policy instruments (Holzinger, Knill, Heichel, & Sommerer, 2010; Sommerer, 2011), energy policies (Matisoff & Edwards, 2014; Stoutenborough & Beverlin, 2008; Vasseur, 2014), including feed-in tariffs (Busch, 2003; REN21 Secretariat, 2012) and renewable energy portfolio standards (Chandler, 2009; Matisoff, 2008; Smithwood, 2011), is a strong indicator for interdependent policy-making in the field of environment and energy. Hypotheses have been formulated on why follower countries turn to foreign models in search for inspiration and lessons (e.g., Heinze, 2011), on what actors are involved in transferring policies (Marsh & Sharman, 2009; Stone, 2004) and on how transfer is linked to policy success and failure (Dolowitz & Marsh, 2000). From a geographical point of view, transfer and diffusion research has however been criticized for largely focusing on diffusion within or between OECD countries (Evans, 2004).

The potential "objects" of policy transfer under scrutiny in this paper are the rules and institutions governing the generation of electricity from renewable energy sources. Although this does not cover the entire scope of the German energy transition as a potential source of lessons, the focus can be justified taking into account the prominence of this sector both in the implementation of the Energiewende in Germany and in Moroccan-German cooperation over many years.

2.2. Compatibility and Similarity of "Senders" and "Receivers" as Determinants for Transfer

The compatibility or fit between a pioneering policy model and the regulatory tradition of potential follower countries has been identified as one of the main determinants for policy transfer (Busch & Jörgens, 2005, p. 5; Heinze, 2011; Rose, 1991; Tews, 2002). The expectation is that the more a policy instrument, tool or idea is in line with existing institutions and administrative practices—and with domestic policy objectives—the more likely it will be adopted by a follower country. Beyond the requirement of regulatory fit, cultural and economic similarity between follower and leader country is also considered to influence which foreign models policy-makers and advisors take into account when formulating policies. By using "analytical shortcuts" in processes of bounded rational learning (Meseguer, 2005, p. 2), only a limited number of foreign models (if any) are usually considered in the search for policy solutions. Besides the perceived success of the model and availability of information on a foreign model, the common belonging of follower and leader country to a

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Holzinger, Jörgens and Knill (2007). The term policy transfer is employed in this paper since a specific, bilateral case of potential lesson-drawing is under scrutiny here.

"cultural reference group" (Simmons & Elkins, 2004, p. 175) makes it more likely for a follower to consider a specific foreign policy model. Looking at policies implemented in countries with similar cultural, religious, political, linguistic, or economic characteristics is expected to provide "highly relevant information on the appropriateness of a particular policy" (Simmons & Elkins, 2004, p. 176), increasing the likelihood for transfer. With Morocco and Germany differing in many respects, this argument is put to a test in the analysis of policy transfer between them.

2.3. Instrument Selection, Transfer and Policy Objectives

Literature on policy transfer and diffusion regards the perceived "success" and "reputation" (Jänicke, 2005) of the pioneering model as important cognitive heuristics. These heuristics do however depend on policy objectives pursued and therefore on the indicators for success a follower country applies. Different elements of a foreign policy design can be perceived as successful, compatible and appropriate depending on what objectives the follower aims to achieve. An assessment of an energy policy's track record will therefore vary according to whether climate goals or low electricity prices, job creation or citizen participation or other objectives are prioritized. It therefore appears necessary to focus on the role of objectives for transfer outcomes and instrument selection in follower countries.

Choosing policy instruments is an inherently political process and reflects understandings and beliefs: "granted its [the government's] favorable attitude to doing something about it, which solution it wants to see in effect obviously depends on its beliefs how different measures will affect national interests and values" (Malnes, 1995, pp. 102-103). The policy field of renewable energy is no exception to the rule and the political economy of energy transition policies is receiving growing attention (Baker, Newell, & Phillips, 2014; Mitchell, 2008). A range of instruments to promote renewable energies is available to policymakers, with different outcomes and effects on "national interests" to expect. Whereas feed-in tariffs provide security to smaller investors and can easily be designed to encourage decentralized energy generation, auctions are generally organized to bring about the most cost-efficient solution and are sometimes too complex and risky for households and small enterprises (see for example Jacobs et al., 2014; Kreycik, Couture, & Karlynn, 2011, p. 32). They can, however, be designed to promote other objectives beyond low prices, such as local economic development, as the case of South Africa shows (Eberhard, Kolker, & Leigland, 2014). The choice of policy instruments—impacted or not by external impulses and knowledge about foreign models—thus appears as closely linked to the objectives an energy transition should achieve in the eyes of decision-makers.

3. Methods

Findings and analysis in this paper rely on forty-five semi-structured interviews, forty of which included a ranking exercise, as well as on the analysis of documents including minutes of meetings, project reports, press releases and policy documents. Interviews were carried out in Rabat and Casablanca in February and March 2014[3] with interview partners selected to cover organizations involved in energy-related projects of German-Moroccan cooperation (see Table 1). These projects were funded by different German departments (Ministry for Environment, Ministry for Economic Affairs, Ministry for Economic Cooperation and Development) and are implemented by GIZ, the German agency for international cooperation (*Deutsche Gesellschaft für Internationale Zusammenarbeit*) and/or KfW, the German development bank (*Kreditanstalt für Wiederaufbau*). Representatives of all main Moroccan institutions involved in the formulation and implementation of energy policies were covered, such as the Moroccan Ministry for Energy, Mining, Water and the Environment (Ministère de l'énergie, des mines, de l'eau et de l'environnement, MEMEE) and Morocco's vertically integrated, state-owned electricity and water utility ONEE (Office national de l'électricité et de l'eau). Within these organizations, the focus was put on high-ranking officials who had been in direct contact with German advisors, which does introduce a certain bias to the sample of interviewees. For an external view on Moroccan-German energy relations, representatives of international institutions (e.g., World Bank, African Development Bank) and third countries (Spain, France) were interviewed. Interviews lasted 65 minutes on average and were carried out in French or German, with quotes in this paper being translated by the author. Interviewees were guaranteed anonymity.

Table 1. Overview of institutions and organizations covered through interviews.

ADEME	French Environment and Energy Management Agency
ADEREE	Moroccan Agency for the Development of Renewable Energy and Energy Efficiency
AFD	French Development Agency
AfDB	African Development Bank
AHK	German Chamber of Commerce in Morocco
Amisole	Moroccan solar industry association
Cegelec	French electrical engineering company

[3] Two interviews were carried out over the phone in Morocco, one interview was conducted in Germany.

CFCIM	French Chamber of Commerce in Morocco
CNRST	Moroccan National Centre for Scientific and Technical Research
Consultants	Energy policy consultants, Morocco
EIB	European Investment Bank
German Embassy	Embassy of the Federal Republic of Germany in Rabat
GIZ	German Development / International Cooperation Agency
IDE-E	Institute for Development, Environment and Energy in Morocco
IRESEN	Moroccan Institute for Research on Solar and New Technologies
KfW	German Bank for Reconstruction
Maroc Sans Nucléaire	Moroccan citizens' organization against nuclear energy
MASEN	Moroccan Agency for Solar Energy
MEMEE	Moroccan Ministry for Energy, Mining, Water and the Environment
Moroccan Embassy	Embassy of the Kingdom of Morocco in Berlin
Saharawind	Sahara Wind Project: Energy for Sustainable Development
SIE	Moroccan Society for Energy Investments
Siemens	Siemens Morocco & Tunisia
Spanish Embassy	Economy and Trade section, Spanish Embassy in Morocco
World Bank	World Bank Morocco, Rabat office

3.1. Ranking Exercise: Energy Transition Objectives

To assess stakeholders' view on the objectives of Morocco's renewable energy policy, a ranking exercise modeled on the approach used by Joas, Pahle and Flachsland (2014) was carried out. Similar, yet often more complex forms of "card sorting" or "q-methods" have mainly been used in information architecture research, psychology and the social sciences (Müller & Kals, 2004). Interview partners were asked to rank thirteen small paper cards in whatever form they judged most appropriate to answer the question "What are the objectives Morocco pursues through its new renewable energy strategy?". Interviewees were asked not to express what *should* be the objectives pursued, but what they thought to be the actual goals pursued through the planned increase of solar, hydro and wind capacity in Morocco. The objectives proposed were the following (original in French): energy independence, job creation, creating an industry, electricity exports, societal or identitary project, environmental and climate protection, decentralization, liberalization, avoiding nuclear energy, international community's expecta-

tion, leadership, attracting investors, and affordable electricity prices. Interviewees were free to discard cards and ask for objectives to be added. The selection of objectives for the Moroccan case draws upon official statements such as a speech held by Morocco's Minister for Energy, Abdelkader Amara, on the objectives of Morocco's energy transition in Casablanca in November 2013 (Ministère de l'Energie, Mines de l'Eau et de l'Environnement, 2013a)[4]. Information gathered through interviews and the ranking exercise, was completed with official statements of Moroccan officials at major sectorial events[5] and in document analysis.

3.2. Analysis and Caveats

Interviewees were free to rank several objectives at the same level of importance, which could have warranted a recalculation of ranks (for individual ranking results, see Table A1 in the Annex). For example, when three cards were ranked as top priorities, each of them could have been attributed (1+2+3)/3 = 2 points as an average rank. The subsequent card, ranked as a 2nd-level priority by the respondent, would then have received rank 4. The choice has been made in this paper not to use average ranks but to consider multiple cards ranked as top priorities as equally important as a single card ranked first in a strictly hierarchically ranking. Interviews were fully transcribed and coded around the 13 objectives proposed, in a qualitative content analysis approach (Gläser & Laudel, 2010). Since the number of interviews and ranking exercises carried out is high in relation to the size of the Moroccan energy landscape, but too low for solid statistical inference, figures provided in the following sections need to be considered within the context of the interviews and taking into account the variety of forms—strictly hierarchically or not—in which cards were ranked by interview partners.

4. Goals and Practice of the Moroccan "Energy Transition"

4.1. Morocco's Energy Challenges

Morocco's energy system faces numerous challenges, putting it in a "very precarious energy and financial situation" (Vidican et al., 2013, p. 9) and pushing it to look for ways to increase capacity in recent years. First of all, given the country's minimal domestic fossil fuel

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[4] "Refusal of nuclear power" was added as an objective to explore similarities with the German approach to energy transition governance.

[5] CGEM Conference on energy transition, 27 November 2013, Casablanca; Solemn plenary session of the Académie Hassan II des Sciences et Techniques, 19 and 20 February 2014, Rabat; Solaire Expo, 26 February 2014, Casablanca; 8th German-African energy forum, G, 14 and 15 April 2014, Hamburg.

resources, Morocco is heavily dependent on imports; secondly, Morocco's economic and demographic growth caused a steep increase in total energy demand; thirdly, demand is also rising on a per capita basis as standards of living rise. As a consequence, primary energy supply rose by almost 60% between 2002 and 2012. According to a recent comprehensive assessment of the Moroccan energy sector by the International Energy Agency, oil provides two thirds of Morocco's primary energy consumption in 2012, followed by coal (16%), biofuels (7.4%), natural gas (5.7%), net electricity imports (2.2%), hydro (0.7%) and wind (0.3%) (IEA, 2014, p. 11). While per capita energy consumption nearly doubled between 2002 and 2011, import dependence remained relatively stable at extremely high levels comprised between 93.0% (2010) and 97.5% (2008). The financial burden of net energy imports was multiplied by more than four during that time (Direction de l'Observation et de la Programmation, n.d.). Although total electricity generation in Morocco increased by almost 80% from 2002 to 2012, average electricity consumption is still eleven times lower than the IEA average. However, Morocco's strong reliance on fossil fuels leads to a C02-intensity per unit of GDP higher than the average of member countries of the International Energy Agency (IEA, 2014). Morocco's internationally praised rural electrification program (*Programme d'électrification rurale globale*, PERG) increased the share of electrified households from 18% in 1995 to over 98% today.

4.2. A New Energy Strategy

Morocco's ambitious renewable energy targets are at the core of its "new national energy strategy" (Ministère de l'Energie, Mines de l'Eau et de l'Environnement, 2013b) defined in 2009. The strategy also foresees an increase of conventional capacity, but introduces significant solar and wind capacity for the first time. Morocco's renewable energy and energy efficiency targets are ambitious, with the share of renewable energy in total primary energy consumption set to increase from 5% in 2009 to 20% in 2030. Forty-two percent of installed electricity capacity should be renewable by 2020 (Ministère de l'Energie, Mines de l'Eau et de l'Environnement, 2013b, p. 33) and 15% energy savings are aimed for by 2030 (Ministère de l'Energie, Mines de l'Eau et de l'Environnement, 2013b, p. 26) compared to a business-as-usual scenario. Among renewables, only hydro (1700 MW, with only about 10% contribution to electricity generation due to a lack of precipitation in recent years) and wind (750 MW, of which 300MW came online in early 2015) have significant capacity installed today, with total electricity generation capacity amounting to about 7800MW, including recent additions of the Tarfaya wind park and additional units at the Jorf Lasfar coal plant. Despite the recent adoption

in 2014 of a roadmap for solar photovoltaics, announcing the effective opening of the mid- and low-voltage levels to generators, a regulatory framework for this type of small-scale installations is still missing.

The two main legal texts for the implementation of Morocco's renewable energy strategy are law 13-09 on renewable energies, granting the possibility to private investors to develop renewable energy projects, and law 47-09 on energy efficiency. Even more central to the Moroccan energy strategy are the two national plans King Mohammed VI launched in 2009 and 2010 respectively, the Moroccan Solar Plan and the Moroccan Integrated Program for Wind Energy with a targeted total capacity of 2000MW solar and 2000MW wind by 2020 (MASEN, 2010; ONE, 2010). A 2000MW goal for hydro-electricity was fixed as well, but is almost reached already through existing installations and plants under construction (Ministère de l'Energie, Mines de l'Eau et de l'Environnement, 2013b).

To implement the Moroccan solar plan, power purchasing agreements (PPAs) are awarded through tenders at predefined sites (PWMSP Project Consortium, 2013, p. 15). In the first phase of the Moroccan solar plan, tenders for what is to become the world's largest concentrated solar power (CSP) complex at Ouarzazate were launched in two phases in 2012 and 2015. The first plant, Noor 1, is expected to become fully operational in 2015. The integrated wind plan relies on build-own-operate-transfer contracts (ONE, 2014), with 850MW of wind capacity still to be awarded.

4.3. Is Morocco Pursuing an Energy Transition?

Despite these ambitious objectives for renewables, the question of whether Morocco is pursuing an energy "transition" was raised by several interview partners. German and other international officials in Morocco were generally skeptical about speaking of a "transition" in the Moroccan case and tended to see developments primarily as an "enlargement of the electricity mix" while, in Germany, "you can speak of a 'real' transition"[6]. One German official underlined the concept of an energy transition had only been used in the past year or so by Moroccan officials and suggested it was a "trendy" concept, similar to other "concepts that are en vogue like sustainable development, green economy, circular economy and the like"[7]. Some Moroccan officials shared this view, noting that "in Morocco, one has to speak of an energy-development rather than an energy transition. I do not see this as a 'Wende' [sic], a U-turn, but as a new strategic orientation with a focus on renewable energy and clean technologies (…)"[8]. For

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[6] International interview partner, private sector, 21/02/2014, Casablanca.
[7] German interivew partner, GIZ, 27/02/2014, Rabat.
[8] Moroccan interivew partner, IRESEN, 04/03/2014, Rabat.

several interview partners, given the change of path outlined in Morocco's current national energy strategy, from a system almost entirely based on the import of fossil fuels towards considerable shares of renewable electricity capacity, the use of the concept of energy transition to the Moroccan case appeared justified, underlining that in Morocco, "the energy transition is not a choice, it's a necessity"[9]. This is in line with public statements by high-ranking officials including Minister Amara: "We made the energy transition a clear, strategic political choice dictated by the clear-sighted and determined vision of His Majesty the King Mohamed VI (…)" (Ministère de l'Energie, Mines de l'Eau et de l'Environnement, 2013a, p. 2).

4.4. Stakeholders' Views on the Political Objectives of Morocco's Renewable Energy Strategy

Clear trends regarding priority objectives of the Moroccan energy transition towards more renewables could be identified throughout the interviews and rankings. The objective seen as the top priority was (increasing) "energy independence" with an average rank of 1.9, putting it above "job creation", which comes second with an average rank of 3.1. "Avoiding nuclear power" (8.0) and "decentralization" (7.4) were considered to be the goals the Moroccan government is pursuing the least intensely with its renewable energy strategy[10].

4.4.1. Increasing Energy Independence—The N°1 Focus of Morocco's Energy Transition

According to those interviewed, reducing dependence from energy imports is the top priority the Moroccan government is pursuing with its renewable energy policy. German and international interview partners in Morocco saw this objective as being even more important (both 1.6), on average, than Moroccan interview partners (2.1). The goal of energy independence is not entirely self-explanatory: electricity imports from Spain tend to be cheaper than electricity produced within Morocco (Agueniou, 2013). Nevertheless, economic motives were mentioned ("we could save a lot of money if we become independent. I'd call it a 'key success factor'"[11]). Political drivers for energy independence did however prevail in the interviews, with increased independence most often described as a strategic goal[12] and renewables being a way to use "national resources" rather than foreign ones. Although there was agreement among interview partners on the importance of this goal as a driver for renewable energy deployment, several

recognised that Morocco is unlikely to achieve full independence from imports: "[…] it's an objective, but one that will never be reached, it's impossible"[13].

4.4.2. The Socio-Economic Cluster: Job Creation and Industrial Policy

Many interviewees chose to thematically cluster objectives they saw as being linked. This was most often the case for socio-economic goals, the second most important group of objectives of Moroccan energy policy, in the eyes of respondents. Job creation (average rank 3.1), affordable electricity prices (4.0), the development of renewable energy industries (4.1) and attracting investors (4.3) were commonly described by interviewees as causing each other: "creating jobs is a consequence of attracting investors"[14]. The linkages between renewable energy projects and socio-economic benefits were commonly referred to as an "integrated approach" by interview partners and in strategic documents, showing Morocco's ambition to achieve a higher degree of energy independence and socio-economic objectives simultaneously (ONEE, 2014).

Among socio-economic objectives, job creation was perceived as the most important goal pursued by the Moroccan government through its energy strategy. German officials ranked it even higher (2.2) than Moroccan (3.2) and international officials (4.1). At the same time, German and third country respondents frequently expressed doubts about the appropriateness of current policy measures to reach this goal, despite the inclusion of local content thresholds in the tender requirements for renewable energy projects. Morocco's focus on few large-scale renewable energy projects, considered less likely to create a high number of jobs, rather than a decentralized approach led several interview partners to put into question the alignment between policy objectives and instruments: "(…) it's always the same thing, also with the objective of creating jobs: there is ambition but the necessary means are not put in place"[15]. The sincerity of the goal of job creation itself was also questioned, concluding that "those job creation arguments are only façade"[16]. Some suggested the goal of creating jobs was in any case only to be achieved indirectly, by providing reliable electricity at long-term competitive prices to the industry[17].

4.4.3. Decentralization and Societal Project

Decentralizing electricity generation was either refused

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[9] Moroccan interivew partner, MEMEE, 11/03/2014, Rabat.
[10] Cards excluded by interviewees were not considered in the calculation of this average rank.
[11] Moroccan interview partner, SIE, 06/03/2014, Rabat.
[12] Moroccan interview partner, consultant, 10/03/2014, Rabat.

[13] Moroccan interview partner, ADEREE, 10/03/2014, Rabat.
[14] Moroccan interview partner, SIE, 06/03/2014, Rabat.
[15] International interview partner, private sector, 21/02/2014, Casablanca.
[16] German interview partner, GIZ, 12/02/2014, Rabat.
[17] Moroccan interview partner, consultant, 08/03/2014, Skype.

as a goal by interviewees or understood by several Moroccan interview partners as the distribution of a small number of large plants over the whole territory. As one interviewee put it "(…) rooftop PV is not a good thing, the stability of grids is our highest good. (…) Just compare it with growing crop: people do not grow their own crop on their rooftops either! Society always transforms things into centrally processed mass products, it's just more efficient"[18]. Only a small number of interview partners saw decentralization or democratization as one of the objectives currently pursued. One of the officials directly involved in the on-going process of opening electricity production to households and small enterprises argued "we are about to do a 'democratization' of photovoltaics. All categories of consumers must be able to contribute to the national energy [transition] process"[19].

Despite the low perceived importance of decentralization, the Moroccan energy transition was nevertheless considered a "societal or identitary project" by a considerable number of Moroccan officials. One interview partner, who ranked decentralization as the least important goal, underlined in the same conversation that the "energy transition [is] a societal project, carried by the Moroccan society and done by the Moroccan society"[20], hinting to a different understanding of societal participation in an energy transition as would be the case for the German Energiewende. This might partly be explained by the fact that a "societal or identitary project" also included an important element of territorial integrity in the eyes of several Moroccan officials. The distribution of large-scale plants across Morocco (which is, as stated above, understood by some as "decentralization") includes the "Southern provinces", the disputed territory of the Western Sahara. As Minister Amara put it in a public speech "this [renewable energy] program encompasses also the national grid in our Southern provinces in the framework of a long-term vision of electricity interconnection with the Sub-Saharan countries via Mauritania and Senegal" (Ministère de l'Energie, Mines de l'Eau et de l'Environnement, 2013a, p. 7).

4.4.4. Climate Protection

Climate protection as a perceived goal of Morocco's energy transition received a medium average rank (4.9), but respondents generally described it as an automatic consequence of the energy policy Morocco was putting in place rather than a driver for the deployment of renewables. Major differences between Morocco and Germany were pointed out on this issue: "Germany develops renewables because of its [climate] obligations on the European side. For Morocco,

climate protection is rather a consequence than an objective"[21]. Although public statements position Morocco as an "actor of the European energy transition" in support of Europe's climate protection goals (Ministère de l'Energie, Mines de l'Eau et de l'Environnement, 2013a, p. 8), interviewees on the ground were somewhat more reluctant to see a true commitment towards climate protection, beyond the country's readiness to export green electricity to Europe[22]. Climate protection was also commonly linked to the objective of responding to the "expectations of the international community". One German official called environmental and climate issues "sales arguments"[23], whereas one international actor critically noted that "climate protection and 'expectations of the international community' go together. Developing countries are always asked to do something against climate change the others caused"[24]. In sum, although interview partners implicitly or explicitly saw the need for global action against climate change, Morocco's renewable energy programs were by most not considered as being driven by this objective.

4.4.5. Avoiding Nuclear Energy

One of the most clear-cut differences between Moroccan and German energy transition objectives is the role nuclear energy and, to a lesser extent, fossil fuels play therein. Whereas for Germany, a full phase-out of nuclear power by 2022 has been decided and confirmed (BMWi, 2011), not a single Moroccan interview partner could exclude the nuclear option for Morocco in the middle or long run, although many of them expressed their hope that Morocco would be able to refrain from using nuclear power. With an average rank of 8.0, "avoiding nuclear energy" is the goal interviewees did perceive as being the least pursued by current Moroccan energy policy. About half of Moroccan interview partners (48%) completely excluded it as a potential objective of Morocco's energy strategy, more than for any other card. In its 2009 climate action plan, Morocco still foresaw the installation of 2 × 1000 MW of nuclear power between 2020 and 2030 (Département de l'Environnement, 2009, p. 14), but no nuclear plans are officially pursued at the moment. Several interview partners suggested the French government aimed at promoting nuclear energy in Morocco and a bilateral agreement to cooperate on this issue was unanimously adopted by the Moroccan parliament in 2014 (MAP,

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[18] Moroccan interview partner, academia, 07/02/2014, Rabat.
[19] Moroccan interview partner, civil society, 19/02/2014, Rabat.
[20] Moroccan interview partner, ADEREE, 24/02/2014, Rabat.

[21] Moroccan interview partner, consultant, 08/03/2014, Skype.
[22] Spain's refusal to sign a declaration of intent regarding the Mediterranean Solar Plan in 2012 currently precludes electricity exports from Morocco and the development of renewable energy projects for export purposes, at least in the medium term.
[23] German interview partner, GIZ, 25/02/2014, Rabat
[24] International interview partner, private sector, 07/03/2014, Casablanca.

2014). As one interview partner summarized it, the predominant view among stakeholders on this issue was that "Moroccan civil society is probably firmly opposing nuclear power (…) But, in reality, can we afford to refuse anything?"[25].

4.5. Differences in Policy Objectives between Germany and Morocco

Morocco's and Germany's energy transitions share common features, such as an aim to reduce dependence on imports of fossil fuel. However, three of the core realities or aims of the German renewable energy policies—decentralization, climate protection and establishing an alternative to nuclear energy—do not appear as goals of the Moroccan energy transition. Whereas the role of climate protection as a driving force for renewables in Morocco is ambiguous, establishing an alternative to (potential future) nuclear power and decentralizing electricity generation were considered the least important goals of Moroccan renewable energy policy according to those interviewed. In summary, an analysis of rankings, interviews and Morocco's policy framework shows that the Moroccan energy transition is one where decisions are taken "always top-down"[26], and which is oriented towards the major objectives of mitigating energy import dependence (resulting in openness towards all sources of energy, including unconventional oil and gas, and nuclear), as well as job creation and industrial policy.

Although independence and socio-economic objectives do certainly also play a role for the German Energiewende, differences in priorities between the German and the Moroccan energy transition strategies exist. While these differences are far from being unexpected given the countries' differing economic, political and geographic situation, the transferability of lessons from the German Energiewende in the presence of differing priorities requires close scrutiny.

5. Renewable Energy Policy Transfer between Germany and Morocco

The full range of transfers of ideas related to cooperation between Germany and Morocco and to active policy promotion by Germany cannot be reported within the limits of this paper. Three important areas will be used to illustrate how ideas travelled either from the German Energiewende example or through transfer channels with Germany: the place of renewables in the Moroccan energy strategy and the choice of CSP (5.3), the issue of decentralized electricity generation (5.4), and the refusal of feed-in tariffs (5.5). Prior to this, transfer channels will be reviewed (5.1) and the desira-

bility of transfer from Germany in the eyes of Moroccan stakeholders will be discussed (5.2).

5.1. A Fertile Ground for Transfer

Cooperation between Morocco and Germany in the field of renewable energy has been effective since the 1980s. A "special energy program" (Osianowski, 1997) paved the way for the introduction of first renewable energy demonstration projects in Morocco and supported the country in its efforts to increase the electrification rate from 18% in 1995 to nearly 100% today. In the following years, the identification of renewable energy and especially wind potential within the special energy and the TERNA (Technical Expertise for Renewable Energy Application) program (Altmann, 2012; GTZ, 2009), prepared the ground for further policy developments. The crucial role of these early projects in preparing the ground for future renewable energy developments and in granting German advisors an exceptional role was confirmed by Moroccan and German interview partners involved in bilateral cooperation with Morocco since the time of the special energy program[27]. To increase the visibility of German support in this field, the decision was taken upon the demand of Germany to replace "environment" with "(renewable) energy" as one of three as one of three official focus areas of bilateral cooperation from 2014 onwards[28].

As the first of the MENA (Middle East and North Africa) countries, Morocco entered into a bilateral energy partnership with Germany, in July 2012 (BMWi, 2012). With more than €850 Mio. of loans and grants, Germany also provided the biggest share of financing for the first two phases of the Ouarzazate concentrated solar power (CSP) project (KfW, 2014). In June 2013, Morocco's commitment to developing sustainable sources of energy and its strong ties to Germany earned it a membership in the now inactive "Club of Energiewende Countries" (Club der Energiewendestaaten) or Renewables Club (BMU, 2013).

The strong presence of German transfer agents and their proximity to Moroccan decision-makers was seen as being directly linked to Germany's own energy transition experience: "(…) Germany is really focusing its efforts in the energy sector in Morocco. They are very strong when it comes to renewable energy and efficiency, it's therefore a law of nature that they are the most active here"[29]. In particular, the role of GIZ, Germany's agency for development and international cooperation, was considered crucial: "GIZ is a battle force"[30]. This is linked to the unique position of GIZ's

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[25] Moroccan interview partner, consultant 08/03/2014, Skype.
[26] Moroccan interview partner, consultant 08/03/2014, Skype.

[27] Moroccan and German interview partners, MEMEE and GIZ, 11/03/2014 and 27/02/2014, Rabat.
[28] German interview partner, 12/02/2014, Rabat.
[29] International interview partner, France, 04/03/2014, Rabat.
[30] International interview partner, France, 04/03/2014, Rabat.

advisors, some of whom are operating from offices within the Moroccan Ministry for Energy, with direct communication channels to decision-makers.

5.2. Perceived Desirability of Drawing Lessons from the German Energiewende

A central point for the discussion of transfer between Germany and Morocco is an assessment of Moroccan officials' views on the Energiewende and of the transferability of experiences from Germany to the Moroccan context. Interviewees on the Moroccan side were univocal when it came to considering the German energy transition experience as an outstanding model and an inspiration: "I, personally know that there is nothing and no one better than Germany, also when you look at technology"[31], "Germany is the (…) world leader in renewable energy, so it's a very good thing to observe what they do and to have them tell us what works and what does not work"[32] or "Morocco is definitely following Germany on its way"[33] are just some out of a large number of, often unsolicited, statements on German leadership in renewable energy.

Some Moroccan interview partners however underlined differences with regard to the driving forces behind their country's energy transition. The German Energiewende was referred to as a "choice", as a "determined, ambitious, courageous"[34] policy or even as a "luxury decision", since "in Europe you can exit nuclear power just like that and replace it by anything you want"[35]. The Moroccan energy transition, in contrast, was seen as a response to an urgency, namely rising fossil fuel prices, especially in 2007/2008[36]. Some Moroccan interview partners also put the decision in the context of a global trend: "It's a necessity. We don't have a choice. Like all other countries in the world we want to appropriate new, clean technologies"[37].

5.3. The Role of Transfer in the Development of the Moroccan Energy Strategy and Solar Plan

Interview partners who were involved in the design of the 2008 Moroccan energy strategy and the 2009 Moroccan solar plan agreed that a study (Roller et al., 2007) prepared by German research institutes, financed by German development cooperation and initiated by Moroccan and German actors[38] had a "very, very important influence"[39]. King Mohammed VI and

the Moroccan government had come under considerable pressure to develop a new energy strategy due to sharply rising fossil fuel prices in 2007 and 2008. The German-sponsored study (Roller et al., 2007) outlined four possible future energy scenarios, shedding a particularly positive light on a scenario entitled "balanced portfolio", with a high amount of CSP and wind. Necessary adaptations to the legal and institutional framework were described in detail and Morocco's tremendous renewable energy potential underlined.

By demonstrating an attractive cost-benefit ratio of renewable energy for Morocco, by providing estimates of expected job creation, and by referring to CSP as a potential area for industrial development, the study provided arguments to proponents of renewable energy, strengthening their bargaining position. The study was presented to the Minister for Energy by the German consultants and representatives of ADEREE made sure it was subsequently transmitted to the royal cabinet, where it was "read with great interest", "outplaying another study"[40] carried out at that time by a major international consultancy firm, which recommended to focus on coal. The decision to introduce ambitious renewable energy targets to the Moroccan energy strategy and the subsequent choice of CSP for lighthouse projects in the Moroccan solar plan is of course not solely due to the effect of evidence provided by German experts. However, interview partners directly involved in the process, agreed on the decisive role of the detailed scenarios the study provided, reinforcing the position of pro-renewables voices within the Moroccan energy landscape (ADEREE, MEMEE) and facilitating decision-making in favor of ambitious renewables targets. Apart from cognitive resources, the availability of preferential funding for renewable energy projects from the German KfW, the World Bank and other financial institutions might also have played a role in shifting the focus to renewables. However, interview partners did not see the availability of funding for these projects as the decisive driving factor for the general decision to introduce renewables.

As far as technology choice is concerned, transfer of knowledge and evidence through German-Moroccan channels, together with financial incentives through preferential loans made available by KfW, the World Bank's Clean Technology Fund and others, undoubtedly facilitated the decision to focus on CSP in the first phase of the Moroccan Solar Plan. On a micro-level, Germany funded the attendance of a high-ranking official from MEMEE to a CSP conference in Germany only weeks before the surprising announcement of the Moroccan Solar Plan and of its focus on CSP. The official's enthusiastic report back at MEMEE on the opportunities of CSP he had been able to discover at the conference provided another impulse in favor of the Moroc-

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[31] Moroccan interview partner, ADEREE, 10/03/2014, Rabat.
[32] Moroccan interview partner, ADEREE, 06/03/2014, Rabat.
[33] Moroccan interview partner, ADEREE, 24/02, 2014, Rabat.
[34] Moroccan interview partner, ADEREE, 24/02/2014, Rabat.
[35] Moroccan interview partner, consultant, 10/03/2014.
[36] Moroccan interview partner, MEMEE, 11/03/2014, Rabat.
[37] Moroccan interview partner, ADEREE, 10/03/2014, Rabat.
[38] Moroccan interview partner, MEMEE, 11/03/2014, Rabat.
[39] Moroccan interview partner, MEMEE , 12/03, Rabat.

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[40] Moroccan interview partner, MEMEE, 11/03/2014, Rabat.

can Solar Plan and of choosing CSP for its first stages of implementation. Germany's role in technology choice was recognized and seen critically by a number of interview partners, in particular by officials from third countries: "The German policy was to say that they had already done photovoltaics in Germany, so they would now invest in CSP. CSP, you can't do it in Germany, so let's do it in Morocco. That is the reason Morocco went for the most expensive technology (…)[41]". The cost of electricity generated at CSP plants was seen as particularly problematic in the absence of concrete prospects of exporting electricity to Europe. Several interview partners therefore expressed their expectation for Germany to continue its support to electricity export projects despite resistance from other EU member states.

5.4. Keeping Decentralization on the Political Agenda

Well before the announcement of Morocco's energy strategy, German advisors were closely involved in the development of a draft law for renewable energy that was adopted in the Council of Government, leading media to announce that Morocco "imported the [German] Renewable Energy Act" (Klimaretter, 2007). Although the law was not adopted by parliament due to upcoming elections, it successfully brought the issue of decentralized, small-scale renewable electricity generation to the agenda. Building up on this foundation, representatives of GIZ—together with (private sector) actors from Morocco—subsequently supported an opening of the low-voltage level to private producers of renewable electricity within the framework of the subsequent renewable energy law n°13-09[42]. Studies (Sidki, 2011; Jäger, 2011) were carried out on the initiative of GIZ to show the potential of residential photovoltaics in Morocco with the deliberate aim of keeping discussions ongoing and supporting those in favour of decentralization among Moroccan decision-makers. A high-level official within the Moroccan Ministry for Energy recalled GIZ "demonstrated many times that we could develop 2000MW (…) through residential [PV] only. The Germans said and repeated that, I can confirm"[43], leading to the topic regaining momentum in the political debate in 2013 and 2014. A Moroccan consultant involved in working groups with GIZ and MEMEE representatives described GIZ's role as "informing the debate and bringing all relevant stakeholders to the table", "getting the Ministry to think" and "showing (…) that everyone could win from an opening of the low voltage level". Germany's involvement, according to the consultant, was crucial in "getting things moving again", "from a categorical 'no' to

the possibility to discuss the issue"[44].

According to a range of observers, an informal alliance of GIZ officials convinced of the importance of small-scale renewables based on the German Energiewende experience and of Moroccan private sector representatives managed to keep the issue of decentralised generation on the agenda. Regular workshops and meetings with MEMEE officials led the topic to be picked up again by the government and, in 2014, a roadmap for photovoltaics including the low voltage level was eventually presented. Policy transfer in this instance thus affected the stage of agenda-setting in the decision-making process.

5.5. Negative Lesson-Drawing Regarding Policy Instruments

While the abovementioned influential German-sponsored study (Roller et al., 2007) also recommended to consider feed-in tariffs as a policy instrument and German advisors had tried to promote this instrument in Morocco at the time of the first attempt for a renewable energy law, the ministerial reaction to this idea was negative (Jäger, 2011). Moroccan interview partners considered feed-in tariffs inappropriate for the Moroccan context, in particular because of what they perceived as negative lessons from Germany and other European countries: "the example of feed-in tariffs that would rather be a negative lesson. They had a massive exit of cash flow"[45]. Although negative lesson-drawing from the German experience was an important reason for officials' refusal of feed-in tariffs, it was not the only one.

Even more important was the view that feed-in tariffs did not fit the policy objectives Morocco pursued. Most Moroccan interviewees who expressed their opinion on this issue did not see any potential benefit of following Germany's example of feed-in tariffs, which were expected to increase electricity prices without providing benefits in terms of industrial policy, contrary to their effect in Germany: "In final, feed-in tariffs benefit the industry. As we don't have any renewable energy technology industry in Morocco (…) they are not interesting for us at all. Although their effect in terms of massive RES deployment, GDP, job creation, added valued and wealth creation [in Germany] is really important"[46]. This position was not only common among interview partners from MEMEE and ONE, but also shared by academics: "In Germany, the feed-in tariff incentivized people (…). Here, it is not possible. We cannot do a feed-in tariff, this policy cannot work in Morocco. There is no alternative to first developing large-scale projects to render the technology profitable

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[41] International interview partner, Spain, 27/02/2014, Rabat.
[42] German interview partner, GIZ, and Moroccan interview partner, consultant, 25/02/2014 and 10/03/2014, Rabat.
[43] Moroccan interview partner, MEMEE, 13/03/2014, Rabat.

[44] Moroccan interview partner, consultant, 10/03/2014, Rabat.
[45] Moroccan interview partner, ADEREE, 06/03/2014, Rabat.
[46] Moroccan interview partner, ADEREE, 24/02, 2014, Rabat.

and when it is profitable, the population can get involved. But you cannot do it exactly like Germany"[47].

Some German officials went as far as to draw parallels between the refusal of feed-in tariffs and general skepticism towards decentralized electricity generation due to French colonial heritage ("this focus on large projects is a sort of French heritage in Moroccans' hearts and minds—that's a pity, but not very surprising"[48]). A second central reason for resistance against feed-in tariffs mentioned was their potential impact on local electricity distribution companies ("régies"), who would see their revenues decrease if self-generation increases. A third explanation given by a small number of interview partners for the refusal of feed-in tariffs in Morocco was that World Bank officials had allegedly expressed a strong preference for an auction system for renewables instead of feed-in tariffs in Morocco. Given the high amounts of funding made available by the World Bank for renewable energy projects, this preference could have had an additional influence on policy makers' decisions. Most importantly however, this element of the German energy transition approach was considered inappropriate given the regulatory culture, economic and social framework conditions and policy objectives pursued through renewables in Morocco.

5.6. Summary of Transfer Outcomes

Although, in a complex decision-making process, the exact "share" of any source of inspiration cannot be quantified, findings from interviews leave little doubt about the importance of interaction with German officials for advocates of renewable energy in Morocco. Germany has a unique position in the field of renewable energy in Morocco as compared to other bilateral partners and even multilateral institutions. For those interviewed, the German energy transition was the main point of reference in the field of renewable energy policy, from which lessons (positive and negative ones) could be drawn.

This section's aim was to provide examples on the transfer of know-how, evidence and experience from German transfer agents and/or the German Energiewende to Morocco, with a focus on the outcome of these transfer processes. In summary, German efforts to promote renewables were effective in empowering pro-renewables advocates and in providing crucial evidence facilitating the reliance on renewables in the Moroccan energy strategy. Evidence provided very likely also contributed to the decision to start the implementation of the Moroccan solar plan with a large-scale CSP project, along other factors such as available funding. Ongoing advocacy for decentralized electricity generation by German advisors, through workshops,

studies and working groups, contributed to bringing the issue of small photovoltaics to the agenda and keeping it there until the recent announcement of a roadmap for photovoltaics including small-scale generation. Despite earlier attempts to promote German-style feed-in tariffs in Morocco, negative lessons drawn from the German Energiewende experience concerning this instrument contributed to the selection of an alternative policy instrument.

Despite priorities being perceived as different, the (selective) transfer of principles and ideas provided by German advisors or from the German Energiewende, was possible in Morocco. This finding is discussed in the next section.

6. Discussion: Explaining Lesson-Drawing when Objectives Differ

Indications of effective policy transfer and lesson-drawing between Germany and Morocco only partly confirm expectations from the policy transfer literature on the need for policy objectives to be similar for a sender's model to be taken into consideration (see Section 2.2). To explain when policy transfer is possible despite differing approaches to energy transition governance, the following elements can be considered.

If similarity is seen as a determinant for transfer, Germany is not a "most likely" source of lessons for a Moroccan energy transition. Moroccans interviewed did nevertheless see few alternatives to considering the German model of energy policy, because it was perceived as "leading". Morocco aims for—at least—regional leadership in the field of renewable energy, possibly stretching out to the whole of Western Africa ("Morocco can become a reference"[49]). One interview partner summarized the Moroccan aim of belonging to the same group of leaders as Germany as follows: "What you hear right now in Morocco is they 'want to do it just like Germany' and there is no reason not to do as well as the Germans do, especially because Morocco has sunshine in addition! They observe very closely what is happening in Germany and want to do that too"[50]. Thus, the aim of belonging to a common "reference group" (Elkins & Simmons, 2005, p. 43) of leaders in renewable energy, might explain Morocco's willingness to "follow Germany on its way"[51]. The perceived success and reputation of the German model did, in the case of Morocco, allow for consideration of the German Energiewende as a legitimate source of lessons despite clear differences with regard to objectives pursued. This was decisively facilitated by struc-

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[47] Moroccan interview partner, academia, 25/02/2014, Rabat.
[48] German interview partner, GIZ, 12/02/2014, Rabat.

[49] Moroccan interview partner, consultant, 10/03/2014, Rabat.
[50] International interview partner, private sector, 21/02/2014, Casablanca.
[51] International interview partner, private sector, 21/02/2014, Casablanca.

tures of bilateral cooperation (presence of German advisors, capacity-building measures, study tours, workshops etc.) in place since the 1980s. These channels not only allow for learning but also increase the "availability" of the German model—a central condition for policy transfer (Elkins & Simmons, 2005, p. 44).

It can be underlined at this point that "moral support", "a vision, a philosophy", "knowledge about long-term scenarios", "Energiewende soft skills"[52] and "knowledge about technologies and system management" were very frequently cited as items Moroccans hoped to transfer from Germany to support their own energy transition, regardless of differences in what is to be achieved through the deployment of renewables.

From a theoretical point of view, the case of renewable energy policy transfer between Germany and Morocco shows that the reality of policy transfer needs to be assessed along different policy dimensions (Klingler-Vidra, 2014, p. 58). Analysis presented in this article shows that the study of policy transfer cannot be limited to assessing whether a specific policy was adopted elsewhere, but needs to take into account that even if differing policy objectives and regulatory traditions prevent instruments from traveling across borders, transfer is possible and can impact fundamental policy orientations.

7. Conclusion

Literature on policy transfer, instrument selection and leadership points to the importance of similar policy objectives for transfer to happen. Findings presented in this article do however call for a more nuanced approach to the assessment of policy transfer.

From the analysis of ranking exercises and semi-structured interviews presented in this article, energy independence and socio-economic objectives emerge as the central drivers for Morocco's renewable energy strategy in the eyes of those interviewed. With decentralization, climate protection and avoiding nuclear power not being considered (important) objectives in Morocco, significant differences compared to policy objectives and realities of the German Energiewende are visible.

Despite these differences, a shared aim for leadership, a longstanding history of cooperation in the energy sector and Germany's strong reputation as a leader in renewable energy created opportunities for policy transfer. While negative lessons from the German experience reinforced opposition to feed-in tariffs in Morocco, the provision of evidence by German transfer agents likely facilitated the decision for high shares of renewables as part of the Moroccan energy strategy.

These findings show that studies of policy transfer need to go beyond the assessment of whether a specif-

ic policy was adopted in another constituency. Insights presented in this article can also provide lessons for the effective design of strategies for "leadership by diffusion" by pioneering countries. Leadership strategies based on basic common orientations, such as deploying more renewable energy, rather than on promoting specific instruments appear promising. In the case of Morocco, as several interview partners underlined, a future German outreach strategy could therefore concentrate on transferring "energy transition soft skills" such as knowledge about how transitions can be managed, communicated, planned and sustained in the long-run.

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[52] Moroccan interview partner, MASEN, 11/02/2014, Rabat.

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Annex

Table A1. Overview of ranking outcomes.

Nat	N°	Liber	Clim	Jobs	Decen	Price	Indep	Nucl	Indu	Lead	Export	Invest	Societ	Intl
D	I1	0	3	1	3	1	1	4	1	0	2	2	3	0
D	I2	2	4	3	6	1	1	5	4	0	5	3	4	5
D	I3	7	6	2	0	1	1	7	2	0	3	3	6	3
D	I4	3	4	2	5	1	1	5	2	4	2	3	5	4
D	I5	6	0	4	0	1	1	9	9	4	4	4	0	4
D	I6	2	4	3	6	1	1	5	4	0	5	3	4	5
D	I7	13	13	2	13	13	1	13	2	2	2	2	13	13
D	I8	0	5	1	0	3	2	0	1	4	6	0	0	5
D	I9	13	1	2	11	8	6	12	4	3	9	7	5	10
D	I10	8	5	2	6	8	1	6	3	6	4	5	7	4
I	I11	2	3	1	0	3	1	0	3	2	2	1	3	2
I	I12	7	7	4	8	3	2	8	6	4	6	1	5	5
I	I13	0	5	3	0	5	1	0	4	6	2	4	6	0
I	I14	0	0	3	0	5	1	0	2	0	0	0	0	0
I	I15	7	2	6	3	0	1	0	6	5	2	4	0	0
I	I16	0	4	2	0	8	1	0	2	0	8	2	0	0
I	I17	8	11	10	11	6	4	12	10	9	12	8	10	11
M	I18	0	5	4	0	0	1	0	2	6	3	0	0	0
M	I19	9	8	3	11	6	5	10	4	2	7	13	1	12
M	I20	1	3	9	9	7	1	9	9	4	2	5	7	6
M	I21	6	2	1	0	4	0	0	5	0	5	0	3	5
M	I22	6	1	1	5	0	2	0	3	1	0	4	1	0
M	I23	5	4	4	5	<u>4</u>	2	4	3	1	3	3	4	3
M	I24	11	8	3	6	2	1	0	5	9	12	4	10	7
M	I25	11	4	3	7	13	2	1	9	6	12	10	5	8
M	I26	12	6	2	10	7	1	13	6	6	13	2	12	12
M	I27	3	4	4	2	1	2	0	5	4	3	6	1	0
M	I28	3	1	2	3	2	1	4	2	3	2	1	4	2
M	I29	12	8	5	7	2	1	13	6	9	10	4	3	11
M	I30	1	7	3	4	3	2	8	3	6	5	3	7	4
M	I31	9	6	3	10	1	2	11	5	12	8	4	7	13
M	I32	8	7	3	0	2	2	0	4	10	6	5	1	9
M	I33	7	6	4	0	0	1	0	3	5	8	0	0	0
M	I34	12	6	2	13	1	3	10	7	5	11	4	8	9
M	I35	3	1	2	3	2	1	4	2	3	2	1	4	2
M	I36	0	3	2	0	4	1	0	2	6	7	5	0	0
M	I37	8	3	5	13	2	1	12	4	10	6	7	9	11
M	I38	3	5	4	10	1	2	0	6	8	9	7	0	0
M	I39	4	0	3	9	8	7	0	2	6	1	5	0	0
M	I40	9	8	2	0	0	6	0	1	3	7	4	5	0

Notes: D = German organizations, I = International, M = Moroccan, Liber = Liberalization, Climate = Climate protection, Jobs = Job creation, Decen = Decentralization, Price = Affordable electricity prices, Indep = energy independence, Nucl = avoiding nuclear energy, Indu = creating an industry, Lead = leadership, Export = electricity exports, Invest = attracting investors, Socie = societal projects, Intl = expectation of international community

Book Review

In Defence of War. By Nigel Biggar. Oxford, UK: Oxford University Press, 2013, 361 pp.; ISBN: 978-0-19-872583-1.

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Abstract
Book Review: In Defence of War. By Nigel Biggar. Oxford, UK: Oxford University Press, 2013, 361 pp.; ISBN: 978-0-19-872583-1.

Issue
This book review is part of a regular issue of Politics and Governance, edited by Professor Andrej J. Zwitter (University of Groningen, The Netherlands) and Professor Amelia Hadfield (Canterbury Christ Church University, UK).

There are few provocative book titles as *In Defence of War*, yet, misleadingly perhaps, this is not a book about the defence of war per se but the just conditions under which war may or may not be perpetrated. Nigel Biggar's monograph thus fits neatly into the canon of books on just war theory. The title *In Defence of "Just" War* would be nearer to Biggar's scholarly contribution. The book is divided into three main arguments. First, Biggar refutes Christian pacifism and the assumption that Christian thought and dogma (in the form of the New Testament) is necessarily pacifist. Second, he sets out, or rather restates, the criteria of the just war tradition. Finally, and most controversially, he applies these criteria to the U.S.-led intervention of Iraq in 2003 and asks whether that war was just or not: he believes it was. Each of these arguments is elegantly and astutely argued with philosophical dexterity, and, whatever is ultimately made of his arguments, this is a well argued and worthy read.

What is Biggar's departure point? First, he is keen to stress that he writes the book as theologian and not as a diplomat, soldier or political scientist (p. 331). In this vein, he draws on a range of just war theorists reaching back through Grotius to Augustine and he argues that a *just* war is basically a punitive response to grave injustice (p. 212). Accordingly, while Biggar

acknowledges the horrors and evil that can be unleashed by war, he takes strong exception with those Christian pacifists that argue that war must be avoided at all costs. As a theologian, and based on an Augustinian reading of human nature, which recognises humanity's aptitude for both good and evil, Biggar argues that sometimes war must be fought as a way to redress injustice. Not all wars, he stresses, can be avoided and injustice must be punished (p. 10).

In this regard, one of the most compelling arguments made by Biggar is that Christian pacifists such as Stanley Hauerwas, John Howard Yoder and Richard Hays do not recognise that peace, like war, can also be a great evil if it lets injustice prevail (pp. 7, 33). Whereas Reinhold Niebuhr was critical of Christian pacifists too, although he acknowledged that they may play a role in stopping states from going to war without scruples and ethics (see p. 31 of *Christianity and Power Politics*), Biggar is less forgiving of his theological brethren. He almost seems to mock Hauerwas, Yoder and Hays for placing too much faith in the idea that, because Jesus seemingly rejected violence in all its forms, so must Christians.

It is on this point that Biggar engages in a debate about how one interprets the New Testament. For the secular reader this is perhaps the weakest part of the

book. While the chapter is central to Christian debates about war and peace, and it certainly helps the reader contrast Biggar's views with those of his fellow theologians, in places the chapter reads as a superfluous exercise in hierographology. Biggar himself acknowledges that the Bible can hold many meanings and a close reading of the text will lead to different interpretations (see p. 18). It is, therefore, bemusing to see Biggar engage in this type of interpretive debate (see p. 25) when to most readers it will seem obvious that seeking guidance for matters of war and peace on the basis of a text written many centuries ago is problematic, to say the least. For those readers with a background in International Relations, it may have been more interesting to see Biggar use his opening chapter to substantially engage with the thoughts of Niebuhr, especially given that Biggar does not share all of Niebuhr's ideas (p. 11). Beyond an analysis of *Moral Man and Immoral Society* (1960) and *An Interpretation of Christian Ethics* (1979), Biggar does not engage with Niebuhr's earlier thinking as set down in *Christianity and Power Politics* (1940) or *Christian Realism and Political Problems* (1953).

Yet there are elements of this debate that should nonetheless be illuminating to the secular reader. First, Biggar does a splendid job of placing the just war tradition in its proper historical context. For example, he picks apart David Rodin's argument that the just war tradition is theoretically flawed because it is based on notions of national defence and sovereignty. This claim, Biggar contends, is only possible because Rodin looks at the just war tradition from the late modern period onwards, when, in fact, if one looks at the early modern period, one will see that the main concern for just war thinkers was injustice and not the defence of the nation-state. Biggar expertly makes his case by looking at the thoughts of a wide-range of thinkers from Aquinas through to de Vitoria and Suarez and then Grotius. Biggar shows how the just war tradition has a long history, although he could have made more of the way in which the arguments made under the tradition have altered over the course of history. Indeed, the fact that Rodin was able to reach one conclusion about the just war tradition and Biggar reaches quite another relates back to the problem of interpretation. This is not even to speak, as Richard Tuck has so excellently demonstrated, about how just war thinking even predates Christianity (see his *The Rights of War and Peace: Political Thought and the International Order from Grotius to Kant* (2002)).

Nevertheless, all of this should not take away from the manner in which Biggar superbly refutes Christian pacifism's claim that all war is immoral, evil and should be avoided at all costs. Once Biggar has extricated himself from the hierographical debate in chapter one, he builds a rather moving case that reaches beyond the ethical generalisations often forwarded by the Christian pacifists. He does this by looking at the real-life experiences of those who fought in wars such as the Great War and Kosovo, and Biggar's ability to bring to life the ethical experiences of soldiers in these wars is truly commendable. The chapter "Love in War" shows how soldiers and military planners deal with resentment, compassion, forgiveness, repentance, injustice, proportionality and retribution during war. Far from casting war as a completely immoral act, Biggar's nuanced interpretation of the morality of war helps us question the simplistic dichotomy of "peace = good" and "war = evil" forwarded by the Christian pacifists.

On what grounds then might one criticise Biggar's arguments? One might take exception with the rigidity that comes from thinking that just war is merely about punishing gross injustices. Biggar is at pains to say that justice is central to the perpetration of a just war, but he does not sufficiently pay attention to the historical context in which justice is framed. While it is true that Biggar recognises that war will be judged differently as history develops (p. 305), he still gives one the impression that justice is fixed through time, when, although this may or may not be the case, surely the nature of those perpetrating gross injustice colours the extent to which states are willing to fight wars. For example, Biggar makes the case that Nazism and Saddam Hussein's tyrannical regime, while different in their aims and extremes, should still answer to a fixed understanding of injustice and it is this understanding, rather than the different dangers posed by these regimes, which should condition our recourse to war. This is surely to misunderstand the motivations of states when they do decide to go to war. Nazism was a clear and present danger to the allies (bombs were being dropped on London), whereas Saddam's regime posed a different sort of danger to the world. The degree of threat is as much a part of the calculations of states, and so it is not inconceivable that this will play a role in how one decides whether war is just or not. Similarly, the potential level of destruction of any given war must fit in with our understanding of justice. The threat of mutually assured destruction would certainly play a crucial role in whether one punishes injustice or not.

Justice is necessarily bound up with such considerations. Biggar even acknowledges this when he remarks that the "legal case [for war] is bound to involve moral elements. Morality and legality are not separable" (p. 248). Yet, if one accepts the implications of an international system comprised of states, notions of justice, legality and morality must also stand alongside questions of international politics and military strategy. Surely this is the reason why the US could invade Iraq, but it will not do so in North Korea? Furthermore, even if war is initially based on justice it can lead to consequences that are far from just: conducting war is not like police work. As Biggar himself acknowledges, 'once we relax the leash on the dogs of war, we should expect to be dragged where we do not want to go. Long

experience has taught that war has a momentum of its own—partly military, partly political—that is not readily controlled' (pp. 252-253). Nevertheless, Biggar argues that because states can never truly know the consequences of unleashing the dogs of war, this should not stop them from using force to punish gross injustice. For example, with the benefit of hindsight he openly acknowledges the tragic consequences of the second Iraq war, but he still holds that the initial rationale for war of punishing Saddam and his regime for the injustices they caused was just.

Indeed, Biggar's central argument about just war hinges on the reader's acceptance of the importance of justice. This causes a rather particular problem. While Biggar is not a cosmopolitan thinker in the traditional sense—he does not, for example, believe that global government is possible (see pp. 241-242)—, his emphasis on justice has a distinctly cosmopolitan appeal. He is right to distance himself from thinkers such as Hauerwas, who believed that the nation-state is sinful (pp. 21-22), but the fact that states exist and will follow their own interests still poses a problem for the retribution of injustice. In *Christianity, Diplomacy and War* (1953), Herbert Butterfield points to this problem when he argues that the state and secular humanism had done away with any notion of worldly justice. In the context of Biggar's book, this leads one to ask whether justice can really ever take on true meaning without it in some sense having a universal appeal.

Justice is but one of the factors guiding war. While one can reasonably agree with Biggar that one cannot fully predict the likely consequences of armed intervention, states must consider the fact that the fog cast over one's ability to predict is in itself reason to exercise caution before committing to war. That is, the "unknown unknowns" of any situation should play a critical role in the decision to go to war. States may and do act out of a sense of justice but it is only one part of their overall calculation. Iraq may or may not have had just cause under Biggar's formulation, but those American voices that argued for caution and restraint were thinking about the longer term. We now know that the Iraq war was damaging not just to the US' reputation, but also to its willingness to fight wars in the future. Barack Obama's election to the presidency was partly about ending America's wars, and this has articulated to some degree the public's hesitancy for the US' role as the world's policeman. Paradoxically, intervening in Iraq may have dented America's appetite to fight even greater injustices in the future.

Biggar has written a thought-provoking book that is very timely given the four-year commemoration of the First World War and the ongoing debate about the second Iraq war. He has a forensic eye for detail and argues persuasively, yet, given the emotions that are triggered during any debate on war, this book will, as any good book should, divide opinion.

Conflict of Interests

The author declares no conflict of interests.

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Article

Riding the Populist Web: Contextualizing the Five Star Movement (M5S) in Italy

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Abstract

This article focuses on three mechanisms to explain the rise of populist movements across Europe. They are politicization of resentment, exploitation of social cleavages, and polarization of resentment and feelings of non-representation. We conceptualize populism as a strategic power game aiming to transform potential majorities into real ones by creating or reframing social cleavages. Our theoretical model is used to explain the rise of the Five Star Movement (M5S). Beppe Grillo's M5S gained notoriety on the national political scene in Italy just before the 2013 elections and succeeded in getting nearly 25 percent of the overall vote. Moreover, it was the only political force that was able to attract votes across the different regions in Italy, making it the country's only truly national party.

Issue

This article is part of a regular issue of Politics and Governance, edited by Professor Andrej J. Zwitter (University of Groningen, The Netherlands) and Professor Amelia Hadfield (Canterbury Christ Church University, UK).

1. Introduction

Beppe Grillo's Five Star Movement (M5S) surged onto the national political scene just before the 2013 parliamentary elections and succeeded in getting nearly 25 percent of the overall vote. Moreover, it was the only political movement that was able to attract votes across the different regions in Italy, making it the only national party in the country (Diamanti, 2013). It elected 163 deputies—109 to the lower Chamber of Deputies and 54 to the Senate. Even Forza Italia with its phenomenal rise in the 1994 elections did not produce similar results. In that election, Silvio Berlusconi's party reached 21% and did better in the northeast and south than in the center or northwest. In addition to the rapid breakthrough of M5S, another noteworthy element in that election was the level of voter volatility, one in ten

voters remained undecided until the election and more than 40% of electors voted in a different way compared to the 2008 general elections (Bordignon & Ceccarini, 2013a, p. 5). The nonparticipation level reached a record 26 percent (about 5 percentage points above previous elections). While the above descriptive facts are interesting in themselves, they do not provide any explanation that accounts for the movement's success in the 2013 elections (Diamanti, 2013).

In this article, we explain the rise of the Five Star Movement by providing a contextual analysis as to why Italy, more so than other Western European democracies, has been beset by diverse forms of populism such as the Northern League, Forza Italia and the Five Star Movement (Woods, 2014). Our analysis is based on primary and secondary data sources, a web-based survey of M5S adherents, and limited open-ended inter-

views with M5S supporters. The overarching thesis of this article is that the rise and persistence of populism in Western European democracies is an indication of a crisis of representation (Albertazzi & McDonnell, 2008; Albertazzi & Mueller, 2013; Santoro, 2012; Taggart, 2002, 2004). A crisis of representation can arise from different factors—structural and/or conjunctural—, such as a change in generational loyalties, a drop in partisan identification, or an exogenous shock to the political system. In the case of Italy, the crisis was initially an internal one; however, external factors have played their part.

The postwar party system that took root in the early 1950s and lasted until the early 1990s underwent a gradual and then accelerated decline as its social, ideological, and institutional links to Italian citizens eroded (Kriesi, 2014). The crisis of the Italian First Republic led to what some deemed a transition to a so-called Second Republic. For many, the adoption of mixed electoral rules in the referendum in 1993 that moved Italy away from the previous proportional representation system and recast party competition into center-left and center-right blocs served as the strongest indication that a transition had occurred. Bull (2012), Bull and Rhodes (2009), and Newell (2009) argue, however, that the focus on the purported transition from a First to Second Republic has obfuscated the continuity and persistent problems with political representation in Italy. As Bull and Rhodes (2009, p. 6) state:

> The equilibrium of Italy's post-war system was clearly "punctuated" by the political and economic upheavals of the early and mid-1990s. But what followed has been less of a "transition" to something new, and more of a post-crisis process of institutional (re-) stabilisation and negotiated change in which the 'new' (or at least substantial parts of it) looks remarkably similar to the "old".

We situate the rise of Five Star Movement within the broader context of the crisis of representation of the First and the so-called Second Republic.

This paper is organized into six parts. We start by framing the rise of Five Star Movement within an analytical and theoretical model that explains the rise of populist movement along three dimensions: politicization of resentment, exploitation of social cleavages, and the polarization of feelings of non-representation. Then, we focus on the crisis of representation that has characterized the Italian political system for quite some time. Next we lay out the populist discourse employed by M5S to politicize resentment. Followed by an analysis of the movement's reframing of social cleavages in Italy with a web-based ground up mobilization strategy. Finally, we provide an empirical snapshot of who supports Grillo's movement, concluding with a brief assessment of the contradictory aspects of the movement that could threaten its long-term durability.

2. The Analytics of Populism and the Crisis of Representation

As an analytical tool, populism has gotten somewhat of a bad reputation as an amorphous concept with little empirical traction. Ironically, much of this negative reputation comes from scholars who employ the concept. The frequently uttered *cri de coeur* from them regarding populism is that it is a vague concept that lacks a coherent definitional basis. As Ernesto Laclau (1977, p. 143) emphatically put it, "few [terms] have been defined with less precision. We know intuitively to what we are referring when we call a movement or an ideology populist, but we have the greatest difficulty in translating the intuition into concepts." Nearly everyone employing the concept begins with this type of observation: that the concept lacks a clear theoretical frame and that its use causes confusion due to the absence of a settled and shared definition. Then, most studies of populism proceed with the assertion that despite its lack of settled and shared definitional basis and methodology, there is a broad consensus in the literature that the concept has, at least, three core components that can be viewed as common denominators that function as a relatively coherent conceptual framework that suffices as the basis for empirical assessments of populism (Mudde, 2004).

Jagers and Walgrave (2007, p. 322) make a good case that "populism always refers to the people and justifies its actions by appealing to and identifying with the people; it is rooted in anti-elite feelings; and it considers the people as a monolithic group without internal differences except for some very specific categories who are subject to an exclusion strategy". These three core elements anchor populism analytically and empirically. It is our view that Jagers and Walgrave are correct and thus those in the extant literature who claim that populism lacks a settled and shared definition are wrong. Essentially, what many authors in the literature on populism are doing is confusing the conflicting imperatives of the concept with its analytical utility.

All concepts have conflicting imperatives, defined as "interdependent but contradictory goals, priorities, or motivations that underline many social and political relationships" (Gould, 1999, p. 439). As an analytical tool however, populism has a coherent definitional basis. What it lacks is a neatly articulated theoretical identity. In other words, populism is not a theory in terms of having a system of consistent assumptions; however, it is a robust concept that can be fitted into different theoretical frameworks. In this respect, the conflicting imperatives of populism have contributed to its ability to capture within its conceptual net historical, cultural, and context-specific forms of populism. The analytical utility of populism has been particularly pertinent in understanding the diverse developments of populism in many Western European democracies. Pappas (2012)

provides a theoretical model that encapsulates the three core analytical elements of populism and helps in explaining the rise and, in some cases, persistence of populist social and political movements. He theorizes that "populism obtains when a certain political entrepreneur is able to polarize politics by creating a cleavage based on the interaction between 'the people' versus some establishment, thus forging a mass political movement" (Pappas, 2012, p. 8). He adds that populism is best analyzed "as a strategic power game aiming to transform potential majorities into real ones by creating novel social cleavages". Pappas (2012, pp. 8-9) specifies three mechanisms that are sufficient conditions in understanding the causal link between crises of representation and populism. The first is politicization of resentment:

> When resentment is high, established parties, whether in government or in opposition, are more likely to try containing it lest it upset existing political alignment patterns. This is not however true for populist parties, which thrive precisely on politicizing resentment and the sense of victimhood that accompanies it.

The second mechanism is the exploitation of social or political cleavages. It is understood as a key step in the way that populist leaders exploit latent or salient feelings of non-representation. Populist leaders and the rhetoric they use are able to do this by identifying a political or social divide between "the people" and the people's enemies. Failure of "true" or "real" representation is presented as the fault of the status quo. This is reflected in a common assertion that populism builds upon, a "we versus them," a Schmittian divide that splits societies into two broad social categories, "the people" and some "establishment". The third mechanism is polarization of resentment and feelings of non-representation. Pappas (2012, p. 9) concludes that this mechanism is essential for populism to emerge in the form of a party or mass movement since "it involves pitting the disenchanted and resentful people against the privileged establishment in an antagonism of such a great intensity that it may threaten to tear society apart. When polarized, societies tend to cluster around opposing poles; as the majority of the people cleave to one pole or the other, the middle ground of politics gets lost and the median voter becomes a rare occurrence".

3. Crisis of Representation: The Italian Case

Starting in the 1980s, Western European democracies have seen the emergence of populist movements and parties along with the rise of anti-status quo discourse. While populism has spread across Europe, the populist phenomenon has gained traction in some countries more than others. This is particularly the case in Italy

(Ignazi, 1996; Tarchi, 2008; Woods, 1992, 1995, 2010, 2014). With the collapse of the Christian Democratic and Italian Communist parties' hegemony in the early 1990s, the Italian party and political system underwent a significant transformation (Mannheimer, 1991, 1993). An insurgent regional populist movement, the Lombardy League, later known as the Northern League and one of Italy's riches businessman, Silvio Berlusconi, emerged as pivotal populist players on the Italian political landscape in the context of the implosion of the two main pillars of the postwar Italian political system. The collapse of the Berlin Wall and the ending of communism in Eastern Europe had a direct impact on the Italian Communist Party, forcing it to transform itself into a more typical social democratic political and ideological formation. Then, in 1992, the anticorruption operation *Mani Pulite* (clean hands), sometimes referred to as *Tangentopoli*, spearheaded by judges in Milan put the Christian Democrats and the Italian Socialist Party under enormous pressure (Lazar, 2013, p. 320). While the immediate cause of the collapse of the postwar party system was these exogenous shocks, the endogenous decline within the context of political representation of the two dominant pillars of the postwar system, the Christian Democrats and the Italian Communist Party, had become manifest by the late 1980s.

Shin and Agnew (2008, p. 68) provide data on the secular decline that the major parties faced before the external shock of the corruption scandals to the party system. Their data illustrate that between 1976 and 1992 there had already been significant erosion in electoral support for the largest parties relative to the rise in popular support for various "protest" parties such as the League and the Greens and a revived PSI. In 1976 fully 73.1 percent of the vote for the Chamber of Deputies went to DC and the PCI; but by 1987 this had fallen to 60.9 percent. And in 1992 DC and the two main heirs to the PCI (PDS and Refounded Communists) accounted for only 51.4 percent of the vote for the Chamber. So, if *Tangentopoli* was the defining moment for the final demise of the old system, the two largest parties had already begun losing their electoral centrality long before. The end of the cold war, the failure of DC to respond adequately to the demands of its historic constituency of small businesses in the Northeast, and the relative breakdown of the Communist and Catholic political sub-cultures (particularly the Catholic one) all seem to have played some role in this loss of centrality.

In the institutional breach, two different forms of populism emerged. Berlusconi created, literally overnight, a political party to take advantage of the vacuum left on the center-right with the collapse in 1993 of the long dominant Christian Democratic Party (DC), and Umberto Bossi's insurgent regionalist movement took advantage of the crisis of the institutional status quo to propose a new form of political and social representation. More recently, the Five Star Movement has seized

on the crisis of representation afflicting the electoral and party systems dominated by Berlusconi, the Northern League, and the De Democratic Party (PD) to call for a radical overhaul of the political system. Grillo's populism is calling for a less elite and party-dominated form of political representation. It relies heavily on social media and other nontraditional types of direct participation to bring about what it claims are more direct and participatory forms of democratic representation.

Mair (2002) feared that the rise of populism indicated a systemic crisis of political representation across Western Europe. He saw the decline of party systems and increased voter volatility as manifestations of the crisis. The decline of political parties entailed the loss of an important intermediary institution between citizens and the state. Kriesi (2014, p. 364) provides a summary of Mair's view on the function of parties in a democratic system:

> Arguably, political parties are the most important organizations linking voters and their representatives in established democracies. But parties have a double function: they not only link civil society to the polity, they also organize and give coherence to the institutions of government. As Peter Mair…observes, their unique contribution to the development of modern democracy was that they combined these two crucial roles (representation and government) into one.

If parties lose their representative function, Mair argued that this "opened the door for populist protest" (Kriesi, 2014, p. 361). Kriesi and Pappas (2015, p. 18) identified contrasting responses to the loss of representative functions by parties in Europe:

> The populist surge has been particularly strong in Southern and Central-Eastern Europe. The two types of surges show, however, different patterns: while the more recent wave of CEE populism and anti-establishment mobilization more generally is partly (but certainly not exclusively) related to the emergence of "purifier" parties promising better and scandal-free governance, Southern European populism is generally highly polarizing, often anti-systemic, and thriving on the left as well as on the right of the political spectrum.

All three of the mechanisms identified by Pappas (2012) are evident in the rise of the Five Star Movement.

4. The Politicization of Resentment: The Rise of Civic Populism

The M5S was born in 2005 as local civic lists and was officially founded in 2009. At the outset, the movement began as a blog by the Italian comedian, Beppe Grillo. Immediately, the blog gathered a large following. Grillo used his blog to comment on various political and social issues in Italy and globally. For example, the blog became a focal point for those in Italy who opposed the Iraq and Berlusconi's support of President Bush. Somewhat like a "catch-all" phenomenon, Grillo's blog had something for everyone. The most salient theme that he developed was his attack on the Italian political class, referred to as the "caste" (Rizzo & Stella, 2007). He highlighted the many privileges that elected officials in Italy benefited from and accused them of collusion and corruption. Using the internet as a focal point to galvanize an angry public, Grillo called for a day of action—V-day—to clean up a corrupt parliament (Casaleggio & Grillo, 2011).

Borrowing from the online activism tradition in the United States, Grillo called for the creation throughout Italy of local civic groups. As Mosca (2014, p. 41) points out, "initially, the blog represented an important hub for his fans all over the country. In July 2005, he suggested that his supporters create local groups using the Meetup platform. As explicitly recognized by Casaleggio, this choice was inspired by the American group MoveOn. Civic lists mushroomed. In some instances, they were newly created local groups and in others they were already existent groups that had been formed around local issues that joined the network (Lanzone, 2014). The objective of V-day of action was to crystallize the latent resentment against what Grillo identified as a corrupt political caste. The different civic groups were tasked with mobilizing supporters to protest on 7 June 2007 in town centers throughout Italy. The success of V-day led to a V-day two the following year with Grillo collecting signatures for a referendum to abrogate the Gasparri law on the media that he claimed limited free speech. The civic lists entered the electoral arena in 2007 under the banner of "friends of Bepe Grillo". Grillo invited these groups to aggregate themselves into a common movement under the symbol of the Five Star Movement. The five stars reflected the "catch-all" element of Grillo's blog and protests. The stars represented one for clean energy, water, internet connectivity, garbage collection and social services.

The Five Star Movement style of populism tied resentment over local environmental and social services issues to a larger national theme of a non-representative political caste (Bordignon & Ceccarini, 2012). Typical of a populist strategy of communication, the M5S used resentment over different issues, in most cases local or regional, to crystallize the theme of "us" versus "them." In this respect, the M5S emerged as a constellation of local issues galvanized around a populist thematic of politics and political representation being about the real people. The movement's political slogans emphasize the sovereign people (Bordignon & Ceccarini, 2013b). Grillo's movement benefited from ty-

ing local issues to national themes. The success of this strategy was demonstrated with M5S unexpected success in the 2012 municipal elections followed a few months later with its triumph in regional elections in Sicily. In regards to the 2012 elections in Sicily, Grillo used the mix of online discussion and populist themes as way to support local M5S candidates despite little media coverage. He engaged in a variety of different publicity stunts to draw attention to himself and local issues.

As Bobba and McDonnell (2012, p. 4) point out:

> The successful mixture of online and offline, Grillo and grassroots, was well in evidence during the October 2012 Sicilian regional election campaign. Having swam (the relatively short distance) across to the island from Calabria, Grillo proceeded to pack out piazzas across Sicily in support of local M5S

candidates chosen from the meet-ups. As a result, the M5S candidate for the regional presidency Giovanni Cancelleri rose in just a few weeks from less than 5 per cent in the polls to take over 18 per cent (and third place) in the election.

The linking of local issues with a broader populist thematic is illustrated, for example, in the movement's clever campaign poster that said, "vote for you" (Figure 1).

Obviously, the objective was to mobilize the growing number of non-voters and those alienated from the mainstream parties. For obvious reasons, the politics of resentment focused on the "corrupt political caste". In his 2013 national election campaign that Grillo called the "Tsunami Tour", he invoked the metaphor of a wave washing away the corrupt Italian party system (Figure 2).

Figure 1. "Vote for You." 2012 Sicilian Regional Election Campaign.[1]

Figure 2. Tsunami Tour. 2013 General Election Campaign.[2]

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[1] Posters are in the public domain and available on the movement's website: http://www.beppegrillo.it/europee/diffondi/
[2] http://www.beppegrillo.it/europee/diffondi/

Essentially, M5S exploited the myriad of local and regional conflicts and controversies throughout the country and blamed their non-resolution on the political "caste" in power in Rome. A good illustration of how M5S exploited local issues is how they inserted themselves into the long simmering controversy over constructing a tunnel for a high-speed train between Turin and Lyon. It was a salient issue in Piedmont and had often resulted in acts of violence to prevent the project going forward. Grillo framed the project as proof of the collusion between the political "caste" in power and the Mafia, stating that:

> They open the tunnel to the mafias! The International Treaty about Tav [the Turin– Lyon line] compromises to advantage the mafia structures. According to this international agreement, the contract work procedures about the Turin–Lyon's constructive projects will be overpowered to the French legislation, where is missing a specific rules against mafia organizations. (Five Star Movement's Senators, April 2014)[3]

Although the M5S movement vehemently rejects being classified as a political party or engaged in politics in any traditional fashion, much of its rapid success is due to its "catch-all" populist strategy. This "catch-all strategy" has allowed M5S movement to redefine old cleavages and articulate new ones.

Typically, populists present a transversal political ideology that transcends traditional dichotomies such as left and right and workers/owners. Populist movements arise principally to recreate a lost authenticity of the people. Grillo's movement is no different. Five Star Movement's rhetoric on cleavage issues reflects a sort of trans-ideological strategy and more specifically an "anti-political" focus (Diamanti, 2013, p. XV), aimed at appealing to electors from different political tendencies. The success of the Five Star Movement in the 2013 elections suggests that this strategy worked since the party succeeded in attracting support across Italy and the traditional left-right divide. Unlike the populism of the Northern League and Forza Italia whose electoral success and appeal was concentrated in certain regions and appealed to center-right voters who had previously supported the Christian Democrats, the Five Star Movement largely overcame the normal left/right or north/south divisions. Distrust in traditional cleavages was demonstrated by Five Star Movement's supporters in a web-survey realized in 2013 in which they indicated a strong interest in politics—67 percent declaring that they were interested in political issues—but a rejection

of the traditional left-right divide.[4]

5. Redefining Cleavages through Populist Rhetoric

With a "catch-all" thematic, the Five Star Movement has been able to put "old wine into new bottles" (Bordignon & Ceccarini, 2013b). Unlike the Northern League that created *ex nihilo* a quasi ethno-regional cleavage out of northern resentment over taxes and state transfers to the poorer south or Berlusconi's repackaging a traditional anti-communist theme, the Five Star Movement simply aggregated local issues into a national grievance framework. In doing so, it has been able to present itself as representative of the Italian people irrespective of region, class, past ideological affiliation. In this respect, it has emerged as the most successful trans-ideological party on the Italian political scene. However, the aggregation of disparate local and regional issues threatens any attempt to fashion a more coherent ideological identity. This accounts for why Grillo and other M5S leaders are constantly on the attack against the "other", i.e., corrupt and conniving politicians, austerity imposing external forces, and unscrupulous capitalists.

All populist movements emphasize how an "other" threatens some essential quality of the people: be it cosmopolitan capitalism, finance elites, corrupt politicians or foreign forces. Grillo's rhetoric is infused with the populist thematic of the real people fighting against an entrenched and corrupt elite. This recurrent anti-elitist refrain is employed to highlight the purported virtues of the people as the source of political legitimacy (Meny & Surel, 2002). Also, the "us" versus "them" thematic of populist ideology and rhetoric is forever present. In fact, the entire civic structure of the Five Star Movement is premised on the idea that it allows for a form of direct democracy that traditional political parties are against. As Bordignon and Ceccarini (2013b, p. 435) put it:

> The concept of political representation proposed by the M5S should be understood, then, as representativeness. The leader underlines this whenever "his" candidates run for elections: the resemblance between the public square and the MoVimento is explicitly presented as an alternative to the distance between citizens and politics: "They are all people like you. They are your mirror, democracy back to

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[3]Full text is available at this link:
http://www.beppegrillo.it/movimento/parlamento/2014/04/t av-aprono-il-tunnel-alle-mafie.html

[4] The survey was carried out in 2013 by one of the coauthors (between the 27 of February and the 19 of March), with the CAWI method (Computer Assisted Web Interviewing), on a sample of 628 people. The questionnaire consisted of 34 questions. The web survey was hosted by the online platform "Survey Monkey", thanks to the collaboration of the Five Star Movement's local groups' referents, which undertook to forward the link to the national members. Political interest was measured on a 1–10 scale. The values cited in this paragraph consider the 8–10 preferences.

front"…."They are your people, taken from here and placed there….Surveyors, an engineer, a student, a lawyer, a drug dealer to keep our morale up a bit there are all sorts"…Politics, for Grillo, is a simple matter: the lack of professionalism and the inexperience of political employees are regarded as values, offering a guarantee that these people are extraneous to the circuits of power.

Distrust of elites is an old theme in Italian politics. Even before the collapse of the traditional post-World War II parties in the 1990s, Italians conveyed in opinion surveys a growing distrust of parties and their governing class. Grillo reanimated this distrust in claiming that the parties that had replaced First Republic parties were no different. Little had really changed. He attacked parties across the political spectrum. Grillo's leitmotif is that political parties are a kind of organized racket whose only interest in elections is to gain access to the privileges and perks given to elected officials in Italy. His attacks are stoked by widespread indignation about the political ruling class, now commonly referred as the "caste" (Rizzo & Stella, 2007).

In various rallies and online discussion Grillo attacked the Italian political class as a corrupt and self-serving elite who had done little for real Italians. He argued that the major interest of career politicians was to gain parliamentary immunity, generous retirement benefits and expense accounts. Besides these rents, they cared little about policy or representation. Grillo contrasted the supposed spontaneous civic aspects of the Five Star Movement with the corrupt party system. He asserted that (cited in Bordignon & Ceccarini, 2013b, p. 435):

> The political parties are dead. Citizens need to detach themselves from the dead while they are still in time"(PC19, 2009). "Politics is long since dead. Only vultures remain, who divide up the body of Italy" (PC28, 2009). Other recurrent contrasts are between truth and deceit, but also between small and big: "We are like David and Goliath. We only have the web, the MeetUps, our enthusiasm and my meetings. They have all the rest. We are the last, the excluded, the derided. That's why we will succeed" (PC28, 2009).

Another cleavage that the M5S seized upon is generational. Grillo and other Five Star Movement leaders pointed out that Italy was run by "old men" with little ability to connect with the Italian youth. All of the political parties were dominated by a "gerontocracy". "These politicians don't know what they are talking about. They talk about the future. They are seventy years old and they talk about a future they will never see. We need young blood" (cited in Bordignon & Ceccarini, 2014, p. 434). The movement's use of social media was part of the generational divide that Grillo

harped on. Facebook, tweeter and other online social media were used not only to announce V-day events but also to stake out positions on a range of issues from the environment, European Union, youth unemployment, corruption issues, media monopolies, to immigration. The decentralized organizational style of the Five Star Movement is presented as something more in tune with a younger generation than the hierarchical traditional party structure.

While the Five Star Movement has attracted a younger base of support than the main political parties, the evidence indicates that the movement key demographic are Italian men in their mid-forties with a relatively high degree of interest in political and social issues. Along with this interest in politics is a corresponding disposition for social participation via Internet discussions; petitions initiatives, and signature and/or referendum proposals. For example, about 60% of respondents in a Demopolis survey of 1,206 have participated in local or environmental demonstrations, organized by M5S local groups. Overall, what emerges from the interviews is a propensity for new and alternative forms of mobilization and participation that contrast sharply with the more traditional mode of representation of Italian parties.[5] In her study of M5S activists, De Rosa (2013, p. 129) confirms our profile,

> Most of them were born in the South of Italy but live in the North-East. The vast majority of them are white-collar workers or self-employed professionals (in private firms or commerce) with a smaller group of university students…5SM activists would like to help Italy move forward but are blocked by a political class who are incapable of modernising themselves or the country, preferring to insist with conservative strategies. When questioned, the 5SM activists appear very radical as regards public administration, the media, the jobs market but much less so when it comes to support for a women's quota in parliament or the abolition of the legal value of a university degree. They refute the idea of leaderism and anti-politics as media simplification and prefer to think of themselves as anti-bad politics.

However, even with its focus on youth and technology, M5S is not really a youth movement. In keeping with the populist ideology of not representing groups based on ideology or class, Grillo makes a similar argument about generational divides. In fact, a central pillar in the Five Star Movement's political program is the protection and enhancement of pension funds for retirees.

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[5] The survey was carried out by the Istituto Nazionale di Ricerche Demopolis from October 7–10, 2012 on a sample of 1,206 interviewees, representative of all Italian adult citizens, subdivided according to gender, age, and place of residence. http://www.demopolis.it

The movement's blog has been used as a forum to criticize the media and others for not addressing the crisis faced by Italian retirees. The Northern League is the only other political party that has highlighted the plight of Italian pensioners.[6]

Although M5S defines itself as neither left nor right, it is viewed as having more of a center-left orientation on most socio-economic issues. In light of its "catch-all" characteristics and the contrasting policy positions it has taken a stance on, it is a difficult movement to pigeon hole. In fact, the base of support and mobilization of the M5S has varied over time depending on the type of topic and resentment it has sought to exploit. The data clearly indicates that the initial supporters of M5S were largely center-left. In 2010, "nearly half 48 percent of the M5S supporters positioned themselves as center-left" (Lanzone & Scotto, 2014, p. 14). Two years later that number had dropped to 32 percent with those positioning themselves as center-right rising to 28 percent from 11. The difficulty with classifying the M5S movement as center-left is illustrated with the rightest positions that Grillo has taken on the issue of immigration (Lanzone & Tronconi, 2015).

Grillo, in particular, has staked out a position on immigration that is ideologically anchored to the right. For example, on the question of granting citizenship to the children of immigrants and overturning the punitive laws regarding illegal immigrants in Italy, Grillo's positioning on these divisive issues places him closer to the anti-immigrant Northern League. As Bordignon and Ceccarini noted (2013b, p. 433), "Grillo has declared his opposition to the granting of citizenship to the children of immigrants born in Italy, according to the principle of *jus soli*. Previously, he had strongly criticized the enlargement of the EU to include Romania, and the presence of Roma in Italy, evoking the sacredness of the borders of the fatherland". Grillo's anti-immigrant stance has provoked tension within the movement. Following the death of immigrants off the coast of Sicily in 2014 that led to some 5-Star movement elected senators calling for a reform of the Bossi-Fini law that criminalizes illegal immigrants (Woods, 2010). Grillo strongly rejected the call by M5S senators and threated to expulse them from the movement. He stated that "this amendment is an invitation to migrants from Africa and the Middle East to head for Italy....How many immigrants can we accommodate if one Italian in eight does not have money?" (O'leary, 2013).

Another cleavage issue that Grillo has exploited is European integration. The European Union and integration had not been a salient issue in Italian politics. The left and the right as well as the general public had been overwhelmingly pro-European. The Northern League was the first political actor to disrupt the pro-European

consensus. Although the party had initially been favorable to European integration and the creation of the euro, it changed its tune and became stridently anti-European. Until the emergence of the M5S movement, the Northern League had a kind of populist monopoly on anti-European rhetoric. Like with the immigration divide, Grillo seized on European integration cleavage that had been framed by a party on the right and redefined it in a new fashion. He called for Italy to leave the Euro and reject the austerity dictates of the European commission.

During the spring 2014 campaign for European parliament, Grillo stated, "We are Italy's Plan B", he told the BBC. "Brussels bureaucrats have distorted the dream of European democracy. Today, we are not at war with ISIS [Islamic State] or with Russia, we are at war with the European Central Bank!" (Bettiza, 2014). Much of Grillo anti-European appeal is tied to the economic crisis that Italy has confronted since 2009. Many in Italy viewed the fall of Berlusconi government in 2011 and the installation of a technocratic government led by Mario Monti as something that had been orchestrated by the European Union under the guidance of Germany and France. Grillo seized upon the austerity measures adopted by Monti's government as evidence that Italy had lost its freedom as a sovereign nation. In an interview, Grillo castigated the European Union for undermining the nation-state while proclaiming that he was a supporter of Europe:

> On the contrary, I'm a staunch supporter of Europe, but I'd like to see the very concept of Europe revisited. When Monnet, along with many others, created Europe, he founded it on coal and steel—on tangible things. He was no technocrat. He used the post-war Marshall Plan manna. He knew that steel and coal were in German hands and that France would never manage these materials. He acted this way to manage concrete material. Now Europe is based on abstracts. Look at our finances. We have not only transferred our monetary sovereignty, but also our food supply. Do you realize that Italy has the best food in the world? Milk production centers are French. Supermarkets are French while ours are closing down one after the other. The free movement of workers has become the free movement of slaves. There are Georgians working on Romanian building sites. In Georgia there are Ukrainians and so on. It's the production of new slaves. [7]

A recurrent element that runs through Grillo's anti-European rhetoric is the question of representation. Like his criticism of the Italian "political caste", Grillo

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[6] See Grillo's blog posting "Bye, bye pensions".
http://www.beppegrillo.it/en

[7] Interviewed by Guiseppe Santoliquido, see We want to make honesty fashionable again
(http://blog.lesoir.be/lesoirinenglish/2013/05/18/beppe-grillo-we-want-to-make-honesty-fashionable-again).

argues that the European Union is dominated by technocrats and self-interested politicians who care little about the "real people".

6. The Organizational Form of the Five Star Movement: Personalized Representation

Scholars generally view populist organizations as movements rather than parties. This categorization has developed because populism has historically been the carrier of anti-elitist (and also anti-system) ideological messages. Populist leaders often emerge initially from social and political movements and strongly reject what they claim is the non-representative nature of traditional political parties. In this respect, the Five Star Movement is no different. The Five Star Movement emerged as a protest movement and still views itself something different than a typical political party. It is a sort of non-traditional amorphous party that folds myriad of local and regional issues under the same tent.

Different from the "catch-all" parties of the past, the Five Star Movement does not have a large militant membership base. It relies on local "cleavage issue" entrepreneurs to mobilize supporters. Moreover, it is not a centralized bureaucratic party but more an amalgamation of local affiliates that are subservient to its charismatic leader. Local groups' activities—concentrated in the major cities—are characterized especially by square meetings and informative gazebos, but also by territorial petitions. However, it is only in online political discussions that M5S adherents are more active than supporters of other political movements in Italy.[8] Thus, the web and Grillo's blog are clearly foci points that supporters of the movement use to engage in discussions and debates on a wide range of issues. As an indicator of its democratic credentials and authenticity, web-based referenda and votes are used regularly by the movement's leaders. These referenda are framed and dominated by Beppe Grillo to such an extent that claims to real democratic participation are dubious (Virgilio, Giannetti, Pedrazzani, & Pinto, 2015).

Grillo is not only the founder and leader of the movement, but he is also its sole proprietor of its brand. The Five Star Movement is registered as a trademark on behalf of Beppe Grillo. Taggart (1995, p. 41) argues that such personalization of movements and parties is a structural characteristic of populism. He adds that "…the leadership is not a simple structural element. It is the mainstay of their messages and of their

party". In other words, charisma constitutes the cement of the entire project and is also the main mobilization vehicle to keep their supporters (McDonnell, 2015). The populist leader is pivotal to exploiting and polarizing popular resentment against the status quo (Ruggiero, 2012). In this respect, Grillo's personalized style of civic populism and some of his actions/demonstrations are reminiscent of the rise of Umberto Bossi. Grillo has recognized the parallel himself:

> If I am resembled to Bossi, I not aggrieve myself, because Bossi was a street fighter with his undershirt. At that time, he screamed "Berlusconi you are a Mafioso". He said surprising things. Then, he became part of the system and the same system is addled. And so he entered in the Banks, in the milk quotas, in the dream of this Padania that it borders to Duck-burg. Bossi lost the sense of his thoughts. (Beppe Grillo, April 15, 2012)[9]

In this message, Grillo emphasized again his opposition to the current political system and its political "caste", whose self-interested actions results in a betraying of the Italian people.

His personalization of M5S and his difficulty in allowing elected representatives of the movement much autonomy does not bode well for its future. However, its organizational flexibility and aggregation of disparate local and regional grievances appear to be sources of resilience. In recent regional elections, M5S lost votes but showed a remarkable presence in Italy's many small and medium sized towns in the seven regions in which the elections took place. Across the seven regions, it averaged about 17 percent of the vote.

7. Conclusion

The Five Star Movement is indicative of the kind of populist surge that has swept across Europe. Grillo has identified a broad range of local, regional and national issues over which there is a great degree of resentment and tethered them to the populist rhetoric of being a non-traditional political party that emerged as a true form of democratic representation. Like other populist movements, M5S sees itself as providing the real people with a true form of political representation that has been confiscated by elites. Bepe Grillo, as political entrepreneur, has stepped into the vacuum that Mair (2002) feared would be the consequence of the decline of traditional mediating role of European party system.

What sets Grillo's populist style apart is the use non-traditional media to mobilize supporters. In this sense, Grillo's movement is an example of a relatively new type of "web-based populism" (Corbetta, 2013, p.

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[8] Results from a web-based survey conducted between February 27 to March 13 2013 (method: Computer Assisted web-interviewing utilizing the diffusion technique known as survey monkey) of 628 individuals. Surveyed individuals responded to thirty-four structured questions that sought to assess their ideological orientation, level of civic participation, and online activism.

[9] The full Grillo's message is available at this link: http://www.youtube.com/ watch?v=pM9XTOR4MzU

197). The use of the web has allowed M5S to combine old and new strategies of communication and mobilization. The use of the web and the actup and meetups in local centers in Italy lets the movement claim that it has finally brought to Italy a more direct form of democracy. In keeping with the logic of populism, it has done away with the traditional intermediaries of political parties and labor unions to allow the people to directly engage in politics via online discussion forums and public engagements. In general, all these aspects underline a heterogeneous base of M5S members and, more generally, voters characterized by the common resentment against political elites and traditional political parties (De Rosa, 2013).

The rise of the M5S is captured well by the three mechanisms specified in Pappas' model. Grillo's M5S movement seized on a pervasive resentment towards Italy's political class, it repackaged old cleavages or animated new ones and it effectively used non-traditional communication means to articulate an "us" versus "them" picture of political representation. The Five Star Movement was able to exploit to its advantage the strong resentment among many Italians towards their governing elite and to put together a heterogeneous base of support; however, this diversity of resentments makes it hard for the party to develop a coherent identity. After all, the old cleavages were able, for a long time, to engender some degree of loyalty among supporters who considered the party as the best vehicle for representation and participation in political life. It is not obvious that Grillo's volatile personality and "catch-all" strategy to aggregating local and regional grievances will suffice in transforming a potential majority into a real one.

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Conflict of Interests

The authors declare no conflict of interests

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Article

Who Is a Stream? Epistemic Communities, Instrument Constituencies and Advocacy Coalitions in Public Policy-Making

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Abstract
John Kingdon's Multiple Streams Framework (MSF) was articulated in order to better understand how issues entered onto policy agendas, using the concept of policy actors interacting over the course of sequences of events in what he referred to as the "problem", "policy" and "politics" "streams". However, it is not *a priori* certain who the agents are in this process and how they interact with each other. As was common at the time, in his study Kingdon used an undifferentiated concept of a "policy subsystem" to group together and capture the activities of various policy actors involved in this process. However, this article argues that the policy world Kingdon envisioned can be better visualized as one composed of distinct subsets of actors who engage in one specific type of interaction involved in the definition of policy problems: either the articulation of problems, the development of solutions, or their enactment. Rather than involve all subsystem actors, this article argues that three separate sets of actors are involved in these tasks: *epistemic communities* are engaged in discourses about policy problems; *instrument constituencies* define policy alternatives and instruments; and *advocacy coalitions* compete to have their choice of policy alternatives adopted. Using this lens, the article focuses on actor interactions involved both in the agenda-setting activities Kingdon examined as well as in the policy formulation activities following the agenda setting stage upon which Kingdon originally worked. This activity involves the definition of policy goals (both broad and specific), the creation of the means and mechanisms to realize these goals, and the set of bureaucratic, partisan, electoral and other political struggles involved in their acceptance and transformation into action. Like agenda-setting, these activities can best be modeled using a differentiated subsystem approach.

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1. Introduction: Agency and the Multiple Streams Model

Since its first articulation in the early 1980s, John Kingdon's Multiple Streams Framework (MSF) has been one of the main models of the policy process utilized in contemporary policy research (Kingdon, 1984, 2011). As is well known, in his study of the agenda-setting stage of the policy process, Kingdon envisioned three independently flowing streams of events—the political, policy and problem "streams"—brought together by focusing events and fortuitous windows of opportunity

to elevate policy items from the unofficial or public agenda onto the government one. Highlighting the contingency of policy decision making efforts, Kingdon drew on the so-called "garbage can" theory of organizational choice in exploring how some issues come to light in ambiguous policy contexts dependent on the actions of unpredictable sets of actors (Cohen, March, & Olsen, 1972; March & Olsen, 1979).

Specifically, Kingdon was concerned with "what makes people in and around government attend, at any given time, to some subject and not to others?" (Kingdon, 2011, p. 1). But, who is the agent here? That is, who represents and actualizes a "stream" of events or a response to it? While Kingdon, using a specific case of US policymaking, emphasized the role of certain kinds of actors such as policy entrepreneurs in catalyzing the merging of streams, in general it is not clear in this model who are the actors that give each stream, to paraphrase Kingdon's words, "a life of its own".

This is not to say Kingdon's work lacks agency, but rather that in his work the principle player, as was commonly held by many policy theorists in the early 1980s and 1990s (McCool, 1998; Sabatier, 1991), was the "subsystem" or policy "community". This community is defined as a relatively undifferentiated and cohesive set of actors bound together by a common concern with a policy subject area, distinguishable in this sense from the "policy universe" of all possible policy actors active at a point in time (Howlett & Cashore, 2009; Howlett, Ramesh, & Perl, 2009; Kingdon, 2011). Within this subsystem Kingdon highlighted the role played by some specialized actors—"brokers" or "policy entrepreneurs"—who were able to mobilize support for particular issue definitions and promote the salience of particular issues among other subsystem members.

This vision of policy actors sufficed for Kingdon's analysis of agenda-setting activities which was concerned with understanding how a policy "condition" moved from the "policy universe" or undifferentiated public, societal, locus of policy attention, to become a "problem" occupying a more focused group of actors; one which had the knowledge, power and resources required to articulate the nature or "frame" of a problem and some possible solutions for it; allowing it to then move forward for consideration by government.

While Kingdon thus systematically analyzed the structural mechanics of how such subsystems operated to reduce the number of alternative possible agenda-items to the much smaller number which receive government attention, and to prioritize problems within that smaller group, his concept of "streams" or sequences of events involved in this process fit uneasily with these subsystem notions. That is, while his concept of brokers or entrepreneurs helped understand how problem definitions and solutions were combined, he was not clear about precisely who was involved in defining and selecting one or more solution over any

other or in defining or framing a problem in a particular fashion rather than some other.

This lack of a detailed conception of agency in Kingdon's original model has left a significant gap in existing work based on his framework. This has made it difficult to understand policy-making dynamics from this perspective, as saying streams of events "flow and interact" with each other is not very revealing of the mechanisms at work in this process. Without a clearer notion of agency it is difficult to see how essential phenomena such as "streams" intersecting or agenda-items "moving forward" actually occur in practice (Hood, 2010; Howlett, 2012).[1]

That is, merely saying that multiple streams and multiple phases of policy-making exist, as scholars basing their work on Kingdon's (1984) lead have often done, begs the question of how the processes identified by Kingdon are actually carried out by policy agents. If the multiple streams framework is to say anything meaningful about policy-making it has to address head-on questions about the nature of the streams identified by Kingdon, including how they come in to existence and how they operate and evolve.

Two major challenges in particular must be overcome if the MSF framework is to provide a useful model of the policy-making process:

1) How to operationalize or agentify the various streams of events and activities involved in policy-making in order to be able to analytically distinguish them from each other and analyse their interactions during different phases of the policy process; and
2) How to analyse periods of separation and coming together of one or more of the streams before, after and during different phases of policy making activity in terms of these actor relationships.

In this article we endeavor to address this gap and enhance the continuing contribution the MSF has made to modern public policy thinking by exploring how the

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[1] This is especially significant for those desiring to take the multiple streams framework forward to cover policymaking beyond its initial stages. As Howlett, McConnell and Perl (2015) have shown, many of these authors have simply carried forward the idea of a three-stream confluence remaining in place following agenda-setting in order to cover off activities occurring at subsequent stages of the policy process (Teisman, 2000). Others, however, have suggested that after an item enters the formal agenda, at least some of the streams split off once again to resume their parallel courses (Teisman, 2000; Zahariadis, 2007). And yet others have suggested that additional streams emerge and can become apparent through and beyond agenda setting, such as those involved in operational administrative processes once a problem has been established (Howlett et al., 2015; Zahariadis, 2007).

streams metaphor can be better visualized to incorporate more precise notions of agency. The article examines Kingdon's own thoughts about actors and criticisms of those notions which suggest the existence of several distinct kinds of entrepreneurs. It uses this insight to establish a framework for further empirical testing which advances an agency-based distinction among each of the three main streams identified in Kingdon's work (Howlett et al., 2015).

Studying policy-making through this lens promises to bear fruit in providing a much better understanding of how each stream operates and how subsets of actors within the policy subsystem interact or disconnect from each other during the course of the policymaking process, affecting both the timing, content and impact of policies. Viewing a subsystem as composed of distinct subsets of actors engaged in specific policy, problem and political tasks in this way, we argue, provides a superior model of policy-making to an undifferentiated subsystem conception.

Such a model acknowledges that the interactions among these groups of actors drives policy-making forward. It also helps drive policy theory forward by clarifying "who is a stream" and helping to adapt the MSF model to both agenda-setting and activities beyond this early stage of policy-making (Howlett et al., 2015).

2. Policy Subsystems and Entrepreneurs: The Concept of Agency in Kingdon's Work

Greater specification of agent activities is required both to better understand agenda-setting behavior and in order to understand how Kingdon's model can best be applied to activities in policy-making beyond the agenda-setting activities he examined. Many attempts at extending the MSF model beyond agenda-setting have been less than successful in matching or describing policy empirics involved in policy formulation and beyond because they have inherited from Kingdon only very weak depictions of what is a stream and, more to the point, of whom it is composed (Howlett et al., 2015).

In what follows below, two key aspects of Kingdon's work with respect to his treatment of agency are examined. The first concerns his use of the concept of a policy subsystem as a generic catch-all category for policy actors, while the second concerns his use of the concept of "policy entrepreneurs" as agents providing the linkage across streams needed for agenda-setting issue entrance to occur. As shall be shown, both of these conceptions are related and both are problematic in applying the model in practice.

2.1. Policy Subsystems and Policy Entrepreneurs

Kingdon's own work uses the notion of a "subsystem" as a key grouping of policy actors in making its arguments and claims about policy processes and outcomes. As

McCool (1998) pointed out, the subsystem family of concepts was developed beginning in the late 1950s in order to help better understand the role of interests and discourses in the policy process by allowing for complex formal and informal interactions to occur between both state and non-state actors. The scholarship on such policy actors in the 1970s to 1990s was legion and included a wide variety of sometimes competing concepts such as "iron triangles", "sub-governments", "cozy triangles", "power triads", "policy networks", "issue communities", "issue networks", "advocacy coalitions", and "policy communities", among others, all alluding to the tendency of policy actors to form substantive issue alliances that cross institutional boundaries and include both governmental and non-governmental actors (Arts, Leroy, & van Tatenhove, 2006; Freeman, 1997; McCool, 1998).

The relationship between ideas, interests, institutions and actors found in subsystems was highlighted in subsystem theory. This was something previous policy theory had largely ignored since its focus had typically been upon formal institutional procedures and relationships between governmental and non-governmental agents active in policy-making such as interest groups and lobbyists (Howlett et al., 2009; McCool, 1998). The more subtle subsystem concept which merged actors, ideas and institutions together allowed students of the policy sciences to distinguish more precisely who were the key actors in a policy process, what unites them, how they engage each other and what effect their dealings had on policy outcomes than was possible using a more formal institutional lens (Howlett et al., 2009).

This view allows the development of a uniting framework of analysis that can, firstly, establish patterns that perpetuate action from one stage of the policy process to another and, secondly, analytically deconstruct the "black box" of each stage, introducing a more nuanced and dynamic view of policymaking than was typically found in older, more institutional analyses (Howlett et al., 2009). Thus as Kingdon rightly noted, in general the subsystem is an appropriate unit of analysis for distinguishing the actors involved in the politics, process and problem aspects of policy-making activities such as agenda-setting in which informal interactions were just as important as formal ones in terms of explaining the timing and content of issue attention.

But it is not clear in using a subsystem conception how it is that the "streams" of political, policy and problem events Kingdon highlighted were kept separate or how they can be brought together only periodically rather than affect subsystem members equally and at all times. While the former point was not addressed in his work, it is to deal with the latter that Kingdon introduced a second category of actors, the "policy entrepreneur", key actors whose role it was to link problem and solutions and political circumstances, allowing an

issue to enter onto a government agenda and largely controlling its timing.

2.2. The Key Role of Policy Entrepreneurs

Much attention in his own analysis was given by Kingdon to the singular role played by such entrepreneurs in moving agenda items forward into the formal policy process. In line with the "garbage can" theory of policy-making upon which he drew for inspiration (Cohen et al., 1972), Kingdon situated the role of entrepreneurs in the context of policy activity involving struggles over problem framing and linking together issues competing for policy attention in non-linear and often contingent decision making processes.

But again, it was unclear exactly who were these individuals and under which conditions they, rather than some other actor, are able to help "bring the streams together" in a "policy window" where it is possible to have an issue move from the public realm onto the formal governmental agenda.[2]

Thus, based on a review of the MSF and meta-analysis of major applications since its conception, for example, Cairney and Jones (2015) have concluded that entrepreneurs in the context of the multiple streams framework "are best understood as well-informed and well-connected insiders who provide the knowledge and tenacity to help couple the 'streams'". Yet, they also noted that such actors cannot do more than their environments allow. They are "'surfers waiting for the big wave' not Poseidon-like masters of the seas" (Cairney & Jones, 2015, p. 5).

Echoing these observations, several other scholars exploring the MSF empirically, and especially its application beyond agenda setting, have also pointed out the shortcomings of the notions of individual policy entrepreneurial activity found in Kingdon's work and linked it to the undifferentiated notion of a policy subsystem highlighted above (Herweg, Huß, & Zohlnhöfer, 2015; Knaggård, 2015). Entrepreneurs have been found to be organizations as well as individuals, to sometimes be heavily interlinked and at other times to be quite distinct and separate, and also, most importantly, to

take on different roles depending on their problem, policy or politics orientation.

Knaggård (2015) for example, has argued that a single notion of entrepreneurship is misplaced and rather sees the need for at least a second more loosely defined type of "problem broker" emerging out of the problem stream to popularize or highlight a specific problem frame. This kind of actor, she argues, has a primary interest in framing policy problems and having policymakers accept these frames, thereby conceptually distinguishing problem framing "as a separate process" from policy entrepreneurship and "enabling a study of actors that frame problems without making policy suggestions", unlike traditional notions of policy entrepreneurs (Knaggård, 2015, p. 1). Similarly, other scholars have found enterprising policy actors to have emerged from other streams, such as the "instrument" advocates that are strongly oriented towards devising and promoting certain policy solutions over others, regardless of the nature of the problem at hand (Voss & Simons, 2014).

Both of these types of actors are dedicated to framing policy issues or devising alternatives and act as filters or the initial "incubators" of problems and solutions which can then be taken up at the political level where other similar, traditional, entrepreneurs exist (Zahariadis, 2007). As Ackrill, Kay and Zahariadis (2013) note, this means "no entrepreneur alone will ever be enough to cause policy reform; we always require an account of the context" or configuration of the various other actors in the subsystem. In other words, the nature of entrepreneurs and entrepreneurial activity will vary depending on the stream in which the entrepreneur is located.

3. "Who Is a Stream"? Disaggregating the Policy Subsystem

This idea of at least three distinct types of entrepreneurs suggests that a central problem in Kingdon's work with respect to agency lies in the undifferentiated notion of a policy subsystem found in his work. As the above discussion of the diverse nature of policy entrepreneurship suggests, there is a need to match agents and streams, requiring the disaggregation of a subsystem and the assignment of distinct types of agents to each stream of activities. Not only does this help clarify the nature of policy entrepreneurship, it also helps elucidate why each stream would operate "independently" outside instances of entrepreneurial activity rather than affect most policy subsystem members on a more or less constant basis. That is, the responsibility for the range of tasks to be performed in articulating policy, developing and advocating for means to achieve them and ultimately deciding upon them can be argued to fall on different distinct sets of subsystem actors; from experts in the knowledge area concerned in the first in-

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[2] Since the MSF was first articulated, several conceptualizations of the term "policy entrepreneurs" and their impact on policy reform or change have existed in policy studies (Cairney, 2012; Cairney & Jones, 2015; Jordan & Huitema, 2014; Meijerink & Huitema, 2010; Mintrom & Norman, 2009; Skok, 1995, to name a few) all broadly capturing the strategic opportunities that reform-minded policy actors can seize in the policy process. However, the "elbow room" available to these individuals for investing time, energy and resources towards a desired policy end is constrained by given policy and political contexts, including their interactions with other political actors and little conceptual work has attempted to move beyond early formulation and take such factors into account in their analysis.

stance, to experts on policy tools in the second, to authoritative decision-makers and their colleagues in the third (Howlett et al., 2009).

Hence within the policy subsystem of actors defining a particular policy arena such as national environmental policy, for example, we can see one part of a policy community surrounding climate change issues working towards defining the nature of the problem government must address. This group exists and works independently of constituencies that develop around particular instruments (for example, those favoring emissions trading), and of coalitions of actors holding a variety of beliefs regarding factors such as the legitimate role of government in society or the degree to which public opinion will support certain definitions and courses of action which are involved in the political aspects of policy-making.

In re-visualizing streams in this way as being composed of distinct groups of policy actors within a subsystem, each different actor sub-group can be thought of as a discrete entity. This is not to say these different groups cannot share membership across the policy process, as subsystem actors engage each other to various degrees and in different forms throughout the policymaking process. But it is to say that the extent to which this interaction and overlap occurs in any particular policy process, however, is an empirical question and for analytical purposes, they can be thought of as separate bodies.

3.1. Agents in the Problem Stream: Epistemic Communities

In answering the question "Who is a Stream", then, while it would be possible to develop new terminology to describe each sub-group, adequate terms already exist in the policy literature which can be used for this purpose. In this light, as discussed in more detail below, "*epistemic communities*," a term developed in the international relations literature to describe groups of scientists involved in articulating and delimiting problem spaces in areas such as oceans policy and climate change (Gough & Shackley, 2001; Haas, 1992; Zito, 2001) can be used as a descriptor of the first set of actors involved in problem definition.

The academic exploration of epistemic communities thus far has been dominated by examples from environmental policy, a field that is constantly involved in connecting scientific findings to policy. Haas first described the "epistemic communities" involved in deliberations in this sector as a diverse collection of policy actors including scientists, academics experts, public sector officials, and other government agents who are united by a common interest in or a shared interpretation of the science behind an environmental dilemma (Gough & Shackley, 2001; Haas, 1992). These "epistemic communities", he found influenced "policy innovation not only through their ability to frame issues and

define state interests but also through their influence on the setting of standards and the development of regulations" (Adler & Haas, 1992, p. 378).

For Kingdon, framing or defining an issue or condition is a key activity which translates it into a problem that can be addressed by policymakers. The coupling of problem definition and policy alternative is what raises an issue onto the government agenda in the MSF. However, and as Knaggård (2015) has pointed out, analytically in Kingdon's work this coupling conflates two very distinct activities, whereby "coupling becomes the same act as defining problems" and blocks a better understanding of how policy entrepreneurs are contextually enabled or constrained in promoting certain problem definitions and not others. This is where distinguishing epistemic actors who are solely concerned with policy issues and problem framing helps to bring analytical clarity to this particular aspect of policy-making activities.

These problem-defining actors are precisely those ones identified with epistemic communities, from scientists to political partisans and others depending on the case, who are active beyond agenda setting and into policy formulation and are engaged in discourses within the problem stream which lead to the definition of broad policy issues or problems (Cross, 2015; Hajer, 1997, 2005; Howlett et al., 2009; Knaggård, 2015).

In the agenda stage, epistemic communities are crucial in leading and informing the activities of other actors, defining the main direction of the policy process followed thereafter. This path-dependent evolution of problem definition indicates, as Adler and Haas (1992) noted, that "the effects of epistemic involvement are not easily reversed. To the extent to which multiple equilibrium points are possible…epistemic communities will help identify which one is selected" (Adler & Haas, 1992, p. 373). This, in turn, heavily influences subsequent policy deliberations and activities at later points in the policy process.

Knowledge regarding a policy problem is the "glue" that unites actors within an epistemic community, differentiating it from those actors involved in political negotiations and practices around policy goals and solutions as well as those, discussed below, who specialize in the development, design and articulation of policy tools or solutions (Biddle & Koontz, 2014).

Several studies exist supporting this view of the perceptions of epistemic community members and the problem-framing role they play in policymaking (Lackey, 2007; Meyer, Peter, Frumhoff, Hamburg, & de la Rosa, 2010; Nelson & Vucetich, 2009). In his studies of global oceans research and policy, for example, Rudd (2014, 2015) provides important empirical findings related to scientists' framing of environmental dilemmas at the science-policy interface. In his large-n, quantitative study spanning 94 countries and meant to comprehensively cover the role of scientists in oceans policymaking, he is able to conclusively point out the

uniformity regarding research priorities across the globe, as "once evidence is assembled and knowledge created, it must also be effectively communicated, sometimes in politicized environments, ensuring that it is effectively brought to bear on sustainability challenges. Demands on scientists to increase the level of integration and synthesis in their work, and to communicate increasingly sophisticated information to policymakers and society, will only grow" (Rudd, 2015, p. 44).

3.2. Actors in the Policy (Solution) Stream: Instrument Constituencies

Epistemic Communities active in the problem stream are separate but distinct from the activities of a second group of actors, "*instrument constituencies*", whose focus is much less on problems than on solutions. *Instrument constituencies* is a term used in the comparative public policy field to describe the set of actors involved in solution articulation, *independently of the nature of the problem to be addressed* (Voss & Simons, 2014). Such constituencies advocate for particular tools or combinations of tools to address a range of problem areas and hence are active in the "policy" stream Kingdon identified, one that heightens in activity as policy alternatives and instruments are formulated and combined to address policy aims.

The policy instruments that are devised or revised and considered and assessed in the process of matching problems and solutions can also usefully be viewed as the cognitive constructs of specific sets of social policy actors as they grapple with policy-making. Voss and Simons (2014), for example, have highlighted the role played by those actors who, albeit originating from a multitude of backgrounds and organizations, come together in support of particular types of policy instruments; forming a second "policy" stream, the "instrument constituency". Not to be conflated with Sabatier's or Haas' notions of advocacy coalitions or epistemic communities, these actors are united by their adherence to the design and promotion of specific policy instruments as the solutions to general sets of policy problems, usually in the abstract, which are then applied to real-world conditions.

In a series of studies on how various emission trading schemes have emerged in the area of environmental policy (Mann & Simons, 2014; Voss & Simons, 2014), Voss and Simons have noted that, just as epistemic communities perpetuate ideas of policy problems, members of instrument constituencies are distinct and stay cohesive due to their united "fidelity" not to a problem definition or political agenda, but rather to their support of a particular policy tool or a specific combination of policy tools.

That is, the members of such constituencies are not necessarily inspired by the same definition of a policy problem or by similar beliefs, as are epistemic commu-

nities and advocacy coalitions but rather come together to support specific policy solutions or instrument choices. These constituencies are thus "networks of heterogeneous actors from academia, policy consulting, public policy and administration, business, and civil society, who become entangled as they engage with the articulation, development, implementation and dissemination of a particular technical model of governance" (Voss & Simon, 2014). These actors exist to promote and further develop a particular instrument and form conscious groupings attempting to realize their particular version of the instrument. The practices of such actors "constitute and are constituted by the instrument" and develop "a discourse of how the instrument may best be retained, developed, promoted and expanded" (Voss & Simons, 2014). What unites these actors is the role they play in articulating "the set of stories, knowledge, practice and tools needed to keep an instrument alive both as model and implemented practice" (Voss & Simons, 2014).

Unlike epistemic communities that pursue the translation of broad issues into distinct problems that policymakers can act upon, constituencies are more concerned with policy tools and supplying policymakers with information about the design and mechanics of these tools. Think-tanks for example fall into this category, as they provide policymakers with "basic information about the world and societies they govern, how current policies are working, possible alternatives and their likely costs and consequences" (McGann, Viden, & Rafferty, 2014, p. 31).

3.3. Agents in the Politics Streams: Advocacy Coalitions

Lastly, the "politics" stream can be thought of as being the milieu where "*advocacy coalitions*", a term used by students of American policy-making to describe the activities of those involved in the political struggle surrounding the matching of problem definitions and policy tools (Sabatier & Pelkey, 1987; Sabatier & Weible, 2007; Schlager & Blomquist, 1996) are most active. These actors compete to get their choice of problem definitions as well as solutions adopted during the policy process.

Such politically active policy actors are usually more publicly visible than the members of those groups of substantive experts who collaborate in the formation of policy alternatives and constitute an often "hidden cluster" of actors. More visible actors in the politics stream can include, for example in the case of the US Congress Kingdon examined, "the president and his high-level appointees, prominent members of the congress, the media and such elections-related actors as political parties and campaigns" (Kingdon, 2011, p. 64) while less visible actors include lobbyists, political party brokers and fixers, and other behind-the-scenes advisors and participants.

Emphasizing the important policy role played by

these sets of political actors is central to another of the other major theories of policy-making often improperly construed as antithetical to the MSF, namely the Advocacy Coalition Framework (ACF). As is well known, the ACF was advanced during the 1980s by Paul Sabatier and Hank Jenkins-Smith as a response to perceived limitations of existing policy process research programs: the shortcomings of the stages heuristic in establishing a causal theory of the policy process, the poor discussion about the role of scientific knowledge in policy-making, the polarity of the top-down and bottom-up perspectives on policy implementation, the need to consider time horizons of a decade or more when investigating the policy process, and the need to acknowledge the bounded rationality of policy actors (see among others Sabatier, 1987, 1988, 1998; Sabatier & Jenkins-Smith, 1993, 1999; Sabatier & Weible, 2007; Weible, Sabatier, & McQueen, 2009; Weible et al., 2011).[3]

The ACF holds that subsystem actors are boundedly rational in that they employ cognitive filters that limit how they perceive information while functioning within the subsystem. Actors aggregate and coordinate their actions into coalitions based on shared policy core beliefs and several such coalitions can occupy a subsystem. Led by their primary interest in forwarding their beliefs, the realm of coalitions falls distinctly in the political vein of the policy process, as coalitions compete with opponent coalitions to transform their beliefs into policies and tend to amplify the maliciousness of those who hold opposing beliefs.

These beliefs as well as coalition membership stay consistent over time and the relative success of a coalition in furthering its policies depends on a number of factors, including external factors like natural resource endowments and the nature of policy problems that remain relatively constant over time (Sabatier, 2007). Other external factors that are also important yet more unpredictable include public opinion and technology developments. Factors that are internal include the coalition's own financial resources, level of expertise and number of supporters. Coalition members employ knowledge about what are the competing views on important policy problems or solutions in a "variety of uses from argumentation with opponents to mobilization of supporters" (Weible & Nohrstedt, 2012, p. 127).

Although often posited by ACF advocates as comprising all actors within a policy subsystem, the role of advocacy coalitions in vying to get their preferred problem and solutions chosen in policy decisions implies that, consistent with Kingdon's ideas, they can more usefully be thought of as synonymous with activities in the politics stream (Weishaar, Amosb, & Collin, 2015).

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[3] Weible and Nohrstedt (2012) provide a thorough review of the theoretical evolution of the ACF since the 1980s, along with a discussion of lessons drawn from key empirical works that have shaped the framework over the last two decades.

4. Analysis: Improving upon Kingdon's Work by Differentiating Subsystem Membership

The overall argument made here, therefore, is that the three streams Kingdon described represent and are composed of the actions of three distinct communities of actors and that it is the interactions of these groups during different stages and activities of policy making, from agenda-setting to policy evaluation which drives policy-making forward, determining its tempo and content.

This is a different vision of this activity than raised by many of the authors cited above in their own efforts to develop a vision of the policy process which often conflates the activities of specific subsets of subsystem actors with the subsystem itself, or fail to differentiate, as in Kingdon's case, between the very different actors and activities involved in each "stream".

This is a useful insight in itself and brings new light to the discussion of agenda-setting dynamics Kingdon focused upon. However it is also an advance on his thinking in that it allows for a better appreciation and understanding of how roughly the same dynamics he identified as crucial at that stage of the policy making process are also crucial further down the policy process. At the stage of policy formulation, for example, the problem and policy streams can be seen to continue to share various points of correspondence during the process of articulation of policy alternatives, while the politics stream flows independently alongside these other two until it too joins the others as decision-making unfolds.

Figure 1 illustrates how these overall stream dynamics can be envisioned as the policy process takes place. As this figure shows, different sets of actors interact differently in different policy-related activities. The politics stream (shown as the dashed line in Figure 1), for example, is composed of events in which advocacy coalitions appear as key players and continues throughout all phases of policy-making, however, it does so in the background in some stages, most notably policy implementation, and often acts without entangling itself directly with the problem and policy streams during policy formulation. This set of actors and stream of events is more active during agenda setting and later during decision making through the actions of political coalitions that compete to get their interests represented and their preferred options chosen at later stages of the policy process.

The problem stream (light gray line) and the epistemic communities it involves, on the other hand, maintain a central position as most policy activity revolves around the framing or definition of an issue area. And instrument constituencies, like advocacy coalitions, wax and wane as solution-based activity occurs, being actively engaged in formulation, less so in decision-making and then again actively involved in implementation and evaluation.

Hence, as discussed above, the politics stream separates out from the policy-problem nexus as actors interested in policy instrument formation deliberate on technical solutions to an identified problem (Craft & Howlett, 2012). Once policy solution packages are devised, the politics thread returns to the main weave as advocates of different policy solutions compete to have their favored policy instruments selected during decision making. The activity of actors involved in the problem stream on the other hand can be seen to advance steadily throughout the policy process without bowing out in some areas as do some of its counterpart streams. And the policy stream personified by an instrument constituency remains in a tight link with the problem stream or epistemic community throughout the formulation phase—marked as it is by the matching of policy ends to policy means. The policy means or tools that constituencies are involved with can range anywhere from single tool calibrations to the instrumental logic of multi-tool mixes. The constituency need not stay united because of any other reason except for a common fidelity to a particular instrument or a particular combination of instruments. Once solutions have been proposed, the constituency takes a step back during decision making, but re-joins the policy process for implementation and evaluation.

5. Conclusion: Implications for Further Research

After three decades of comparative policy research that has critiqued, deliberated and debated the major frameworks of the policy process, the original assertions of these dominant metaphors often remain uncontested and with limited meaningful cross-fertilization (Sabatier & Weible, 2014). As argued by John (2012, 2013) and Cairney (2013), however, the time is ripe to move the discussion of policy-making forward beyond dueling frameworks and some efforts have already been made in this direction (Howlett et al., 2015). Here this project has been extended to the multiple streams model, uniting it with several other frameworks, notably the Advocacy Coalition Framework but also works dealing with epistemic communities and instrument constituencies and their role in policy advisory systems, into a single more powerful combination.
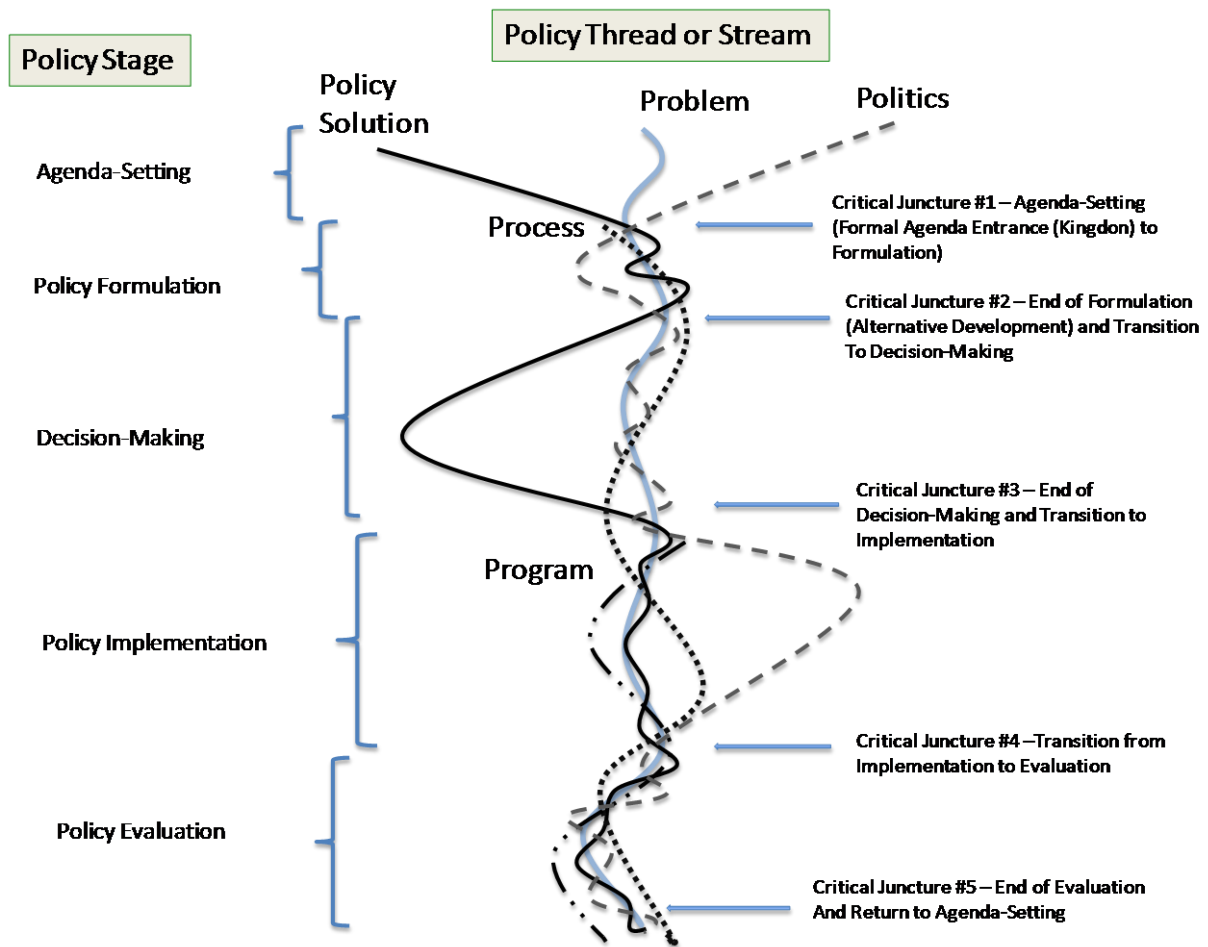
Figure 1. Five policy process "streams" (based on Howlett et al., 2015).

The above discussion has provided an outline for a framework to operationalize Kingdon's multiple streams framework which allows it to be usefully extended well beyond agenda setting, strengthening its appeal as a general theory of the policy process.

This re-conceptualization of streams and agents, of course also begs several questions, which constitute the basis for a substantial research agenda in this area. In addition to testing the relationships set out in Figure 1 and analyzing subsystem structure empirically during various points of the policy process, a second area of further research involves answering questions regarding how to identify entrepreneurs in each stream. Similar to existing findings about brokers emerging from the epistemic communities of the problem stream (Knaggård, 2015), do certain enterprising members of instrument constituencies and advocacy coalitions become visible during formulation and subsequent phases of the policy process? How are these brokers revealed? And how do they forge connections between otherwise disjoint actor groupings in the subsystem, hence seizing opportunities to "couple" independently flowing streams? The significance of the brokerage skills of entrepreneurs has already been identified in areas such as health policy that are characterized by densely interconnected networks of policy actors, and within which successful entrepreneurs need to have the instruments to bridge connections between diverse stakeholders (Catford, 1998; Harting, Kunst, Kwan, & Stronks, 2010; Laumann & Knoke, 1987).

Conflict of Interests

The authors declare no conflict of interests.

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Intermediate Conditions of Democratic Accountability: A Response to Electoral Skepticism

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Abstract

Attempts to respond to "democratic deficits" in modern constitutional republics must contend with the broad scholarly trend of electoral skepticism. While generally casting doubt on periodic competitive elections' suitability as vehicles of accountability, electoral skepticism does not necessarily entail an absolute devaluation of elections. Some normative and empirical research responds to this trend by refocusing attention on values other than popular power, such as civil peace, which might be served by periodic competitive elections. Another response short of abandoning the value of popular power, however, is to draw out possibilities for institutional design from the restricted conditions under which previous study has found electoral accountability to be plausible or likely. This second task requires an empirically informed exercise in political theory. Pursuing it in a programmatic and policy-relevant way requires descending from the grand, systemic level of constitutional structures and electoral formulae to intermediate (or middle-range) institutional conditions of accountability, such as rules about parties, campaigns, and election administration. My analysis reinterprets principal-agent models to develop four general types of crucial condition for electoral accountability, and then ramifies this scheme by reference to recent empirical research. The result is a "top ten" list of specific institutional factors that could be theoretically decisive in helping or hindering electoral accountability. These ten conditions could guide future research designs and reform proposals alike.

Issue

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1. Introduction

The cumulative effect of empirical research over time is often to modify or to qualify the conventional wisdom on a given topic. This has arguably been the case with research on elections and democratic accountability. Tremendous rhetorical and ideological leverage has been gained for generations, and for centuries in some parts of the globe (Maloy, 2008), through the notion that periodic competitive elections allow ordinary people to sanction or otherwise to control policy-making elites. But the "third wave" of democratization in the

1990's triggered intensified scrutiny of this proposition, both theoretically and empirically (see Przeworski, Stokes, & Manin, 1999), and the resulting scholarly inquest has led to significant (though not absolute) levels of what might be termed "electoral skepticism". As a result, the relation between competitive elections and democratic accountability is now widely understood to be problematic and delicate rather than natural and robust (see Anderson, 2007; Maloy, 2014).

Three types of normative and programmatic response to electoral skepticism present interesting options for the future of democratic institutions. One is to

continue to defend periodic competitive elections in more or less the forms they take in the wealthier and older democracies, but to do so on modified grounds. There are other political values besides popular power, after all, and "minimalist" theories of democracy (e.g. Przeworski, 1999) have plausibly identified several candidates, notably civil peace, as resulting from a modicum of electoral competition among political elites. Empirical studies of "losers' consent" (see Anderson, Blais, Bowler, Donovan, & Listhaug, 2005) can be understood as contributing to this normative project of justifying electoral democracy in chastened terms. A second kind of response to electoral skepticism is to pursue democratic accountability through non-electoral devices such as random selection, applied to new kinds of legislative process (e.g. Callenbach & Phillips, 2008; Leib, 2004; McCormick, 2011; Sutherland, 2008; Zakaras, 2010). A third response is to pursue further investigation of the precise conditions under which democratic accountability could plausibly result from periodic elections. Since the most direct route to the possibility of deliberate change lies in formal rules and procedures, deepening our knowledge of specifically institutional factors of electoral accountability might support practical reform proposals for institutional design.

This article is an attempt to assay the last of these options by systematically charting, in conceptual terms, the intermediate institutional conditions of electoral accountability. There is a well established literature in political science on the effects of institutional variation on electoral outcomes which could inform such an effort, but these studies tend to focus on the grand, systemic level of constitutional structures or electoral systems (e.g. Carey, 2009; Hellwig & Samuels, 2008; Powell, 2000)—where only major political upheaval could lead to change. What is still needed, if we are to make a fair assessment of the institutional possibilities of electoral accountability, is a theoretic framework for intermediate conditions, in the middle range of institutionalization where the design and interpretation of empirical studies could interface in a constructive and coherent fashion with normative and programmatic proposals. My purpose, then, is to lay a conceptual foundation for future studies of and efforts toward electoral redesign. Instead of testing empirical hypotheses, I am attempting to survey the field of theoretic possibilities and to provide a road-map for designing empirical studies to explore those possibilities further.

The analysis below identifies the general value of popular power as the normative stakes in investigating the strength or weakness of electoral accountability (in Section 2) and then offers an exercise in empirically informed political theory to identify potential institutional responses. I reinterpret previous theoretic work in principal-agent theory (in Section 3), emphasizing the skeptical drift of that tradition, and derive from it four "crucial conditions" of electoral accountability (in Section 4). I then engage empirical work on elections to identify, within these four general categories, ten specific "spoiler conditions" that militate against accountability and provide ammunition for electoral skepticism (in Section 5). At the same time, however, this "top ten" list supplies a basis for developing intermediate institutional conditions that could counter the spoiler conditions and thereby promote greater accountability through elections.

2. Conceptual Contours of Electoral Accountability

Empirical scholars of elections have long recognized that their factual findings are implicated in core concepts and propositions of democratic theory. Perhaps the most basic principle involved is popular power: periodic competitive elections have often been valued for their presumed ability to enable ordinary citizens to exercise control over their lives, or at least over the public policies that shape, structure, or otherwise affect their lives. Yet "power" is a general term that can encompass a wide variety of forms and degrees, as illustrated by the crucial dichotomy of "control" and "influence" (Key, 1966). Whether and when citizens can exercise directed, purposeful control over public policy, as opposed to effective yet diffuse influence, is therefore a key question for analytic and normative theory alike.

Because conventional assumptions about electoral accountability hold that elections enable voters to sanction governments, it is important to recognize that the power of sanction might in theory lead to control, or to influence, or to something in between. My analysis does not take a position on this spectrum, either analytically (is it possible for elections to effect one or the other type of popular power?) or normatively (would it be good if elections could effect one or the other type of popular power?), but is addressing the debate in a fundamental way nonetheless. I am trying to show that this debate is still relevant and consequential, rather than purely academic—against the notion that the value of popular power via elections should be discarded as practically futile, in favor of other values. What I offer below, then, is not a normative analysis of which values elections ought and ought not to serve, but rather a conceptual analysis of what sorts of institutional conditions can and cannot serve the general principle of popular power. As I proceed, I will use "power" loosely, sometimes as control and other times as influence: the intermediate-conditions framework contributed by this article can provide an essential bridge between theory and empirics for projects of institutional design which are geared toward either type of power.

Since elections (unlike initiatives and referenda) offer candidates and parties rather than policies as the objects of citizens' choice, popular power over policy is mediated by the electoral sanction wielded by voters

over those candidates and parties. For this reason, principal-agent theory provides a useful analytic starting-point for studying elections as vehicles of institutionalized popular power.

Two issues must be distinguished when thinking of elections as mediating the relationship between voters as principals and politicians as agents. (The conceptual framework set up in this paragraph, and employed throughout, is abbreviated and adapted from Maloy, 2014, pp. 14-15.) First and foremost is the question of how far the agents implement the principals' will or serve their interest. (The distinction between will and interest is important, analytically and normatively, but does not affect the basic conceptual framework.) This is the question of responsiveness, strictly speaking. But a second, distinct question is also important: what mechanisms are supposed to enforce responsiveness? This is the question of accountability, strictly speaking, since elections are supposed to give voters an effective sanction that will bear some causal value toward responsiveness by deterring politicians from being unfaithful. Responsiveness and accountability are therefore best considered as two aspects of the broader phenomenon of democratic representation, and in principle they may vary independently of one another, depending on circumstances (i.e. responsive government may vary for reasons unrelated to electoral sanctions, and vice versa). This distinction is also important because a plausible line of thought holds that the weight of democratic value really lies mostly with responsiveness, relegating accountability to a contingent means to that end, so that skepticism about accountability (though justified in itself) should not trouble us much but should merely refocus our attention on responsiveness (Anderson, 2007, pp. 289-290). In short, I am attempting to pre-empt this line of thought by re-examining the capacity of electoral institutions to deliver effective sanctions into the hands of voters.

When we think about the significance of institutional variation for conditions of electoral accountability, previous empirical literatures provide some guidance at the grand, systemic level of constitutional structures (i.e. presidential vs. parliamentary systems) and electoral formulae (i.e. proportional vs. majoritarian systems). These insights have practical application in relatively rare cases of major upheaval, when the most basic constitutional structures may be changed in deliberate fashion, as in Afghanistan, Iraq, Tunisia, and Egypt in the past decade or so. Richer, more established democracies may also have opportunities to change institutions at the systemic level, on occasion. But practical reform efforts are more likely at the middle range of institutional design, through majoritarian processes of ordinary legislation rather than super-majoritarian processes of constitutional amendment—or indeed extralegal processes, as in the four cases mentioned above.

The search for intermediate conditions of accountability should begin with general analytic principles about which characteristics would be theoretically decisive for elections' capacity to endow voters with effective sanctioning powers. Principal-agent theory, albeit reinterpreted somewhat, provides useful prompts toward this end (in Section 3), leading to four general types of accountability condition (in Section 4). Empirical research on elections can then be engaged to direct the analysis toward more specific conditions in the middle range of institutionalized accountability (in Section 5).

3. Principal-Agent Models and Their Limitations

Principal-agent theory has succeeded in isolating electoral accountability as a problem for investigation in fairly precise terms and has inspired some empirical testing over the years. More to the point, for my purposes, are the limitations that it has identified in elections' capacity to serve as vehicles of popular power. Principal-agent theory's efforts in specifying necessary conditions that must obtain in order for electoral accountability to be analytically plausible are in fact compatible with a robust skepticism about electoral accountability in the real world.

Barro (1973) is often credited with having planted the seeds for the principal-agent approach to elections, and his legacy is best understood as including significant limitations on the possibility of accountability. He kept his theoretic model simple by assuming the existence of three empirical conditions: (a) the presence of competitive elections (Barro, 1973, p. 19), (b) the absence of incumbents' control over the electoral process itself (p. 26), and (c) the absence of political parties (p. 41). These admittedly unrealistic conditions were necessary for what Barro called "electoral control," with the clear implication that such control would be attenuated in actual contexts where the necessary conditions were not present.

Ferejohn (1986) noticed two other implicit but crucial assumptions of Barro's analysis: (d) symmetric information and (e) unitary evaluative standards. Finding these conditions also to be unrealistic, he replaced them with asymmetric information as between voters and incumbents and diversity of normative criteria among voters themselves (Ferejohn, 1986, p. 10). Ferejohn's conclusion was that modifying Barro's fourth and fifth assumptions in this way would allow incumbents to exploit their superior information by masking their real failings and "to play off the voters against one another" in order to maximize chances of re-election (see also Ferejohn, 1999, pp. 132-134). This analysis represented a significant gain in realism by introducing political manipulation as a factor. The result, in Ferejohn's words, "vastly reduc[ed] the level of electoral control" even compared to Barro's already modest expectations—unless, that is, citizens could under-

take "sociotropic" voting by abandoning their self-regarding motives in favor of some unitary criterion of public welfare (Ferejohn, 1986, pp. 20-22). In effect, Ferejohn managed to make Barro's assumption about informational symmetry to seem less problematic while still getting stuck at the assumption about unitary evaluative standards. As the rational-choice model of electoral accountability became more realistic in its assumptions, expected levels of popular power got weaker.

More recent theoretic work on principal-agent models of electoral accountability has struggled to paint any brighter a picture, despite the occasional glimmer of light. On the one hand, some theorists suggest that two new assumptions about the necessary conditions for electoral accountability can realistically be satisfied. To summarize, Barro's five original assumptions were symmetric information, unitary evaluative standards, the absence of political parties, competitive elections, and independent electoral structures (i.e. immune to manipulation by incumbents). Recent studies have modified the first, informational assumption by focussing on the quality of voters' information, rather than symmetry, and have made explicit a sixth assumption to the effect that politicians must feel incentivized to gain and retain office (see Ashworth, 2012). Others have suggested that the problem of corruption or shirking by agents can be reasoned away within this sort of framework. To the extent that "agents have an interest in making themselves accountable in order to get the principal to trust them with more resources," politicians should be expected to institute self-imposed constraints like direct primaries and campaign-finance regulations (Ferejohn, 1999, pp. 138-141, 148-150). Some of Barro's assumptions about necessary conditions, it seems, could be satisfied or relaxed.

On the other hand, the overall picture still seems cloudy, and a strong (though not total) form of skepticism has been built on the basis of considerations generally familiar from the early rational-choice efforts. Above all is voters' poor information, undoubtedly the leading theme of the most insightful studies (Besley, 2006, pp. 37-43; Ferejohn, 1999, p. 132; Manin, Przeworski, & Stokes, 1999, pp. 41-42; Maravall, 1999, pp. 159-161). A related problem is that complex policy issues make it difficult for voters to assign "responsibilities for outcomes" (Besley, 2006, p. 105; Dunn, 1999, p. 337), as do complex institutional structures of decision-making (Manin et al., 1999, p. 47). Voters' own pluralistic preferences and the diverse characters of politicians offer opportunities for manipulative and evasive behavior by the latter (Besley, 2006, pp. 106-107, 124; Ferejohn, 1999, p. 132). In numerous ways, political parties may make such behavior more rather than less likely (Maravall, 1999, pp. 166-167, 192). Finally, the absence of a competitive environment for politics would be fatal (Besley, 2006, pp. 124-128), and

various other characteristics of the institutional environment surrounding elections may inhibit accountability. For instance, rules about campaign funding may skew representatives' incentives toward heeding prominent donors at the expense of the broader public (Manin et al., 1999, pp. 34-35).

In summary, the frequent appeal to non-electoral mechanisms like watchdog and judicial agencies in more recent research on accountability (Besley, 2006, p. 225; Manin et al., 1999, pp. 50-51; O'Donnell, 2003) has been predicated on the tacit or explicit admission that elections are incapable of doing the job on their own. The most thorough of recent explorations of the principal-agent perspective on electoral accountability concludes, in conspicuously diplomatic fashion, that "it is less than clear whether the weight attached to the importance of elections in modern representative democracies would emerge from this approach" (Besley, 2006, p. 99). More bluntly, democratic elections are "highly imperfect" and possess "incomplete ability to discipline and select incumbents" (p. 196). This is more or less the early conclusion drawn by Barro and Ferejohn, but now with a great deal more empirical study and theoretical reflection behind it.

It is interesting to note that this "C-minus" kind of electoral skepticism, suggesting that elections are not a complete failure but do suffer from major deficits of accountability, is based on more or less the same limiting conditions that emerged from early theoretic efforts. We can sum them up under four headings: starting with Barro's five assumptions (three explicit, two implicit), we may add a sixth about politicians' incentives; we may then subtract the two assumptions about parties and electoral rules by bundling them together with the assumption about institutions. (Two conditions that *define* periodic competitive elections, as the phenomenon under analysis, are assumed throughout rather than enumerated: elections are held at stated intervals and always feature more than one genuine contender.)

4. Crucial Conditions of Electoral Accountability

A. Information. Voters must have good information to use in deciding how far to reward or punish politicians for actual governmental conduct. Given access to accurate and unbiased information, voters must be able to form realistic judgments about the empirical properties of politicians and policies if the threat of electoral sanction is to be fully credible. This type of condition involves both media (as a social structure) and psychology or cognition (as an individual trait); our focus will be on institutional structures relating to public discourse.

B. Incentives. Politicians must feel induced by potential rewards and deterred by potential punishments if they are to engage in the sort of anticipatory behavior that could be taken as evidence of effective sanc-

tions. Their attitudes toward office-holding must be sufficiently risk-averse, and the perquisites of office sufficiently appealing, to make them care about their electoral fate in advance of voters' verdicts. In addition to elite culture on topics like honor and shame, formal rules about tenure are relevant here; our focus will be on institutional structures relating to compensation and corruption.

C. Procedures. Certain basic rules of the electoral game must be in place and must be arranged independently of the politicians whose fates are stake. Crucially, electoral contests must include genuine alternatives for voters (hence the importance of political parties), and other features of the electoral process (e.g. districting and funding) must not be rigged for incumbents' structural advantage. Elite attitudes about gaming the system may be relevant here, but this condition is primarily about formal rules and procedures relating to parties and campaigns.

D. Norms. Voters must be able to co-ordinate their judgments in order to make the voting process capable of delivering an effective sanction with a coherent purpose. In the absence of shared norms about which criteria should determine whether governmental actors and actions get rewarded or punished, politicians' use of targeted appeals on different topics for different voters may lead to sanctions unrelated to their performance in major policy areas. Cultural, psychological, and behavioral variables are obviously preponderant here, but institutional structures relating to electoral administration and vote-counting may also affect voters' ability to deliver coherent verdicts through the ballot box.

These crucial conditions describe general factors that obviously interact with one another in the real world to contribute toward electoral outcomes—a key consideration for the design of empirical studies that pursue precise causal relations and mechanisms. Each condition by itself implicates different types of variables, including both cultural and structural ones. I now develop a "top ten" list of more specific spoiler conditions, or types of variance which have empirically been found to diminish or vitiate electoral accountability. This list provides a capsule or overview of the empirical case for electoral skepticism. At the same time, however, and consistent with the structural focus of my analysis, it can organize our thinking about specific institutional variables whose effects on the capacity of periodic competitive elections to endow voters with effective sanctioning power would make them central to normative and programmatic efforts. However discouraging the diagnosis may appear, the prescription for a cure depends on it.

5. Spoiler Conditions of Electoral Accountability

Two benefits may arise from considering evidence about specific circumstances under which the four cru-

cial conditions of electoral accountability are negatively impacted. For the design of democratic institutions, we need guidance about what sorts of rules and procedures may help or hinder the efficacy of elections as vehicles of popular power. For the design of empirical studies, whoever aspires to tell plausible causal stories about electoral accountability must pay heed to the contexts (of information, incentives, procedures, and norms) in which the electoral data subject to analysis and interpretation have been generated.

The list of spoiler conditions below tracks the four crucial conditions (A through D) but elaborates on each one, resulting in more specific factors (1 through 10). For each spoiler condition, I offer remarks on not only the state of empirical knowledge and methodological practice but also theoretical and institutional ramifications. (Crucial conditions, spoiler conditions, and institutional remedies are summarized in Table 1.)

Table 1. Summary of analysis.

Crucial conditions	Spoiler conditions	Intermediate remedies
A. Information	1. Poor information	Publicly owned media
	2. Poor judgment	Deliberative assemblies
	3. Misattributed responsibility	Clarity of jurisdiction
B. Incentives	4. Misincentives	Adequate compensation
	5. Pecuniary corruption	Judicial monitoring
C. Procedures	6. Unequal campaign funding	Public financing, free media
	7. Weak parties	Internal party discipline
	8. Strong parties	Non-partisan districting, open primaries
D. Norms	9. Electoral fraud	Election monitoring
	10. Electoral inaccuracy	Recountable technology

A-1. Poor Information

The empirical reality of widespread voter ignorance about public affairs, even in relatively affluent and educated societies (Hardin, 2000), is perhaps the most obvious deficit of accountability in actual electoral processes. One aspect of the information problem comes from the supply side, the news media. For example, we know from studies of the USA that there are significant inequalities between residents of "rich" and "poor" media environments (Arnold, 2004, pp. 251-253), and that poor media environments tend to be represented by less responsive politicians (Snyder & Stromberg, 2010). We also know that voters in Italy (Chang, Golden, & Hill, 2010) and the USA (Berry & Howell, 2007) have been able to reward or punish incumbents for

performance when media gives intensive scrutiny to relevant issues, but not otherwise. Failures of journalistic institutions, then, translate into failures of electoral accountability.

An important methodological lesson immediately follows from the reality of generally poor information: opinion data from opt-in surveys (e.g. Jones, 2011) should be treated with caution when interpreting the results of quantitative analysis because they tend to bias the sample toward better informed members of the electorate.

Electronic media have been altering the traditional print and broadcast landscape, of course. It is as yet unclear whether new media and channels of information will reach as broad an audience (Snyder & Stromberg, 2010, pp. 403-404) or will provide the same level of investigative reporting (Chang et al., 2010, p. 216) as traditional print media used to do. In short, how far is the "wired" citizen a well informed citizen? Some research suggests that, because the World Wide Web makes it easier for consumers of news to access exclusively partisan sources, "the share of politically uninformed people [in the USA] has risen since we entered the so-called information age" (Prior, 2007, p. 134). It will be crucial to determine whether this finding, suitably updated for the Twitter and smart-phone era, extends beyond American shores—and, if not, for what reason.

Programmatically, opportunities for research and reform lie in exploring differences across regimes of public law as to news and communications. It is widely accepted, of course, that press freedom is a *necessary* condition of empowering ordinary citizens with good information about their government; but it is not a *sufficient* condition. In short, media law matters – and may be altered more readily than constitutional provisions related to free speech. Some relevant cross-country variations include public vs. private ownership of media and variations in editorial control or censorship by vested interests (governmental or otherwise). Theoretically, public ownership tends to remove commercial considerations from the dissemination of political news, resulting in greater accuracy and relevance of political information. At the same time, governmental control of content poses a threat to accuracy and relevance. A crucial question, then, concerns how far a news-provider's public financing is in fact consistent with its operational autonomy from the state, and how far striking this balance legally and institutionally can make a difference in the information that voters take to the polls.

A-2. Poor Judgment

The electoral effects of information involve consumers as well as producers, and various kinds of cognitive error and bias among voters may endanger the electoral

connection. Even when the flow of relevant information is at high tide, intensive exposure to major policy issues may have the effect of exacerbating voters' partisan misperceptions and rationalizations (Claassen & Highton, 2006; Wolpert & Gimpel, 1997). Research on American politics has shown that misperceptions may result from choosing a narrow range of media sources even when alternatives are available (Kull, Ramsay, & Lewis, 2004). Difficulty of recall leads voters to weight recent information much more heavily than information about earlier periods of a representative's term (Huber, Hill, & Lenz, 2012), which may explain why politicians often wait until just prior to election day to engage in deviant behavior resembling responsiveness (Jacobs & Shapiro, 2000, pp. 43-44). In a broader, comparative context, we know that accurate information often passes through partisan or ideological filters before voters use it in their electoral choices (Anderson, 2007, pp. 279-281), and that many voters cling to relatively immovable electoral preferences and contort political information into rationalizations of those preferences (Maravall, 2010, pp. 91-92).

In short, even a plentiful supply of political news through the media could not guarantee that voters would use information in a calculated and instrumental fashion on election day. Given the normative assumption that rewards and punishments (in any sphere of action) are better dispensed in a calculated rather than impulsive way, this is a troubling reality for principal-agent models and, more broadly, for the prospects of elections as vehicles of popular power. The tempting response is to abandon all hope for electoral accountability, or else to embrace it only in the context of a constricted, "opt-in" democracy of deliberative citizens (which may flout normative standards of descriptive representation).

Two important caveats, however, may temper this kind of response. First, some empirical evidence from the USA suggests that exposure to policy-related information can in fact override elite partisan cues among a significant number of citizens, even partisan ones (Bullock, 2011). In short, perhaps we simply need to see better provision of information (the problem addressed above) in order to see citizens using what they have more carefully.

Second, and more theoretically, if citizens' behavior with respect to political information results from their sense of efficacy, which in turn is a function of existing electoral institutions, then some kinds of electoral reform may alter the future behavior of voters. In short, those who currently appear hopelessly misinformed may only be contingently misinformed, thanks in part to electoral structures that currently supply weak incentives for becoming informed. Instead of relying on institutions of public education to solve general problems of information and judgment, proposals for learning by doing may be predicated on the notion that cer-

tain kinds of political institutions themselves already educate (or miseducate) citizens in the habits and skills of democratic citizenship. For example, jury service in the USA has been shown to increase voting participation (Gastil, Deess, Weiser, & Simmons, 2010). In a similar vein, though more focussed on the problem of information, perhaps theories of "deliberative democracy" are most usefully understood as visionary proposals to turn focus groups, constituent juries, deliberative assemblies, and "Deliberation Day" activities into new schools of citizenship. Even if these new schools are no more effective than the old (public) schools, the educative effect of institutions is a useful theoretic premise for researchers and reformers to bear in mind when considering voter information and judgment.

A-3. Misattributed Responsibility

A particularly important aspect of political information which is relevant to electoral behavior involves the question of who is responsible for what. This is an area in which partisan and ideological rationalizations enjoy particularly broad scope for playing havoc with voters' judgments. A high level of complexity in not only the policy issues themselves but also the institutions that make policy can contribute to muddled attributions of responsibility. The concept of "clarity of responsibility" was devised to measure the institutional properties of this dynamic in the analysis of economic voting in European states (Powell & Whitten, 1993), and a whole host of related studies have followed. Voters in Latin America have been found to blame incumbents at subnational levels of government for the effects of national policies, and vice versa (Gelineau & Remmer, 2005). In a similar vein, the split authorities of "divided federalism" in the USA lead many voters to attribute responsibility for economic conditions to state governors or national presidents based on partisan bias more than political or economic reality (Brown, 2010). Another study of Latin American voters has found that they tend to blame international agencies rather than domestic governments for the effects of domestic economic policy (Alcaniz & Hellwig, 2011).

Theoretically, the rule of thumb is that simpler and less obscured institutional structures for policy-making correspond to fewer "veto players" (Tsebelis, 2002) or "vetogates" (Eskridge, 2008). Among other considerations, multiple veto players make a policy process resemble a negotiation, with voters in the position of outside observers. In any type of negotiation, usually only the negotiators themselves know how to allot responsibility for the outcome—and even there they may disagree, to say nothing of the outside observers. The political handling of the Greek financial crisis within the European Union in the last few years nicely illustrates one sort of problem with clarity of responsibility in a complex negotiation.

Programmatically, obscured responsibility is one of the most intractable spoiler conditions because it implicates some of the most entrenched features of a political regime: presidential vs. parliamentary executives, unicameral vs. multicameral legislatures, and varieties of party system. Intermediate institutional reforms may yet have some impact, however. The key theoretic consideration here is that clarity of responsibility (as an operational factor in voters' minds) can be promoted by clarity of jurisdiction (as an institutional or structural factor in public law). Ordinary legislation can in theory promote clarity of jurisdiction by rendering the scope of authoritative decisions readily traceable to identifiable agents.

Assistance here is supplied by research that has expanded on the original "horizontal" emphasis of clarity of responsibility (i.e. among parties, legislatures, and executives, at the national or central level of government) by investigating "vertical" jurisdictional relations (i.e. between local and central authorities). A cross-national analysis has found, for example, that the existence of a federal structure does not pose as great a problem for clarity of responsibility for economic policy as does the substantive devolution of fiscal powers to regional authorities (Anderson, 2006). A unitary system with decentralized fiscal powers does more to obscure economic reponsibility than a federal system with centralized fiscal powers. A more fine-grained analysis of regional governments in Spain has found that voters only struggle to hold the appropriate authorities responsible when their regional governments share evenly balanced powers with the central state, but not when regional governments have either high or low levels of autonomy vis-a-vis the national regime (Leon, 2011). The recipe for empowering voters, consistent with the structural precept of clarity of jurisdiction, requires choosing either very much or very little decentralization. More generally, reformers might consider the message of Thomas Paine (himself a supporter of a federal political system, ca. 1776): democracy is favored by institutional simplicity and retarded by institutional complexity (Paine, 2003, pp. 7-9, 248-251, 294-301).

B-4. Misincentives

Electoral accountability depends on the motivation of incumbents to retain their seats on election day, but politicians' incentives for actually retaining office are sometimes too weak to give voters the power of deterrent control. In local governments in rural China, for example, official salaries are meager and elected officers therefore little fearful of the consequences of disappointing their constituents' expectations (Tsai, 2007, pp. 254-255). In other countries, the problem does not take this form: United States senators' and representatives' salaries exceed the median citizen's earnings by a

factor of four or five. But non-monetary aspects of elected office can also corrode the motivation to win re-election. The potential gains of unrepresentative behavior may over-balance the potential costs of poor electoral performance. As a study of Brazilian mayors has shown, people who become career politicians do not necessarily have risk-averse personalities (Pereira, Melo, & Figueiredo, 2009).

Methodologically, therefore, a decision not to face the voters again at the next poll cannot always be construed (e.g. Cox & Katz, 2002) as an evasion of likely defeat by a risk-averse incumbent; the deterrent effect depends heavily on context.

Programmatically, regimes of election law that aspire to promote accountability must be tailored to provide a solid structure of incentives for elected officers. Importantly, these incentives involve not only the local standard of living but also cultural variables like honor and shame. One danger of raising material rewards like salaries is that elected officers may be thereby set off as a privileged class, psychically separated from the citizens they are supposed to serve (Bachner & Ginsburg, 2014). Exploiting moral rewards would be more likely, in theory, to have the opposite effect, binding voters and politicians together as members of a single citizen body. The availability of such rewards, of course, is likely to vary a great deal across countries and cultures, making their activation through intermediate institutions like audits and ombudsmen plausible in some contexts but not others.

B-5. Pecuniary Corruption

Even healthy levels of official compensation might be overwhelmed by monetary inducements from unofficial sources. In theory, modern democracies respect the rule of "one person, one vote," but none of them enforces a similarly egalitarian distribution of economic resources. An extreme example can serve to illustrate the general problem of representatives' incentives in conditions of inequality: the Peruvian state in the 1990's played host to an elaborate scheme of bribery, operated on behalf of the elected president by his intelligence chief (McMillan & Zoido, 2004). The monthly cost of a non-partisan judge in Peru was about $10,000; of a deputy from another party, $20,000; of the owner of a private television network, $60,000. This scheme gave members of the opposition ample incentives not to be responsive to their supporters.

Theoretically, pecuniary corruption fundamentally severs the causal chain of accountability by skewing the incentives that could in principle give deterrent power to the prospect of electoral defeat. Moreover, whereas kick-backs and bribes may diminish a representative's material incentive to be re-elected at all, the stable presence of the sources of corruption would tend to lower the probability that victorious challeng-

ers would govern differently from defeated incumbents. Even in the absence of direct bribery, other kinds of transactions involving the people's representatives have the potential to overwhelm the electoral connection, especially legalized lobbying relationships (McMenamin, 2012).

Programmatically, pre-empting this spoiler condition seems to depend on structures of public law related to informal corruption, directing our attention toward judicial processes in particular. Specialized judicial investigation of cases of informal corruption, however, must be recognized as an alternative (or, at best, a supplement) to another, purely electoral option (already discussed above): putting mass media in the role of investigators and mass electorates in the role of juries. But the efficacy of institutional solutions here may be inherently limited by other factors. Comparative analysis suggests that legal political donations by business interests can sustain personal relationships with decision-makers in some types of economies but not others: yes, in "liberal" Canada and Australia; no, in "co-ordinated" Germany (McMenamin, 2012). Deep economic structures may therefore matter more than intermediate institutions in this respect.

C-6. Unequal Campaign Funding

Financial inequality can also lead, at least in states where campaigns are funded by private donors, to a more formal, legalized inequality of influence over elected officers. This is one of several respects in which the procedural environment in which elections take place can effect elite rather than popular control of public affairs. Because campaign-related institutions also impact conditions of public information and discourse, they deserve separate treatment from the problem of informal pecuniary corruption.

Methodologically, a focus on roll-call position-taking (e.g. Gailmard & Jenkins, 2009) has been used to determine whether votes follow dollars, with generally negative results. But this approach systematically understates the influence of economic interests on policy because many important benefits are actually distributed in less visible (and less easily quantified) ways, e.g. legislative amendments and regulatory directives (Fellowes & Wolf, 2004). More incisive analytics tend to give more cause for concern. One attempt to analyze campaign funding in terms of an "investment theory" of American electoral politics has found evidence that parties and candidates switch policies after elections in response to the interests of campaign donors (Ferguson, 1995): the deterrent power of votes, in other words, can be matched by that of dollars. It also makes strategic sense for elected officers to anticipate the reactions to their policies of not only their own donors but also their opponents' (Ball, 1999): the threat of a future donation to one's opponent may be as effective

as a past donation to oneself. This is a kind of electoral accountability, but with sanctioning power held by moneyed elites more than enfranchised citizens.

Programmatically, various legal regulations of the campaign process may affect the susceptibility of elected officers to incentives provided by campaign donations. Schemes of private financing and paid publicity should be expected to diminish the relative power of votes compared to dollars. This expectation accords with the baseline assumption that public financing and free publicity are intermediate conditions of electoral accountability.

A key theoretic issue in this connection involves levels of electoral competition. Financial regulations may bear on how competitive races are, and competitiveness may be a necessary condition of electoral accountability. The classic assumption is that a high level of competitiveness is needed to pose a credible deterrent against incumbents' bad behavior (i.e. the risk of losing office must be tangible). Recent research suggests, moreover, that more competitive races yield informationally richer campaigns (Lipsitz, 2011), thereby aiding voter judgments about whom to reward and whom to punish. On the other hand, uncompetitive races might be taken as a sign that voters know what they want and politicians are good at giving it to them (Buchler, 2011). On balance, however, this second perspective seems less compelling because it assumes a high level of accountability in order to explain a lack of competitiveness, rather than addressing the causal prerequisites of accountability itself.

Varying levels of competitiveness have been studied across the USA's multiple electoral jurisdictions. The difficulty of challengers in gathering funds against an entrenched incumbent, for instance, has been identified as one of the principal causes of the decline in competitive elections for Congress (Abramowitz, Alexander, & Gunning, 2006b). The weakness of state-level campaign-funding regulations designed to reduce funding inequalities has been found to play a similarly anti-competitive role in sub-national elections (Hamm & Hogan, 2008; Hogan, 2004). If high levels of information and competition in election campaigns promote electoral accountability, institutions that permit or encourage funding inequalities presumably constitute a spoiler condition.

C-7. Weak Parties

Variations in partisan institutions can have an enormous impact on electoral dynamics, and political scientists have long felt that strong parties are essential to collective accountability (e.g. Carey, 2009). Strong parties could in theory supply coherent ideological cues to compensate for voters' limited information, yet the failure of parties actually to play this role in various contexts has often been lamented. One of the signal

cases of such lamentation, at the conclusion of an otherwise sanguine account of the analytic possibilities of "retrospective voting," held that "collective responsibility has leaked out of the system" as a result of American parties' lack of organizational and ideological coherence (Fiorina, 1981, pp. 202-210). A similar problem arises where a lack of partisan unity obscures "clarity of responsibility" for policy (Powell, 2000, chapter 3) or fails to offer viable electoral alternatives, which are essential to make ballots count as sanctions (Anderson, 2007, pp. 281-286). If elected, structurally weak parties may be unable to carry out a policy program that is responsive to those voters who deliberately deposed the incumbents.

Programmatically, though a country's party system as a whole may implicate the grand level of constitutional structure, weak political parties could be combatted at the intermediate level of internal procedure. Rules of candidate selection, for example, are often determined internally but may have broader effects justifying regulation through public law. Here a theoretic dilemma arises. The most internally democratic procedures, such as the direct balloting of party members to nominate candidates, may conflict with other liberal values (Hazan & Rahat, 2010) to the extent that they render partisan organizations disorganized or undisciplined. For our purposes, however, the relevant point is analytic rather than normative: internal weakness can inhibit parties' role in electoral accountability throughout the polity as a whole. Theoretically, then, intermediate measures of public law which regulate internal procedures to promote party discipline would tend to promote electoral accountability.

C-8. Strong Parties

If political parties may endanger accountability when they are too weak internally, they are also a threat when too strong externally. For example, in the absence of a national electoral administration in the USA (Lehoucq, 2002, pp. 40-43), state-level party organizations have historically set the rules of the electoral game, thereby shaping the conditions under which their members are supposed to be subject to electoral control (and at all levels of government, local and national alike). In most American states, the two major parties face lower barriers to ballot access than others but may nonetheless exclude non-members from nominating-primary elections. As a result, American primaries tend to be steered by a relatively small minority of ideological extremists (Jacobs & Shapiro, 2000, pp. 32-36; Lee, Moretti, & Butler, 2004; Masket & Noel, 2012). Partisan control of the boundaries of electoral districts also injects party-elite judgments into electoral results at an early stage of the electoral process in the USA (Thompson, 2004, pp. 52-55). The steady decline in the number of competitive or "marginal" districts for the

House of Representatives in recent decades is an undisputed trend, though the causal agency of partisan redistricting is hotly debated (see Abramowitz et al., 2006a; McDonald, 2006).

Theoretically, the danger to electoral accountability comes not from all kinds of partisan strength but specifically from control over core electoral institutions. It has been understood since the early principal-agent models that electoral results could be said to reflect elite more than popular judgments as parties become strong enough to control the basic procedures by which governments are supposed to be held accountable. The drawing of "safe" partisan districts, in particular, may be the USA's peculiar contribution toward minority rule. If a small number of strong partisans can oust an incumbent in a nominating primary that excludes non-members, but a much larger number of voters cannot do the same at the general election because the district as a whole is uncompetitive, the principal to whom the incumbent is truly accountable is the smaller faction, not the larger. Beyond the USA, broader trends in partisan organization (which have fallen under the rubric of the "cartel party" thesis) indicate that major parties around the world are increasingly able to sustain their positions through state support, to place control of electoral processes in the hands of partisan legislators, and to engage in collusive behavior with one another within any given party system (Katz & Mair, 2009). Such trends violate the openness and competitiveness that are assumed to be necessary for votes to act as effective sanctions.

Programmatically, non-partisan districting can weaken parties in the sense in which strength would tend to crush electoral accountability. In the US states, independent districting commissions (such as are used at the national level in other countries) have been found to lead to more competitive races (Cottrill, 2012). Higher levels of electoral competition, in turn, can have a variety of pro-accountability effects, including a richer informational environment for voters during the campaign season (Lipsitz, 2011).

With respect to candidate selection, however, the crucial theoretic insight is that appropriate institutional reforms depend very much on the broader partisan context. In light of the value of internal party discipline (see C-7 above), measures of public law should at the same time aspire to weaken parties *externally* so that dissenting party members have real exit options (i.e. access to other viable parties). In an entrenched partisan duopoly, however, the lack of viable exit options would require that parties also be weakened *internally* in the sense that public law should force them to nominate their candidates through open primaries. These are intermediate institutional fixes that may be more readily available than other, more comprehensive measures, such as the creation of multi-member districts or proportional voting schemes.

D-9. Electoral Fraud

The fourth crucial condition (D), relating to voters' norms, is bound to implicate cultural and behavioral variables outside the institutional focus of my analysis. Yet some procedural structures do crucially impinge on our ability to interpret voting as an act with sanctioning power. Most democrats intuitively sense that an accurate count of votes is the sine qua non of interpreting the outcome as a popular reward or a popular punishment; otherwise the voters' will does not fully determine the outcome. Factors promoting inaccurate tallies therefore become relevant to the question of electoral accountability.

The ease and variety of methods of manipulating electoral results in mass elections involving thousands or millions of voters are often under-estimated or assumed away. There are, first of all, "pre-election tools" (Donno & Roussias, 2012) that are designed to intimidate and to discourage electoral competition. Fraud properly speaking then comes in the form of classic strategies such as registering fictitious, deceased, or otherwise ineligible voters; using "repeaters" to vote more than once; imprisoning eligible voters and releasing them after the polls are closed; physically blocking eligible voters from leaving home or entering a polling station; administratively purging eligibile voters from voting lists; bribing or intimidating eligible voters before they cast their ballots; and tampering with ballots or otherwise miscounting them after they are cast. Though the academic literature on electoral fraud is relatively thin (Lehoucq, 2003, pp. 236-237), these techniques have been amply attested for the nineteenth-century USA (Argersinger, 1985), nineteenth-century Spain (Darde, 1996), and the twentieth-century USA (Campbell, 2005), for example. Recent cases of fraud have attracted attention in Russia and Ukraine (Myagkov, Ordeshook, & Shakin, 2009) as well as Great Britain, Mexico, Germany, Taiwan, Spain, and Argentina (Lehoucq, 2003, pp. 237-245). Of course the 2000 presidential vote in the American state of Florida famously failed to meet basic international standards of "free and fair" elections such that fraud could be ruled out (Bjornlund, 2004, pp. 3-6).

Methodologically, electoral fraud may affect not only political careers but also academic ones. Political scientists, especially those reliant on vote-share as a key variable, routinely assume the accuracy of official electoral results. In so far as reliable counts are essential to interpreting the popular will behind the voting, the reality of fraud should be taken seriously in electoral studies.

Programmatically, schemes of election monitoring, both formal (e.g. international teams of monitors) and informal (e.g. domestic journalists and party activists), may help to promote clean elections. Domestically, a centralized and professionalized electoral administra-

tion is taken for granted as a prerequisite in some but not all democracies. Research on Latin America, for example, has found that a non-partisan, professional electoral administration at the national level is virtually a sufficient condition of clean elections (Hartlyn, McCoy, & Mustillo, 2008); in contexts with relatively low levels of fear and polarization, an electoral commission staffed according to balanced partisan representation may also do the trick.

D-10. Electoral Inaccuracy

Contrary to popular belief, basic facts of life mean that there are no definitive technical solutions to the problem of inaccurate electoral results—whether intentionally inaccurate (via fraud) or unintentionally so. Studies of elections in the United States suggest that voter error in any given election accounts for 1.5% to 2.5% of the total vote (Stewart, 2010, p. 372). It is well known that certain types of ballot yield lower rates of voter error than others, e.g. optical-scan (less) vs. punch-card ballots (more) (Saltman, 2006, p. 189). Techniques for counting ballots are as important as for marking them. Computer technology, for instance, can reduce marking errors (Herrnson et al., 2008, chapter 4) but may not offer counting procedures that are secure from fraudulent activity (pp. 111-112). As long ago as the early 1970's, when computers were first used to tabulate results from elections in southern California, a team of computer scientists demonstrated that the voting results could be systematically skewed by technical manipulation (Saltman, 2006, pp. 166-167); the trick has been repeated with computerized "touch-screen" voting machines in recent years (pp. 201-204). There is a catch-22 within touch-screen technology, which promises relatively low error rates but also relatively little possibility of public verification (Stewart, 2010, pp. 359, 364, 367-368): attempts to make computerized voting machines generate auditable paper-trails have had the side-effect of increasing voter error (Herrnson et al., 2008, chapter 6).

Theoretically, political scientists should consider the concept of *recountability*, or the capacity of electoral machinery to have its results publicly verified or checked, as an essential operational component of electoral accountability. Reformed administrative practices cannot solve the basic problem that computer-processed results are not amenable to a genuine recount: as electoral technology becomes more sophisticated, the number of persons capable of certifying the results (i.e. qualified software engineers) shrinks. Unlike a twelve-member jury or a 500-member assembly, a mass electorate makes a publicly verifiable count very slow and very costly to conduct. But even a slow and costly recount is better than no recount at all, if electoral accountability truly depends on accurate vote-tallies.

Programmatically, the agenda for intermediate institutional remedies should be to use administrative and legislative measures to ensure the use of appropriate voting technology. If recountability is taken to be a sine qua non of electoral fairness and accuracy, the current state of research suggests that paper ballots designed to be read by optical-scan machines offer a reasonable balance between relatively low error rates and relatively easy recounts.

6. Conclusion

Synthesizing theoretical and empirical research on electoral accountability reveals that some democracies' institutions endow them with greater capacity to channel popular power through the electoral process than others. It is clear, in particular, that democracies with publicly owned media, adequate compensation for representatives, public financing of campaigns, free-of-charge campaign broadcasts, closely monitored elections, and recountable voting technology offer a significantly greater chance for voters to hold governments accountable than do democracies without these resources. This difference is theoretical in nature: a well-founded, analytically coherent expectation about institutional effects on the all-important (and hard to operationalize) value of popular power.

The theoretical picture is less clear for other kinds of institutions than those just mentioned, but my reinterpretation of the principal-agent approach to electoral accountability nonetheless supplies sound assumptions to guide future research. Problems of voter judgment may have no solution at all, or no institutional solution, but theories of and experiments with deliberative assemblies are laudable efforts to investigate that question. Clarity of responsibility may be all but unachievable outside jurisdictions that are governed by a unicameral parliament, barring major constitutional upheaval. Judicial monitoring of informal corruption may be motivated by voter ignorance or inattention, but it also keeps citizens dependent on the good will of judicial elites themselves. The analytical point here is that relying on institutionalized popular power is different from depending on the democratic benevolence of elite agents.

Perhaps the most complex aspect of electoral accountability involves parties and party systems, since different contexts demand different (even opposite) institutional remedies. In multi-party systems with plentiful options for voters and activists, internal party discipline is essential and should be promoted by, for example, closed mechanisms of candidate selection. In less fluid party systems, in which electoral viability and actual legislative representation are precious resources reserved only for two or three parties, internal governance should be opened up as much as possible, especially for non-members. The up-shot is that electoral

accountability requires "open primaries" in the USA but closed processes in multi-party democracies.

The "top ten" list of spoiler conditions does present a daunting challenge for the idea of elections as vehicles of popular power, but it also offers guidance for meeting the challenge. Nonetheless, some may believe that this notion should itself be abandoned in favor of a focus on new kinds of legislative structure selected by non-electoral means. Or, easier still, hope for strong accountability could give way to a chastened, "minimalist" vision of electoral democracy: a modest project with a decent track-record of installing liberal and mild elites over a quarrelsome yet largely peaceable populace. This model may indeed describe actual Western democracies better than does the old-fashioned, rhetorically spirited account of the modern constitutional republic as a form of popular self-government. It is also possible that the insurgent citizens who have been clamoring for political control over their own lives in recent years, whether in Egypt or Iran or Hong Kong (or Greece or Spain, for that matter), are acting in either ironic or delusional fashion. If they are not, however, the possibility of institutionalizing popular power through redesigning electoral structures is something that the cause of civil peace cannot do without.

Acknowledgments

Conflict of Interests

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Short Note

Assessing the Relationship between Presidential Rhetorical Simplicity and Unilateral Action

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Abstract

Research from Shogan (2007) and Lim (2008) on the executive branch proposes that the American presidency has adopted an anti-intellectual approach to leadership, such that there is a concerted rejection of thoughtful political discourse from the president. This has been reflected by what appears to be a relative decline in both the linguistic and substantive complexity of presidential rhetoric. Shogan's (2007) work, while focused on examining whether Republicans are more apt to employ anti-intellectual leadership than Democrats, raises an additional topic worthy of empirical examination: the potential relationship between anti-intellectual leadership and unilateral action from the president. If anti-intellectual leadership is a defiant form of leadership that opts to publicly demonstrate the rejection of external expertise, the usage of anti-intellectual rhetoric from the president might be able to predict the usage of unilateral action. On the other hand, anti-intellectual rhetoric might be used as a straightforward and quick means to explain unilateral action, such that change in the level of unilateral action can predict the usage of simplistic rhetoric. Unfortunately, no one has yet to empirically test whether rhetorical simplicity predicts unilateral action, unilateral action predicts rhetorical simplicity, or there is a multi-directional relationship present. This project makes an initial attempt to remedy this gap in the literature. The project contrasts the monthly average simplicity level of the presidential weekly public address with the monthly number of executive orders emanating from the executive branch, using information spanning between February 1993 and May 2015. The initial findings from the vector autoregression and moving average representation analyses suggest that prior change in rhetorical simplicity predicts the usage of executive orders, and that an increase in rhetorical simplicity helps produce an increase in the number of executive orders offered by the president.

Issue

This short note is part of a regular issue of Politics and Governance, edited by Professor Andrej J. Zwitter (University of Groningen, The Netherlands) and Professor Amelia Hadfield (Canterbury Christ Church University, UK).

1. Introduction

Presidents use public remarks in an attempt to shape the makeup of the country's policy agenda (Kernell, 2007). Public remarks from the executive branch have the potential to influence the outlook citizens have on prominent issue areas (Wood, 2007). When making public remarks, presidents and their speechwriters make intentional decisions about the style of language used that is perceived to be most likely to resonate with the public (Tulis, 1987). One stylistic aspect relates to the complexity of language used by the president (Lim, 2008). In making public remarks that are simplistic in terms of linguistic qualities and substantive depth, presidents could be attempting to make messages from the executive branch more accessible to the general public. By simplifying rhetoric though, there is the possibility that presidential administrations are us-

ing anti-intellectual discourse that abhors the "needlessly complex processes and products of the intellect," which include activities like theorizing, critical thinking, and examination (Lim, 2008, p. 21).

A president that uses an anti-intellectual style in their rhetorical leadership could be attempting, according to Shogan (2007), to avoid coming across as elitist. Shogan (2007) believes Republicans use anti-intellectualism as a form of populism. While anti-intellectual leadership can stem from individual attitudes and personal experiences, Shogan (2007) makes clear that anti-intellectual leadership can be a strategic choice made by administrations about the leadership style that is most likely to resonate with the public (p. 295). Given this, Shogan believes that all political elites can be placed along an intellectual/anti-intellectual continuum. This continuum though is dynamic, meaning that the choice to employ anti-intellectual techniques is subject to change. In the words of Shogan (2007, p. 296), "it is overly simplistic to think of presidents as either 'intellectuals' or 'anti-intellectuals.'"

While Shogan's (2007) discussion is centered on the topic of whether Republicans are more likely to adopt an anti-intellectual policy discourse than Democrats in efforts to avoid the personal image characterization often associated with intellectuals of being arrogant and smug, her work also raises an interesting question about whether anti-intellectual techniques are related to unilateral action. Although not fully fleshed out, Shogan's discussion raises various interpretations of how anti-intellectual policy discourse relates to unilateral action. Shogan (2007, p. 296) initially says anti-intellectual leadership is a "defiant leadership stance—a forceful demonstration of independence. Implicitly, anti-intellectualism conveys the message that the president is in charge and that he answers to no one." Operating under this view, one might think that an increase in anti-intellectual rhetoric from the president will predict an increase in unilateral action from the executive branch. The reason is that anti-intellectual policy discourse can be a means to signal that the president will not engage in a policy debate with others in the political environment. The president through their rhetoric is making clear that they do not find the need to participate in a deliberative exchange, and instead will opt for executive independence on a variety of policy matters. Shogan believes anti-intellectuals will "often advertise their disparagement" of intellectual life (p. 296). One means of doing this is by marginalizing policy details and denigrating policy experts in public remarks before exerting executive independence through unilateral action.

On the other hand, Shogan's discussion can also be interpreted in a way that would lead to the prediction that an increase in specific forms of unilateral action from the executive branch results in an increase in rhetorical simplicity. Using Shogan's (2007, p. 296) words,

if anti-intellectualism "emphasizes simplicity and efficiency, which enables presidents to justify their unilateral actions," presidents might use simplistic political discourse when explaining their previous employment of unilateral policy techniques. Presidents, operating under this interpretation, are making clear that unilateral actions are decisions that are not derived from a thoughtful analytical analysis of incoming information. Instead, the usage of unilateral actions under this alternative perspective is rooted in individual instinct, and is explained on these terms. Shogan's write-up of the anti-intellectualism and unilateral action connection can thus be interpreted in different ways regarding the direction of causation, which raises the need for empirical efforts that attempt to address how these concepts might actually relate to each other.

It is particularly important for scholars to make an effort to examine the possible connection between these concepts given the prominence of unilateral action in the modern American presidency. Unilateral actions are a variety of administrative tools and policy techniques that the president can exercise on their own without the cooperation of either the legislative or judicial branches of government (Mayer, 2009). While there have been prior efforts to predict and describe the occurrence of unilateral action (Howell, 2003; Mayer, 2001; Warber, 2006), no work has yet to explore rhetorical simplicity as a variable that can influence, be influenced by, or displays a multi-directional relationship with the occurrence of unilateral policy action. Since the heightened usage of unilateral actions by presidential administrations elicits questions as to the policymaking role of presidents in a system of separated powers (Moe & Howell, 1999), it is worthwhile to see whether an anti-intellectual rhetorical style has any connection at all to the level of unilateral actions taken by the president. The purpose then of this research project is to assess whether there is any evidence of a connection between presidential rhetorical simplicity and unilateral action. The two alternative research hypotheses that are evaluated as an initial empirical attempt at this area of study are as follows:

Hypothesis 1: Prior change in the level of presidential rhetorical simplicity positively predicts an increase in executive orders.

Hypothesis 2: Prior change in the level of executive orders positively predicts an increase in presidential rhetorical simplicity.

2. Research Design

Anti-intellectualism is defined as a "resentment and suspicion of the life of the mind and of those who are considered to represent it; and a disposition constantly

to minimize the value of that life" (Hofstadter, 1963, p. 7). Presidents can adopt an anti-intellectual communications strategy that is linguistically simplistic and substantively simplistic. Lim's (2008) empirical work compares the Flesch readability formula scores of major presidential addresses to linguistically simple texts (e.g. television scripts) and linguistically complex texts (e.g. academic journal articles). In his work, Lim demonstrates that linguistically simplified texts use fewer words that are indicative of intellectual processing. The Flesch readability formula is calculated by the following equation that evaluates any single body of text: 206.835 minus (1.015 times average sentence length) minus (84.6 times average syllables per word). A higher Flesch readability score suggests a greater level of simplicity.

The analyses performed by Lim (2008) indicate presidential remarks with high Flesch readability scores are less likely to use words from the Harvard-IV content analysis dictionary that suggest the expression of things like similarities and differences between concepts, importance and unimportance of concepts, and awareness or unawareness of concepts. Based on this, linguistically simplified text, as measured by the Flesch readability formula, is also an indicator of substantively simplified text. As a result of these findings, this current project will use the Flesch readability formula to assess rhetorical simplicity. The monthly average Flesch readability score of the president's Saturday address to the public is assessed.

The reason for using the Saturday address as an approximation of presidential rhetorical simplicity levels is that it is the only form of presidential remarks to the public that are consistently measurable. Other public remarks, such as press conference responses, or the State of the Union Address, are offered too infrequently to develop a more time-refined indicator of presidential rhetorical simplicity. Additional types of publicly available remarks, such as economic reports or letters to legislators, often contain technical procedural language that is an inherent part of the presidential office. Using the latter type of public remarks would make it difficult to assess the natural communication style the president prefers to employ with the public at any given point in time. As a result, the weekly address is the form of remarks analyzed in this project. The value of the weekly address in gauging the public communications strategy of the president compelled Hart, Childers and Lind (2013) to devote an entire chapter of their book on political tone to this form of public remarks. Given there has been prominent scholarly literature focusing on the weekly address when empirically evaluating political rhetoric, there is no reason to not use this form of presidential communication for the sake of this project.

To make an effort at measuring unilateral action from the president, the number of executive orders released from the president directing federal administrative agencies on policy is measured. Executive orders are the form of unilateral action studied in this initial analysis, given their prominence in terms of academic study on unilateral action (Major, 2014; Mayer & Price, 2002). As Major (2014, p. 6) notes, executive orders from the president "are the most systematically documented form of direct action." Executive orders also are commonly focused on in debates amongst legal scholars about the legal merits of unilateral action in the executive branch (Branum, 2002; Duncan, 2010). Future projects are encouraged to build upon the initial findings seen here by assessing the potential connection between presidential rhetorical simplicity and other forms of unilateral action that are publicly available (i.e. presidential proclamations, presidential memoranda, and signing statements), as there is not yet consensus in the scholarship to treat each form of unilateral action as similar enough that they can be combined as a total sum. As a result, much like with the rhetorical simplicity measure, the indicator of unilateral action used for this project is only an approximation of the level of unilateral actions offered at any given point in time. The monthly dynamics for presidential rhetorical simplicity and executive orders are presented in Figure 1.

Additional variables that might influence the level of unilateral actions used by the president in public remarks and/or the level of rhetorical simplicity are also accounted for in this project. Variables assessed in various models include the monthly change in Gallup's presidential approval measure, the presence of divided government, presidential honeymoon periods (the initial three full months of a president's first term), and presidential election years (January through November every presidential election year). Indicators for unique presidential administrations that avoid collinearity issues by omitting one administration (Bill Clinton) as a separate indicator are also included. Lastly, indicators used to measure exogenous prominent events that can warrant swift unilateral action from the president and/or change in rhetorical simplicity levels are included (e.g. terrorist attacks, start of major military conflicts, or natural disasters that cause significant damage).

Since this project is interested in determining the extent of the relationship (if any) between variables that potentially have a multi-directional relationship, it is necessary to use specific time series techniques. The first time series approach is vector autoregression, also known as VAR. The second time series approach is moving average representation, which is abbreviated as MAR.
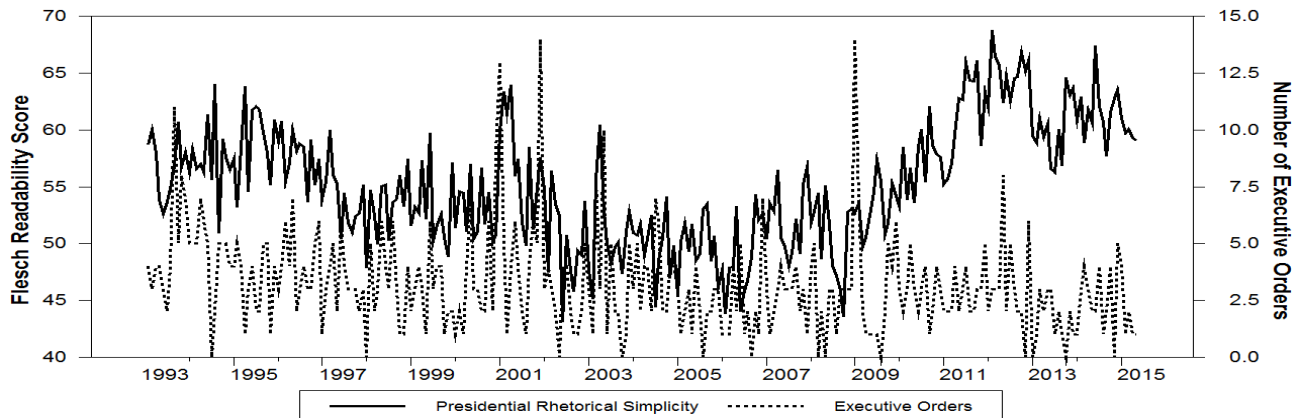
Figure 1. Dynamics of presidential rhetorical simplicity and executive orders, 1993–2015. Note: All information used to create the measures of rhetorical simplicity and unilateral action come from the electronic holdings of the *Public Papers of the Presidents* hosted by Woolley and Peters (2015). The timeframe analyzed here is February 1993 to May 2015, since the weekly address was reinitiated by President Clinton in February 1993.

The benefit of vector autoregression is that it can assess whether prior change in a variable can predict current values of another variable, all without imposing a theoretical restriction as to which variable is a priori exogenous (Enders, 1996). When conducting a vector autoregression analysis, all the variables are measured in an endogenous variable system. Each variable in this endogenous system is regressed on past values of itself, as well as any other variable in the endogenous system. VAR analysis inherently accounts for history by incorporating multiple lags for each variable in the endogenous system. The inclusion of these lags accounts for the inertial qualities of variables (Sims, 1980), while also accounting for the effects of any variables omitted from the analysis (Eshbaugh-Soha & Peake, 2011, p. 135). In this project, the endogenous system is comprised of the presidential rhetorical simplicity variable and the executive orders variable.

In vector autoregression, Granger tests are performed in hypothesis tests evaluating the joint significance of coefficients for each variable in each equation analyzed through F-tests (Granger, 1969). What this means is that Granger causality tests performed in vector autoregression can tell us whether the prior values of one variable can together predict the current values of another variable in the system. Such a facet is very important, since the current project intends to assess whether prior levels of presidential rhetorical simplicity can predict the current level of executive orders made, whether the prior level of executive orders can predict the current level of presidential rhetorical simplicity, or a multi-directional relationship exists between the two variables. This is all possible because as Enders (1996, p. 106) asserts, vector autoregression treats all variables within the system as being symmetrical, such that there is no reference made as to which variable is the independent variable in the model, and which variable is the dependent variable in the model. It is also possible using vector autoregression techniques to incorporate the previously mentioned exogenous control variables by modeling each exogenous variable as a potential predictor of current values of any of the two variables within the endogenous system.

While vector autoregression is very helpful in trying to determine the causal direction of the relationship (if any) between variables, Granger causality tests do not reveal whether the direction of any causal relationship between variables in the endogenous system is positive or negative in nature. Vector autoregression is also not capable of giving precise information about the magnitude of the relationship between variables. The reason is that coefficient estimates that are given by hypothesis tests using the Granger approach are plagued by multicollinearity issues due to the incorporation of multiple lags in the endogenous system.

Given these issues, moving average representation is a useful means in which to assess the polarity and magnitude of any relationship in the endogenous system. In a moving average representation analysis, a simulated shock is induced on each variable in the endogenous system, and the response of each variable to this shock is reviewed over an extended period of time (Wood, 2009, pp. 171-172). The MAR procedure then helps indicate whether a variable will increase or decrease in response to a positive shift in another variable that is within the endogenous system studied. The moving average representation procedure also indicates the duration of the shift in one variable following the change induced on another variable. To make sure an intuitive interpretation of the amount of change variables exhibit is possible, all variables in the endogenous system are standardized. That means each variable is rescaled to have a mean of zero and a standard deviation of one. The results of the MAR procedure then will help elaborate how one variable responds over time when another variable is increased by one standard deviation.

Before performing any of these analyses, it is crucial to determine whether each variable in the system is sta-

tionary. Stationary variables are those that have major statistical properties (e.g. the mean, variance, etc.) that are constant over time. This means stationary variables are random/stochastic with respect to time, and do not exhibit dynamics that move following some deterministic trend. Given that the two variables studied are stationary processes (as indicated in the tests for unit roots detailed in the Appendix), it is possible to employ standard VAR and MAR techniques. A combination of two stationary variables cannot share a common trend across time, which would mean the variables cannot be cointegrated. As a result, it is possible to proceed with using standard VAR and MAR time series techniques.

3. Research Findings

The results of the analyses provide initial evidence in support of the view that changes in the simplicity of presidential rhetoric predict change in the level of a major form of unilateral action, executive orders. The results also suggest that an increase in presidential rhetorical simplicity produces a positive (albeit small) shift in the number of executive orders coming from the executive branch. The findings then lend support to the proposal of Hypothesis 1, and not Hypothesis 2. Rather than anti-intellectual simplistic discourse justifying the usage of unilateral actions, which was one possibility raised by Shogan (2007), anti-intellectual political discourse is a way to "advertise their disparagement" of intellectual life, and use it as a strategic tool to bolster their political authority (p. 296). Presidents can be making a conscious choice to use simplistic rhetoric, such that it is an indicator of the usage of executive orders.

According to the vector autoregression results, prior presidential rhetorical simplicity significantly predicts current levels of executive orders ($p = 0.06$). Past presidential rhetorical simplicity levels Granger-cause the level of executive orders. Presidential rhetoric, at least in this timeframe, predicts the usage of a particular form of unilateral action.

While Shogan (2007) does also raise the possibility that presidents perform unilateral actions, and then explain these actions through simplified discourse, prior change in the level of executive orders does not significantly predict the current level of presidential rhetorical simplicity ($p = 0.21$). For the time period studied, past usage of executive orders does not Granger-cause presidential rhetorical simplicity. There is no indication in the analyses that the usage of executive orders, a prominent form of unilateral action, has a clear direct or indirect effect on presidential rhetorical simplicity. Though prior change in executive orders does not significantly predict presidential rhetorical simplicity, prior change in presidential rhetorical simplicity predicts current levels of presidential rhetorical simplicity ($p = 0.00$). This indicates presidential rhetorical simplicity can be predicted in part by prior levels of pres-

idential rhetorical simplicity. The results of the entire vector autoregression analysis are presented in Table 1.

In terms of exogenous controls, there is a significant negative relationship between the Bush administration and rhetorical simplicity (suggesting the complexity of foreign affairs and the domestic economy during this period shaped presidential rhetoric to be less simplistic). There is a positive and significant relationship between the Obama administration and rhetorical simplicity, which could be a reflection of the change in circumstances during the Obama administration, and/or a difference in rhetorical strategy by the Obama administration. The occurrence of some prominent events (the Oklahoma City bombing, the September 11th terrorist attacks, and the start of the Second Iraq War) increased the current level of presidential rhetorical simplicity. Trying to assuage concerns within the public about the ramifications of these particular events could increase executive branch efforts to talk about these events in a straightforward manner.

Although prior presidential rhetorical simplicity does Granger-cause the level of executive orders offered by the president, presidential rhetorical simplicity is not the only variable that helps shape the level of executive orders offered by the president. Like presidential rhetorical simplicity, prior executive order levels predict current executive order values ($p = 0.06$), suggesting that the level of executive orders is determined in part by prior levels of executive orders. In terms of the exogenous controls, presidential approval exhibits a positive relationship with the level of executive orders. A positive change in presidential approval levels might give an administration the sense that they have the political capital with the general public, such that they can take unilateral actions without experiencing a significant backlash.

There is a significant negative relationship between the presence of divided government and the amount of executive orders offered by the executive branch. When there is a difference in party attachment between the President and Congress, employing executive orders might exacerbate partisan tension, which can potentially make presidents more reluctant to use these or other forms of unilateral action. Another significant exogenous variable is the Barack Obama administration. The significant and negative relationship between the Obama administration and the number of executive orders is a reflection of the relatively lower levels of executive orders offered during the Obama administration compared to levels seen at times during administrations that preceded President Obama's. The start of the Second Iraq War was also positively associated with the level of executive orders. It is the only event measured that exhibits a statistically significant association with the level of executive orders. While one might assume that major exogenous events would significantly predict the level of executive orders issued from the executive branch, the

statistical analyses performed in this project do not offer much support for this proposal.

The moving average representation analysis findings suggest the relationship between presidential rhetorical simplicity and the level of executive orders is positive. In column one of row two of Figure 2, the dynamic response of executive orders to a one standard deviation increase to presidential rhetorical simplicity is displayed. At the contemporaneous point of the one standard deviation shift to presidential rhetorical simplicity, there is a 0.1 standard deviation increase in the level of executive orders from the executive branch.

This increase is significant, as indicated by the 95% confidence interval being bounded away from the standardized mean of zero.

The level of executive orders returns to being positive and significantly away from the standardized mean following the first month post-shock to presidential rhetorical simplicity. This increase lasts between months two and five, until the decay to the standardized mean begins to be clear around month six. For several months then, there is a positive and small increase in executive orders following a positive shock to presidential rhetorical simplicity.

Table 1. Granger tests for presidential rhetorical simplicity and executive order endogenous system.

Independent Variable	Dependent Variable	p-value [F-statistic]
Presidential Rhetorical Simplicity ➔	Presidential Rhetorical Simplicity	0.00 [55.4657]
Executive Orders		0.21 [1.5592]
Exogenous Controls		
Presidential Approval (ns, p = 0.92)		
Election Year (ns, p = 0.92)		
Divided Government (ns, p = 0.13)		
Honeymoon Period (ns, p = 0.28)		
George W. Bush Administration (-, p = 0.00)		
Barack Obama Administration (+, p = 0.00)		
Waco siege (ns, p = 0.86)		
Oklahoma City Bombing (+, p = 0.01)		
September 11th Attacks (+, p = 0.02)		
War in Afghanistan (ns, p = 0.58)		
Second Iraq War (+, p = 0.01)		
Hurricane Katrina (ns, p = 0.24)		
British Petroleum Oil Spill (ns, p = 0.94)		
Hurricane Sandy (ns, p = 0.24)		
Boston Marathon Bombing (ns, p = 0.75)		
Presidential Rhetorical Simplicity ➔	Executive Orders	0.06 [2.8922]
Executive Orders ➔		0.06 [2.8387]
Exogenous Controls		
Presidential Approval (+, p = 0.00)		
Election Year (ns, p = 0.96)		
Divided Government (-, p = 0.03)		
Honeymoon Period (ns, p = 0.60)		
George W. Bush Administration (ns, p = 0.88)		
Barack Obama Administration (-, p = 0.00)		
Waco siege (ns, p = 0.82)		
Oklahoma City Bombing (ns, p = 0.14)		
September 11th Attacks (ns, p = 0.53)		
War in Afghanistan (ns, p = 0.58)		
Second Iraq War (+, p = 0.04)		
Hurricane Katrina (ns, p = 0.31)		
British Petroleum Oil Spill (ns, p = 0.31)		
Hurricane Sandy (ns, p = 0.70)		
Boston Marathon Bombing (ns, p = 0.83)		

Note: The arrows indicate Granger-causality from the block of coefficients for the independent variable to the dependent variable based on 0.10 significance levels. The p-values are from F-tests for the null hypothesis of no Granger-causality. The system includes a deterministic constant. The results of the exogenous controls are based on t-test results using 0.10 significance levels. As seen in presidency research from Eshbaugh-Soha & Peake (2011), Wood (2007), and Wood (2009), Granger-causality tests often employ 0.10 significance levels, given the analytical procedure and structure of the model being analyzed. A "+" represents a positive significant relationship, a "-" represents a negative significant relationship, and "ns" represents not significant. Each of the independent variables in the system includes two monthly lags to control for the inertia of the variables. Lag length is selected by Bayesian Information Criterion (BIC). VAR estimation with lags performed with information between 04/1993 and 05/2015.
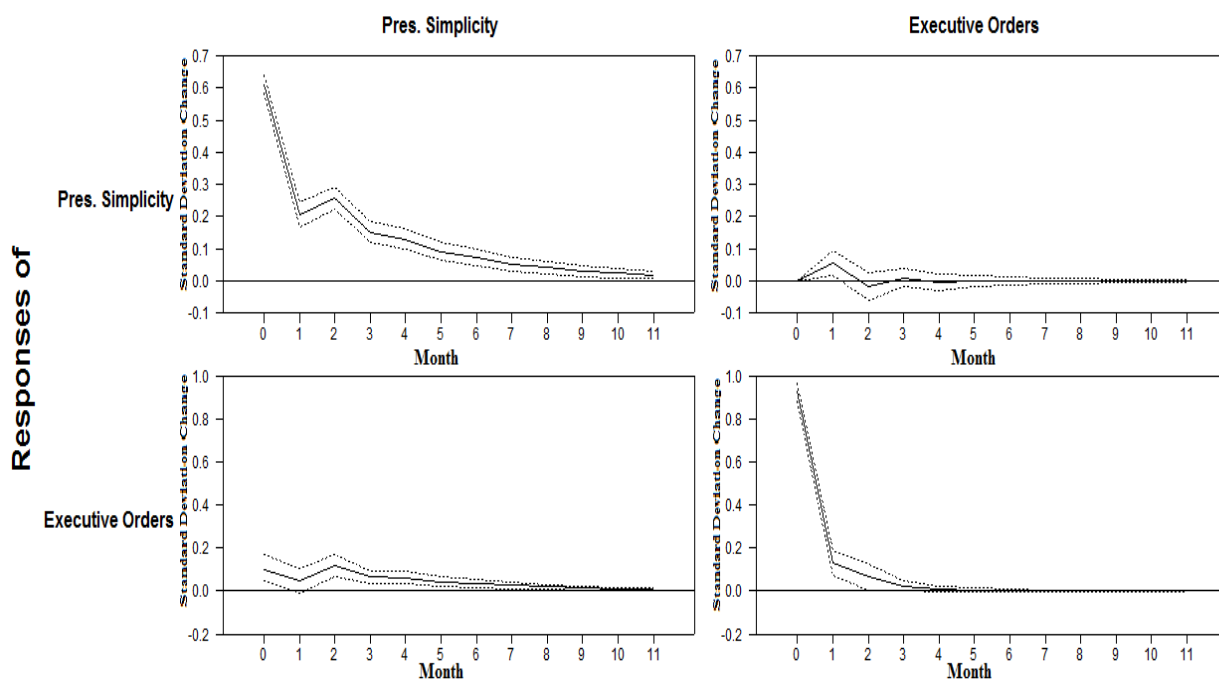
Figure 2. Moving average representation impulse responses for endogenous system. Note: Dashed lines represent 95% confidence intervals.

Column two of row one demonstrates the response of presidential rhetorical simplicity to a one standard deviation positive shift in executive orders. For no extended period of time is the level of presidential rhetorical simplicity significantly away from the standardized mean of zero. The 95% confidence interval not being clearly shifted away from the standardized mean for a discernible extended period of time in the MAR analysis reinforces the results seen in the VAR analysis. In the vector autoregression analysis, prior change in executive orders fails to predict current levels in presidential rhetorical simplicity. The moving average representation analysis shows a positive shift in executive orders does not move presidential rhetorical simplicity in a positive or negative direction for any clear duration of time.

It appears that presidents through their rhetoric offer a signal with an increase in simplistic discourse that the usage of executive orders, a prominent and controversial unilateral technique, will occur more frequently. Shogan (2007, p. 296) implies anti-intellectuals come to conclusions based on gut instinct given existing circumstances; pervasive anti-intellectual policy discourse could potentially be taken as a cue that a president at a given point in time believes unilateral action is the most effective option in terms of leadership. The increased usage of simplistic statements to the public can be a possible sign that the president will increasingly adopt the position that unilateral policy tools are necessary, and will execute the usage of unilateral policy tools. Continued study as to whether this result is found with

not just executive orders, but other forms of unilateral policy tools, will help to further substantiate that simplistic rhetorical discourse from the president predicts unilateral actions from the executive branch.

4. Conclusions

Work on anti-intellectualism in the American presidency by Shogan (2007), while focused on the matter of whether presidents aligned with the Republican Party are more apt to adopt an anti-intellectual leadership approach than presidents aligned with the Democratic Party, also happens to raise an interesting topic worthy of empirical assessment. The topic involves the relationship between anti-intellectual leadership techniques and the usage of unilateral actions. Given this topic was not the crux of the article's discussion or theory, any relationship between anti-intellectual leadership and the usage of unilateral action is arguably open to interpretation of Shogan's brief statements on this topic. In order to address this topic, the current project attempts to assess the relationship between presidential rhetorical simplicity (a clear indicator of an anti-intellectual leadership approach based on Lim (2008) and Shogan's (2007) important work), and the usage of executive orders, a prominent and controversial form of unilateral action.

The time series analyses demonstrate that prior change in presidential rhetorical simplicity levels predicts change in the level of executive orders from the

executive branch. Prior change in the level of executive orders does not appear to predict change in presidential rhetorical simplicity levels. Presidents appear to make clear by simplifying their policy rhetoric that an increase in executive orders is forthcoming. Anti-intellectual leadership is rooted in a variety of aspects like instincts, moral sensibilities, emotional states, and aspects of personal character (Shogan, 2007, p. 295). The dynamic nature of some of these aspects makes it worthwhile to explore the connection between presidential rhetorical simplicity and executive orders using time-refined indicators of each variable. As the very first empirical study attempting to assess the relationship between anti-intellectual leadership techniques and unilateral action, this project will hopefully serve as a contribution to future scholarship by compelling others to attempt to validate the causal direction between the concepts evaluated in the project. Constructing a thorough theoretical framework that can help explain the findings of this exploratory analysis in a way that clarifies why and when a linkage between rhetorical simplicity and unilateral action will be observable can be a significant contribution to the literature on presidential leadership, political communication, and managerial behavior. If anything, this project has hopefully served as an impetus for future theory building and development on establishing an explanatory basis for why rhetorical simplicity could be a signal suggesting acts of executive independence are forthcoming.

Future research should also make an effort to employ various empirical strategies to validate whether the positive relationship observed here between rhetorical simplicity and unilateral action in the American presidency holds. One possibility that immediately stands out is to repeat the approach used in this project and then examine other forms of unilateral action (e.g. signing statements, proclamations, etc.). Whether or not the results seen in this study are observed when analyzing other forms of unilateral action is a fruitful avenue worthy of exploration. If anything, this project hopefully will inspire quantitative scholars of the American presidency to evaluate proposals and claims made by scholarship that explores the executive branch from a more qualitative approach. Scholars of all backgrounds studying the presidency are better served by engaging in an exchange of ideas with everyone else, regardless of methodological training and background.

Acknowledgments

Conflict of Interests

The author declares no conflict of interests.

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About the Author

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Appendix

Table A1. Tests for the Presence of Unit Root in Endogenous Variables

Dickey-Fuller Unit Root Test for Presidential Rhetorical Simplicity Series	Phillips-Perron Unit Root Test for Presidential Rhetorical Simplicity Series	Dickey-Fuller Unit Root Test for Executive Order Series	Phillips-Perron Unit Root Test for Executive Order Series
Lag Number: 0 Sig. Level Crit. Value 1%(**) -3.45629 5%(*) -2.87243 10% -2.57253	Lag Number: 0 Sig. Level Crit. Value 1%(**) -3.456292 5%(*) -2.872433 10% -2.572528	Lag Number: 0 Sig. Level Crit. Value 1%(**) -3.45629 5%(*) -2.87243 10% -2.57253	Lag Number: 0 Sig. Level Crit. Value 1%(**) -3.456292 5%(*) -2.872433 10% -2.572528
t-statistic -6.62001** Observations 268	t-statistic -6.64495** Observations 267	t-statistic -13.2919** Observations 268	t-statistic -13.3419** Observations 267
Lag Number: 1 Sig. Level Crit. Value 1%(**) -3.45638 5%(*) -2.87247 10% -2.57255	Lag Number: 1 Sig. Level Crit. Value 1%(**) -3.456292 5%(*) -2.872433 10% -2.572528	Lag Number: 1 Sig. Level Crit. Value 1%(**) -3.45638 5%(*) -2.87247 10% -2.57255	Lag Number: 1 Sig. Level Crit. Value 1%(**) -3.456292 5%(*) -2.872433 10% -2.572528
t-statistic -4.01272** Observations 267	t-statistic -5.92868** Observations 267	t-statistic -9.44134** Observations 267	t-statistic -13.3215** Observations 267
Lag Number: 2 Sig. Level Crit. Value 1%(**) -3.45647 5%(*) -2.87251 10% -2.57257	Lag Number: 2 Sig. Level Crit. Value 1%(**) -3.456292 5%(*) -2.872433 10% -2.572528	Lag Number: 2 Sig. Level Crit. Value 1%(**) -3.45647 5%(*) -2.87251 10% -2.57257	Lag Number: 2 Sig. Level Crit. Value 1%(**) -3.456292 5%(*) -2.872433 10% -2.572528
t-Statistic -3.39108* Observations 266	t-statistic -6.02522** Observations 267	t-statistic -7.87874** Observations 266	t-statistic -13.3776** Observations 267
Lag Number: 3 Sig. Level Crit. Value 1%(**) -3.45655 5%(*) -2.87255 10% -2.57259	Lag Number: 3 Sig. Level Crit. Value 1%(**) -3.456292 5%(*) -2.872433 10% -2.572528	Lag Number: 3 Sig. Level Crit. Value 1%(**) -3.45655 5%(*) -2.87255 10% -2.57259	Lag Number: 3 Sig. Level Crit. Value 1%(**) -3.456292 5%(*) -2.872433 10% -2.572528
t-statistic -2.88041* Observations 265	t-statistic -6.12141** Observations 267	t-statistic -7.05507** Observations 265	t-statistic -13.4357** Observations 267

Note: Null hypothesis in all unit root tests above is that the analyzed series contains a unit root, while the alternative hypothesis is that the analyzed series is produced by a stationary process.

Article

Steering or Networking: The Impact of Europe 2020 on Regional Governance Structures

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Abstract
This article probes into how regions organize themselves to deal effectively with the Europe 2020 reform program. More specifically, it maps governance structures of regional policy-making and implementation of Europe 2020 and explains variation in these structures between policy domains and policy stages. The empirical focus is Flanders as this Belgian region possesses substantial legislative and executive autonomy and is therefore highly affected by the Europe 2020 program. The article distinguishes between policy-making (upload) and implementation stages (download) in education, energy and poverty policies. It is hypothesized that the varying impact of Europe 2020 can be attributed to the varying adaptational pressure of EU programs and a set of domestic intervening factors. Findings indicate variation between policy domains and policy stages on a continuum from lead-organization governed networks to shared participant governance networks. Overall, the extent to which Flanders is competent seems to be crucial. In addition, a substantial administrative capacity is needed to firmly steer and coordinate the governance structures that manage Europe 2020 policies. The level of integration further increases the extent to which Flemish Europe 2020 policies are steered.

Issue
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1. Introduction

Regions, Member States and the European Union (EU) itself are all confronted with major social, economic and budgetary challenges. The sovereign debt crisis, the euro-zone upheaval and the stagnation of the national and regional economies have been dominating the European and domestic agendas since 2008. The EU has implemented several policies to cope with these challenges. One of these tools is the large-scale Europe 2020 reform program whereby the EU aims for high levels of employment, productivity and social cohesion through smart, sustainable and inclusive growth. Europe 2020 is not implemented by legislation but by the coordination of national policies, inspired by the Open Method of Co-ordination (OMC) of the earlier Lisbon Strategy. The OMC is "in line with the principle of subsidiarity in which the union, the Member States, the regional and local levels, as well as social partners and civil society, will be actively involved, using variable forms of partnership" (European Council, 2000, para. 38). Its architecture is based on soft law and its main EU goal is to disseminate best practices in order to achieve greater convergence among member states and regions (Tucker, 2003).

Unlike its predecessor, the Europe 2020 program is expected to generate substantial effects as it is incorporated in the framework of the European Semester. Through this European Semester, the Commission is empowered to monitor the economic and budgetary policies of Member States and to take action when agreed targets are not reached. While Europe 2020 policies are predominantly decided by European level institutions, Member States play a major role during the policy preparation and policy implementation stages. In federal and highly decentralized member states, both national and regional authorities are challenged by Europe 2020 policies. Via intra-state as well as extra-state channels (Jeffery, 2000) regions are involved in the policy formulation and implementation of Europe 2020 policy measures whenever the latter touch upon their competences. This paper probes into how the regional level organizes itself to deal effectively with Europe 2020 policy-making and implementation. As regions can be involved in several stages and policy domains we expect variation in the way they deal with Europe 2020.

Based on findings from the Europeanization literature (Bursens, 2012), we expect a differential impact of Europe 2020 due to domestic intervening variables. Our core research question is therefore how we can explain the variation in regional governance structures established in response to the Europe 2020 program. More specifically, this paper aims to map the governance structures of regional policy-making and implementation of Europe 2020 and to explain variation in these governance structures between policy domains and policy stages. We distinguish between the policy-making stage (upload) and implementation stage (download) in education, energy and poverty policies. Our empirical focus is Flanders as this Belgian region possesses substantial legislative and executive autonomy in the selected policy fields and is therefore highly affected by the Europe 2020 program.

The paper is structured as follows. Firstly, it discusses the relevant literature on Europeanization and governance in order to conceptualize the way regional governance structures are steered and to identify the variables that translate the adaptational pressure put on the regional governance structures by the Europe 2020 program. Next, the cases are presented. In the third part we operationalize and measure the variables. The final part maps the Flemish governance structures in response to the Europe 2020 program and accounts for the variation between the selected policy domains and policy stages.

2. Europeanization of Regional Governance Structures

Research on the adaptation of the regional level to European integration is relatively recent and has not delivered univocal conclusions (Graziano & Vink, 2008). In a literature review, Bursens concluded that "all empirical findings reveal some impact of European integration on the regional level, but there is no agreement on the intensity or the direction of the impact."(Bursens, 2012, pp. 400-401). The literature suggests that regional authorities implement EU policies in diverse ways contingent to the varying national contexts (Borghetto & Franchino, 2010; Sturm & Dieringer, 2005). Furthermore, the focus has mainly been on explaining variation between EU policy coordination mechanisms (Kassim, Peters, & Wright, 2000; Wessels, Maurer, & Mittag, 2003; Zeff & Pirro, 2006), the integration of the OMC in domestic policymaking arenas (Macphail, 2010; Weishaupt, 2009; Zeitlin, 2009) and regional actors' preferences and strategies (Bache, 2008; Dyson & Goetz, 2003). This paper builds upon the Europeanization literature but shifts the focus from comparing regions towards comparing policy domains and policy stages. In addition, by looking at regional governance structures in response to Europe 2020, it adds to the analyses of regional implementation of EU legislation.

The extent to which the regional level responds to European integration depends on the adaptational pressure, or how well European and regional policies fit together (Börzel & Risse, 2000). The introduction of the OMC by the Lisbon Strategy aimed at bringing European integration in line with the principle of subsidiarity. After the mid-term review, the focus of the Lisbon Strategy shifted towards the goals of competitiveness, growth and jobs (Zeitlin, 2009) since the EU was not able to urge member states to participate more intensely in the OMC procedures for social inclusion and sustainable development. As the Europe 2020 program also functions along the lines of the open method of coordination, the extent to which regional authorities are confronted with adaptational pressure is reflected by the EU's ability to push forward on the Europe 2020 objectives. A high adaptational pressure constitutes a trigger for regions to adapt governance structures and policies. To explain how regional authorities respond to the Europe 2020 program, the Europeanization literature points to a range of intervening factors that facilitate or constrain the adaptation process. In this paper we borrow these intervening factors from rational and sociological institutionalism.

2.1. Mapping Governance Structures

A necessary step to address our research question is to describe how regions deal with Europe 2020 in different policy domains and policy stages, by mapping how political and administrative actors as well as societal organizations are embedded in governance structures. Newman (2001) describes governance as a mechanism for solving common problems on various levels. More specifically, governance structures are about coordination mechanisms that settle decision-making and im-

plementation between actors by allocating tasks and resources among those actors (Carver, 2000; Kooiman, 1993; Lowndes & Skelcher, 1998). According to Pierre (2000), "*governance refers to sustaining coordination and coherence among a wide variety of actors with different purposes and objectives*". The performance and effectiveness of governance structures mainly depends on how they are steered (Provan & Milward, 1995). Over time coordination mechanisms have been gradually transformed from traditional governmental steering, characterized by hierarchical, direct top-down control towards more autonomy and self-responsibility for administrative actors and a stronger involvement of societal organizations (Kickert, 2005; Nelissen, 2002). This implies a tendency to manage or steer actors and processes rather than controlling them in a top-down fashion (Borgason & Musso, 2006). Such more horizontal and mixed public/private policy networks are argued to increase the problem-solving capacity of governmental action as they combine the expertise and means of both state and non-state actors (Wolf, 2001).

However, steering instead of controlling actors may still take place under the shadow of hierarchy (Börzel & Risse, 2005), since some organizations may have advantages over others to assign tasks and goals, sometimes assisted by (financial) means. There is, in other words, a wide variety in policy networks. One useful classification is provided by Provan and Kenis (2008). Based on the involvement of actors and the decision-making procedures within mixed networks, Kenis and Provan identify two ideal types of networks with shared participant governance networks and lead-organization governed networks at the far ends. Whereas shared participant governance networks are characterized by collective decision-making procedures based on unanimity and a high degree of involvement of all actors thereby resulting in high density networks, lead-organization governed networks function in the opposite way by allocating decision-making powers to one or a few actors who thereby obtain a central position in the network. Although both ideal types of networks increase the problem-solving capacity of governmental regulation, empirical research (Brower & Choi, 2006; Creech, Huppé, & Knoblauch, 2012; Kenis & Provan, 2006; Provan & Milward, 1995) suggests that networks that are steered by just one or a few actors are more effective in reaching their goals. This paper doesn't aim to explain the effectiveness of governance structures, but seeks to understand why specific governance structures are installed, the latter being considered as one of the variables that can explain effectiveness. We use social network analysis to operationalize the network types suggested by Kenis and Provan (2006) in the context of Europe 2020 policies. By calculating the network's density and the actors' degree of centralization in the network while accounting for their competences to initiate and coordinate policy initiatives, we define the governance structures as either shared participant governance networks or lead-organization governed networks.

2.2. Explaining Governance Structures

We now turn to the factors that can account for variation between governance structures when adapting to Europe 2020 policies. First, adaptational pressure is exerted via the OMC procedures of Europe 2020. A high adaptational pressure triggers regions to adapt governance structures and policies in order to comply with Europe 2020. This adaptational pressure is the independent variable in our model. Next, we expect that variation in Europe 2020 governance can be explained by how domestic intervening variables tap into this pressure. We look at the domestic division of competences and the regional administrative capacity to deal with Europe 2020 (derived from rational choice institutionalist theories) and the political and administrative support for Europe 2020 policies (taken from sociological institutionalism).

As EU competences have broadened and deepened over time, the EU's influence on national politics and policies increased (Birk, Gos, Haas, & Tadini, 2010). So we argue that the extent to which adaptational pressure is exerted via Europe 2020 mainly depends on the level of EU competences and thus differs across policy domains. According to Pfetsch (2004) a higher degree of integration is likely for policy domains in which the EU has acquired significant regulatory powers. We expect that the extent to which the EU is able to put pressure on regions to act on the European growth strategy is contingent on the degree of legislative powers and the amount of regulatory measures. The absence of such powers undermines EU undertakings to reach the Europe 2020 targets. The European Commission is aware of its powers and has drawn lessons from the failed Lisbon Strategy (Schoukens, 2014). Attempting to overcome its lack of competences in certain policy areas, the Commission increased the entanglement of the Europe 2020 objectives and strategies. However, despite the Commission's efforts to fuse policy issues from different policy areas (such as education and employment), its capacity to guide or even urge regions to act on Europe 2020 continues to depend on its legislative and regulatory powers. In case of only modest competences the EU will find it hard to stimulate regions to establish strong governance structures aimed at coordinating Europe 2020 policies. On the other hand, if the EU is able to play out its competences, regions and particularly regional governments will be more inclined to act on Europe 2020 by coordinating policy initiatives and actors. Hence our first hypothesis: *the more integrated the policy domain in the EU sphere, the more the regional governance structure will be organized according to the lead-organization governed network*.

Although the adaptational pressure triggers regions to adapt governance structures, domestic intervening factors are expected to differentiate the impact. In federal systems, legislative as well as executive competences are allocated at various levels (De Vicq, Van Hecke & Buyst, 2014). This constitutional setting functions as an opportunity structure in which domestic actors' behavior is shaped. The division of competences between governmental levels includes the allocation of means and the authority to initiate policies (Provan & Kenis, 2007) and therefore also the responsibility to assure a performant governance structure. When a regional government has competences in a certain policy domain, it has the capacity to coordinate the governance structure and to determine the policy content. According to Saunders (2006), decentralization indeed strengthens the capacity of the sub-national constituent units. This is even moreso the case when regions are granted the competence to conduct foreign relations with respect to their competences. Being competent for a wide range of policies also affects the quantity and complexity of policy issues. A high number and high variety of policy measures and involved actors requires high levels of coordination. We expect strong coordination in those policy domains for regions which are strongly competent (Provan & Kenis, 2008). Hence our second hypothesis based on the extent to which a region is competent: *The stronger the regional competences in a policy domain, the more the regional governance structures will be organized according to a lead-organization governed network*.

Besides the institutional environment of governance structures, we also look at the actual efforts actors put into influencing and implementing Europe 2020 policies. The EU is a multilevel system requiring the establishment and management of coordination capacities. This administrative capacity of domestic actors is equally a part of the opportunity structure in which domestic actors try to maximize their preferences: it is considered as a facilitating factor for the successful implementation of Europe 2020 policies. We expect that the ability of regions to deal with European policies also depends on the administrative capacity to upload and download EU policies (Börzel, 2002). Cadri (2014) defines administrative capacity as "*the process through which individuals, organizations and societies obtain, strengthen and maintain the capabilities to set and achieve their development objectives over time*". More specifically related to Europeanization, Börzel and Risse (2000) and Deforche and Bursens (2012) provide a more specific approach considering only the administrative capacity that deals with European issues. Administrative capacity is highly relevant in this context as research has pointed out that most instances of non-compliance with international agreements are due to a lack of capacity (Jacobson & Weiss, 1998; Perkins & Neumayer, 2007). Being able to mobilize ca-

pacity provides regions with steering capabilities in particular governance structures (Milio, 2007). We expect that the specific role of the minister's office or the department, which includes high-level policy-making and planning tasks, is strengthened by a high degree of administrative capacity. Our third hypothesis therefore puts that *the more administrative capacity devoted to Europe 2020, the more the governance structure will resemble a lead-organization governed network*.

Finally, we consider the actors operating in the structures. How do administrative and political actors react to the Europe 2020 program? Do they support all Europe 2020 policies to the same extent? We expect that the level of support affects the efforts regional actors invest in uploading and downloading Europe 2020 policies. The intervening variable support thus departs from the logic of appropriateness: domestic actors deal with European 2020 as they see fit with their position towards the program. According to Sorensen and Torfing (2005) networks establish a frame of mutual interest for consensus building among various stakeholders. They argue that when actors are strongly involved, they are more likely to be supportive. Due to that mutual interest, supportive actors have a similar focus on what is to be done, but more importantly also on how things should be done. Furthermore, widespread support facilitates cooperation and exchange of information within a governance structure. In shared participant governed networks, the performance and effectiveness depends to a great extent on the consensus between the actors. The more a network lacks consensus, or the less supportive actors are, the higher the need for a lead-organization in the network in order to assure the performance and effectiveness (Van Oorschot, 2015). Therefore we expect weak steering mechanisms in cases of high support. Hypothesis 4 stipulates that *the more supportive actors are, the more the governance structure will be structured according to a shared participant governance network*.

To conclude, previous research has pointed to the advantages of lead-organization governed networks over shared participant governance networks in terms of performance and effectiveness. Hence, the way regional governance structures are steered is crucial for achieving Europe 2020 policy objectives. We expect that regions install varying structures in different domains and suggest four hypotheses to account for this variation. In the next sections we present and motivate our empirical cases before turning to the operationalization and analysis.

3. Case-Selection

Europe 2020 focuses on smart, sustainable and inclusive growth. These priorities break down into 10 integrated guidelines which serve as themes in the national reform programs and trigger specific policy initiatives.

We selected one integrated guideline for each priority, taking into account the Belgian division of competences. For smart growth we selected *reducing the rates of early school leaving below 10%*, from the policy field of education which is a quasi-exclusive regional competence; in the area of sustainable growth we opted for *20% of energy from renewables*, energy policy being a mixed federal/regional competence; regarding inclusive growth *20 million (on EU level) fewer people in or at risk of poverty and social exclusion* was selected as poverty policies predominantly belong to the federal level.

From the perspective of regions, one can distinguish between four different policy stages in the context of Europe 2020: participation in the Open Method of Coordination (OMC) processes of Europe 2020, the draft of the Regional (RNP) and National Reform Programs (NRP), the implementation of the NRP and the follow-up and feedback on the national level. In order to reduce complexity, we simplified these to two stages: (1) the *European semester*, i.e. participation in the OMC and the drafting of the Reform Programs, which is a process mainly oriented at the European level and (2) the *national semester*, i.e. the implementation and the follow-up of the agreed reform program which takes place at the (sub)national level. This leaves us with in total six cases, as listed in Table 1.

Table 1. Cases.

Education–European semester	Energy–European semester	Poverty–European semester
Education–national semester	Energy–National semester	Poverty–National semester

4. Operationalization and Measurement of the Dependent and Independent Variables

To map the governance structures as a whole and to position the actors within those structures we used Social Network Analysis (SNA). SNA captures the complexity of social relationships by analyzing numerical data and visualizing the set of actors involved as well as the relations between those actors (Hawea & Ghali, 2008). A social network can be defined as "*a specific set of linkages among a defined set of persons with the additional property that the characteristics of these linkages as a whole may be used to interpret the social behavior of the persons involved*." (Mitchell, 1969). We conducted 31 interviews with political and administrative actors as well as societal organizations from September 2013 till January 2014 (appendix—list of respondents). We presented the respondents a list of actors that may have been active with respect to one of the selected Europe 2020 integrated guidelines. Respondents were asked to indicate the frequency and

direction of the contacts and to qualify the relation as information transfer or substantial cooperation. Moreover, respondents were given the opportunity to add actors to the list which were then included in the following interviews. The extent to which data is missing is crucial for SNA as it has an impact on the outcome of SNA-indicators. The impact of missing data differs among SNA-indicators, meaning that some indicators are more robust than others. The indicators centrality degree and density are very robust measures in SNA (Wangh, Shi, Mcfarland, & Leskovec, 2012). The robustness of degree centrality and density holds when 80% of the data is taken up (Costenbader & Valente, 2003), meaning that the output on those indicators will not change significantly by adding more data. Although not all involved actors could be interviewed, the percentage of missing data is sufficiently low to allow for a valid interpretation of the network data. (69%, 55% and 69% response rate and 8.3%, 19% and 8,3% missing data in the education, energy and poverty case respectively). The robustness of our network data is further strengthened as we have data on all the spill-actors of the governance structures. Furthermore, the network data have been double-checked with the core members of the network.

In order to determine to what extent a governance structure is organized according to a shared participant governance network rather than a lead-organization governed network, we look at the degree of density and the position of authoritative actors (Creech, Huppé, & Knoblauch, 2012; Kenis & Provan, 2006). The boundaries of those governance structures are fixed by the cases, i.e. by the regional competences for the policy domains energy, poverty and education. Hence, the description of regional governance structures is based on the relations between actors within those regional boundaries. Actors from the federal or the local level are only relevant if they have a functional role for the regional level, i.e. when conceived as relevant by the actors that are by definition part of the regional governance structure. Both density and degree of centrality are used to define the type of steering. While the density indicator is a measure on the level of the governance structure, the degree of centrality allows us to measure for each actor the extent to which it has acquired a central position in the governance structure. We use the normalized indicators as this allows for comparisons between cases of different sizes.

First, we measure the networks' degree of density. The more dense a network, the more it reflects a shared participant governed network, as the latter's performance depends on collective action decisions by unanimity. Next we look at whether the networks possess authoritative actors and—if so—how many. This indicates to what extent governance structure is steered by a lead-organization (one or two authoritative actors). More specifically, when an authoritative

actor has the most or is close to the most central position, it can be assumed to be highly capable to steer the governance structure which points to a lead-organization governed network. On the contrary, when such actors are not the most or not even close to the most central position and in case of highly dense networks, the governance structure will be labeled as a shared participant governance network.

Next, we turn to the operationalization of the independent and intervening variables. The adaptational pressure is indicated by the level of EU integration. We use the Treaty on the Functioning of the EU (TFEU) to determine the extent to which the EU exerts powers in different policy fields. In addition, we use the amount of regulations and directives for which data are derived from EUR-Lex. Variation between the networks can further be accounted for by domestic intervening factors. Concerning the division of competences, the Belgian constitution clearly addresses the allocation to the different governmental levels. Secondly, the administrative capacity is measured by the amount of personnel that directly deals with Europe 2020. Although human resources only cover a partial aspect of administrative capacity, it is considered as a strong indicator for financial resources too (Beyers & Kerremans, 2007). Hence, respondents were asked to provide an adequate evaluation of the number of full-time equivalents (FTE) directly working on Europe 2020. Finally, the extent to which actors support the way Europe 2020 is dealt with is extracted from the questionnaire: we asked respondents to express their opinion with respect to the regional and European policy initiatives based on the following questions "Compared to the other Integrated Guidelines, how do you perceive the importance of this (case-specific) Integrated Guideline in the Europe 2020 strategy?" and "Compared to the other Integrated Guidelines, how do you perceive the importance of this (case-specific) Integrated Guideline in the (sub)national reform program?". The questionnaire data were aggregated as the independent variables are situated on the level of the governance structures and not on the level of individual actors.

5. Governance Structures and Intervening Factors in Six Europe 2020 Networks

Considering the density of the networks, we found little variation between cases with exception of the governance structure for energy during the European Semester (see Table 2). The network density of the latter (15%) is very low in contrast to the other cases (between 37% and 46%). This implies that the case of energy during the European Semester cannot be categorized as a shared participant governance network. For the other cases, the absence or presence of centrally positioned authoritative actors will further define the type of network. We found clear variation between the governance structures, not only with respect to the type of network, but also with regard to the involvement of different types of actors.

Table 2. Degree of centrality and type of network in six cases.

Case	Density	Normalized degree of Centrality	Type of network
1. Education – European semester	37%	1st - MIN EDUCATION - 11,5 2nd - DEP EDUCATION - 8,7 3rd - VLOR - 6,3 4th - VOKA - 5,3	Lead-organization governed network
2. **Education – National semester**	42%	1st - MIN EDUCATION - 28,3 2nd - DEP EDUCATION - 18,2 3rd - VOKA - 10,3 4th - VLOR - 8,5	Lead-organization governed network
3. **Energy – European semester**	15%	1st - VOKA - 1,4 2nd - SERV - 1 4th - DEP ENERGY - 0,9 11th - MIN ENERGY - 0,1	Weak governance network
4. **Energy – National semester**	40%	1st - VEA - 17,3 2nd - VOKA - 16,6 3rd - MIN ENERGY - 14,5 6th - DEP ENERGY - 6,4	Mixed lead-organization / shared participant governance network
5. **Poverty – European semester**	38%	1st - Vl-PV - 9,1 2nd - DEP WELZIJN - 6,5 3rd - POD MI - 5,8 4th - MIN ARMOEDE - 3,8	Shared participant governance network
6. **Poverty – National semester**	46%	1st - NETWERK T. ARMOEDE - 9,4 2nd - CARITAS - 6,4 4th - DEP WELZIJN - 5,5 5th - MIN ARMOEDE - 4,5	Shared participant governance network

The policy domain of education strongly resembles a lead-organization governed network for both the European and the national semester (respectively Figure 1 and 2; Table 3 provides the legend for interpreting all visualized governance structures, whereas Table 4 list actors in the networks of education). In both stages—and even more outspoken during the national semester, the minister of education and his personal staff (MIN EDUCATION) are positioned in the center, followed in second place by the department for education and training (DEP EDUCATION). Furthermore, taking a look at the visualized governance structure, also the VLOR, the advisory council on educational policies, seems to have acquired a rather central position. Remarkably, the VLOR's position is far less central during the national semester, which was confirmed by its respondent who suggested that the VLOR is specifically crucial in conveying European policies and actions to educational actors in society.

Governance structures in the energy domain (Table 5 lists actors in the networks of energy) differ substantially across the stages, as the variation in density of relations has already made clear. During the European semester (see Figure 3) the authoritative actors (the minister of energy and the department of environment, nature and energy) lack a central position, pointing at the absence of a clear lead-organization. The low number of relations among the actors suggests that Europe 2020 is not very salient among energy-related actors. This was confirmed by several respondents who stated that Europe 2020 is perceived as being of merely secondary importance. The EU takes a lot of legislative initiatives in the energy domain which is intensively monitored and discussed at the Flemish level at the expense of the Europe 2020 energy targets. During the national semester (see Figure 4), on the contrary, the minister of energy is more intensively involved. Looking at the degree of centrality, he is not the foremost central actor, but the relatively high score still pictures him as being able to lead the governance structure. Remarkably, however, the executive Agency for Energy (VEA) and the Flemish Chamber of Commerce and Industry (VOKA) are considered to be stronger involved than the minister, suggesting a more shared participant governance approach that is neither centrally nor collectively steered. Hence, we classify the governance structure for energy during the national semester as a mixed lead-organization governed/shared participant governance network.

**Table 3.** Legend of governance structures.

Type of actor	Frequency of relations
🟡 Political actor	▬ Daily contact
🟦 Administrative actor	▬ Weekly to monthly contact
🔺 Societal organization	—— Less frequent contact

Table 4. Actors in the networks of education.
- Vlaams Minister van Onderwijs (**MIN EDUCATION**) - Flemish Minister of Education
- Departement van Onderwijs en Vorming (**DEP EDUCATION**) - Department of Education and Training
- Departement Diensten voor het Algemeen Regeringsbeleid (**DAR**) - Services for the General Government Policy
- Agentschap voor Onderwijscommunicatie (**AOC**) - Agency for Education Communication
- Agentschap voor Hoger Onderwijs, Volwassenenonderwijs en Studietoelagen (**AHOVOS**) - Agency for Higher Education, Adult Education and Grants
- Agentschap voor Kwaliteitszorg in Onderwijs en Vorming (**AKOV**) - Agency for Quality Control in Education and Training
- Agentschap voor Infrastructuur in het Onderwijs (**AGION**) - Agency for Education Infrastructure
- Agentschap voor Onderwijsdiensten (**AGODI**) - Agency for Education Services
- Vlaamse Universiteiten en Hogescholen Raad (**VLUHR**) - Flemish Council of Universities and Higher Education
- Vlaamse Onderwijsraad (**VLOR**) - Flemish Council of Education
- Sociaal-Economische Raad van Vlaanderen (**SERV**) - Social and Economic Council of Flanders
- Algemene Afvaardiging van de Vlaamse Regering bij de Europese Unie (**VL-PV**) - Flemish Representative within the Permanent Representation of Belgium to the EU
- Vlaamse Dienst voor Arbeidsbemiddeling (**VDAB**) - The Public Employment Service of Flanders
- Vlaamse Jeugdraad (**JEUGDRAAD**) - Flemish Council of Youth
- Vlaams Netwerk van Ondernemingen (**VOKA**) - Flanders' Chamber of Commerce and Industry
- Vlaams-Europees Verbindingsagentschap (**VLEVA**) - The Liaison Agency Flanders-Europe
- Interkabinettenwerkgroep (**IKW**) - Inter-cabinet Working Groups
- Vlaams Parlement (**PARL**) – Flemish Parliament

Table 5. Actors in the networks of energy.

● Staatssecretaris voor Leefmilieu, Energie, Mobiliteit (**FED MIN**) – State Secretary for Environment, Energy and Mobility

● FOD Economie, K.M.O., Middenstand en Energie (**FOD ENERGY**) - FPS Economy, SMEs, Self-Employed and Energy

● Vlaams Minister van Energie (**MIN ENERGY**) - Flemish Minister of Energy

● Departement Leefmilieu, Natuur en Energie (**DEP ENERGY**) - Department of Environment, Nature and Energy

● Departement Mobiliteit en Openbare Werken (**DEP MOW**) - Department of Mobility and Public Works

● Departement Diensten voor het Algemeen Regeringsbeleid (**DAR**) - Services for
the General Government Policy

● Vlaams Energieagentschap (**VEA**) - Flemish Agency of Energy

● Agentschap voor Wegen en Verkeer (**AWV**) - Agency for Roads and Traffic

● Commissie voor de Regulering van de Elektriciteit en het Gas (**CREG**) - Commission forRegulation of Electricity and Gas

● Vlaamse Regulator van de Elektriciteits- en Gasmarkt (**VREG**) - Flemish regulator for elektricity and natural gas

● Milieu- en Natuurraad van Vlaanderen (**MINA**) - Flemish Council on Environment and Nature

● Sociaal-Economische Raad van Vlaanderen (**SERV**) - Social and Economic Council of Flanders

● Algemene Afvaardiging van de Vlaamse Regering bij de Europese Unie (**VL-PV**) - Flemish Representative within the Permanent Representation of Belgium to the EU

● Vlaams Netwerk van Ondernemingen (**VOKA**) - Flanders' Chamber of Commerce and Industry

● Natuurpunt (**NATUURPUNT**) - Natuurpunt

● Bond Beter Leefmilieu (**BBL**) - Federation for a Better Environment

● Federatie van de Belgische Elektriciteits- en Gas Bedrijven (**FEBEG**) - Federation of Belgian Producers of Energy

● Organisatie Duurzame Energie (**ODE**) - Organisation for Sustainable Energy

● Vlaams-Europees Verbindingsagentschap (**VLEVA**) - The Liaison Agency Flanders-Europe

● Interkabinettenwerkgroep (**IKW**) - Inter-cabinet Working Groups

● Vlaams Parlement (**PARL**) – Flemish Parliament
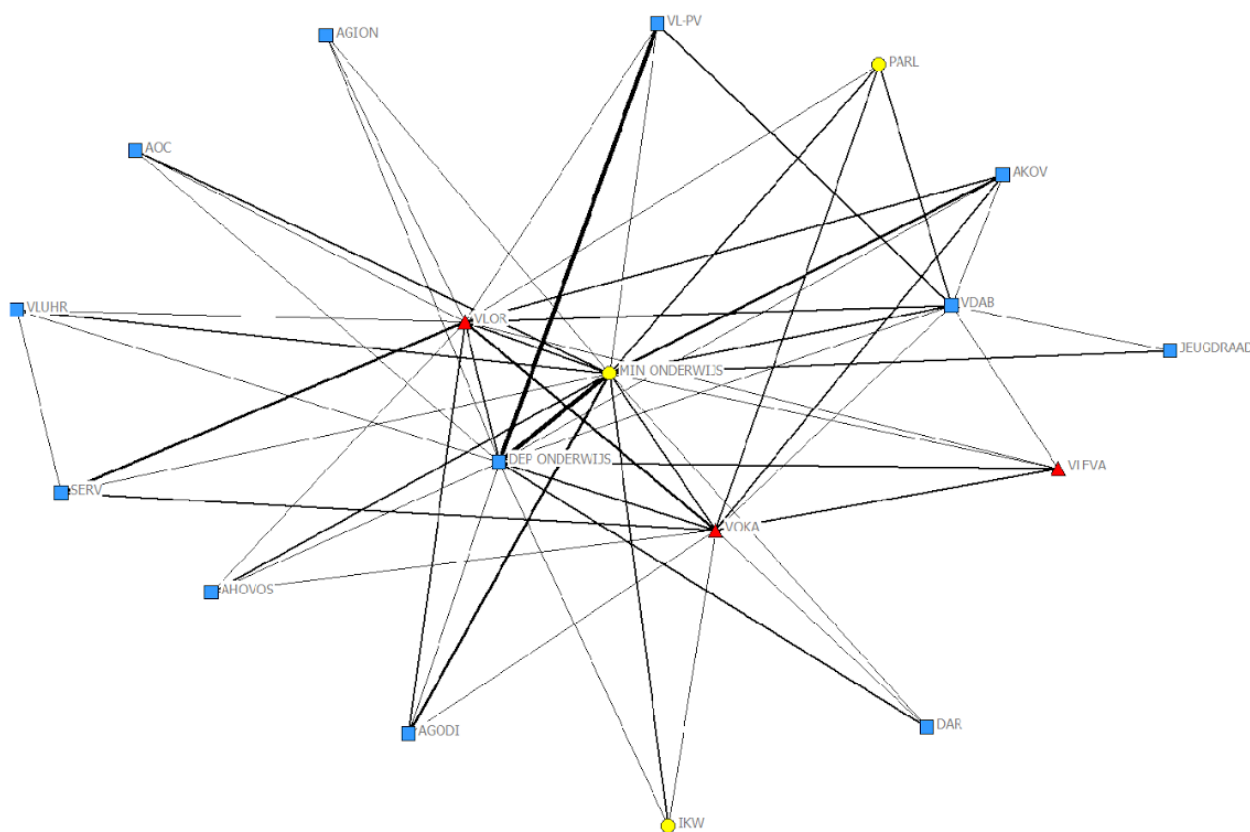
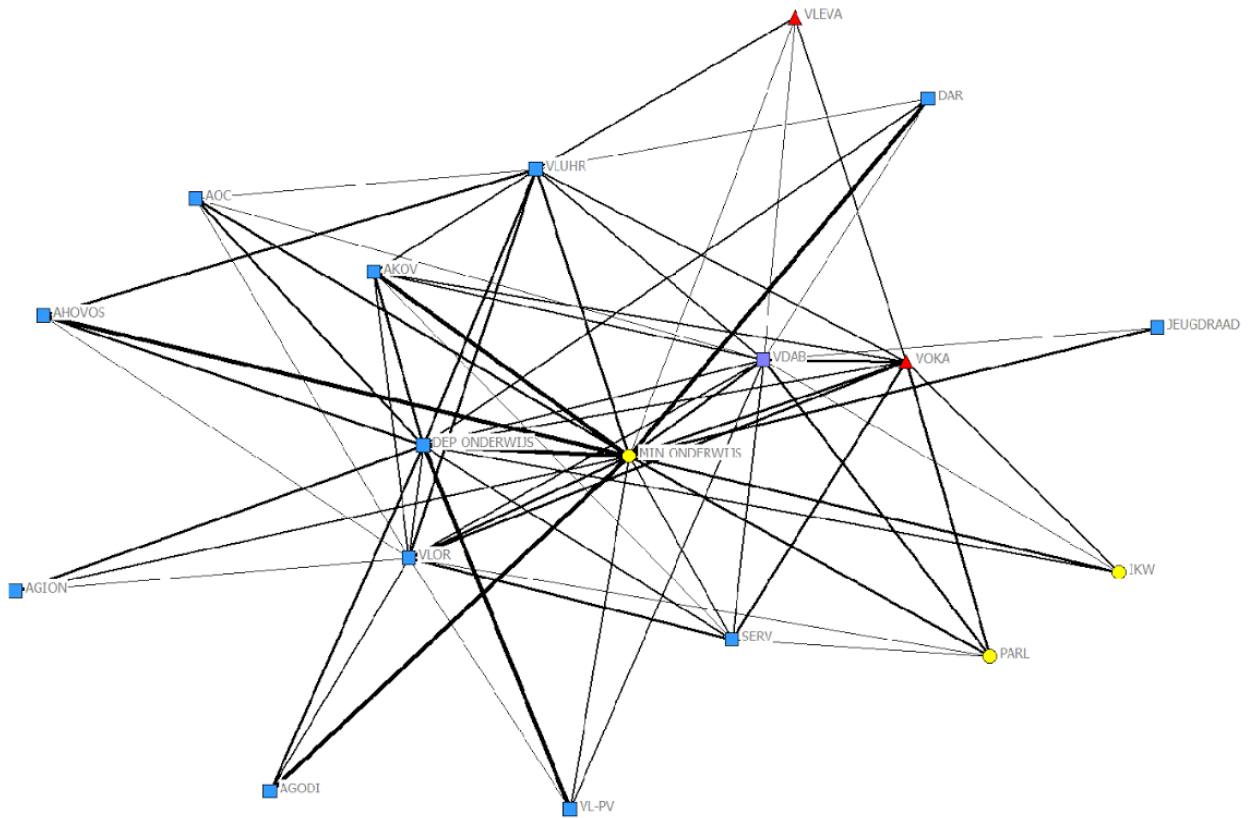**Figure 1.** Education—European semester.

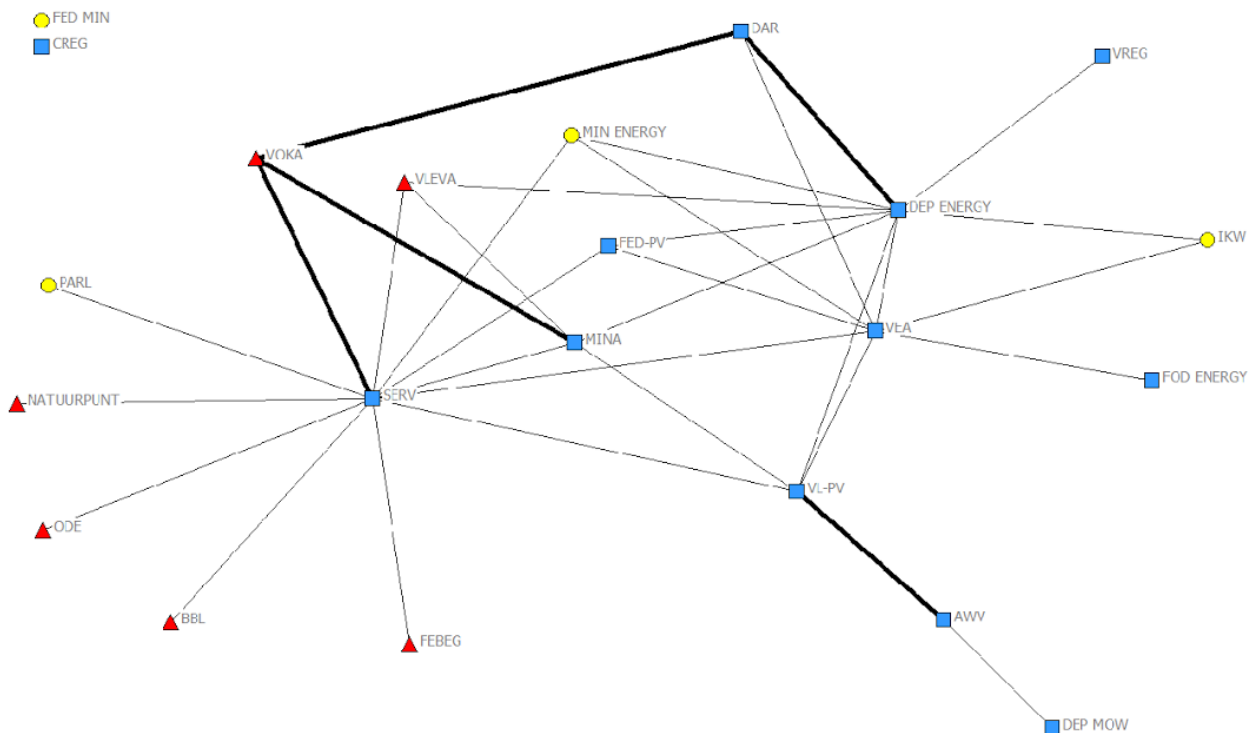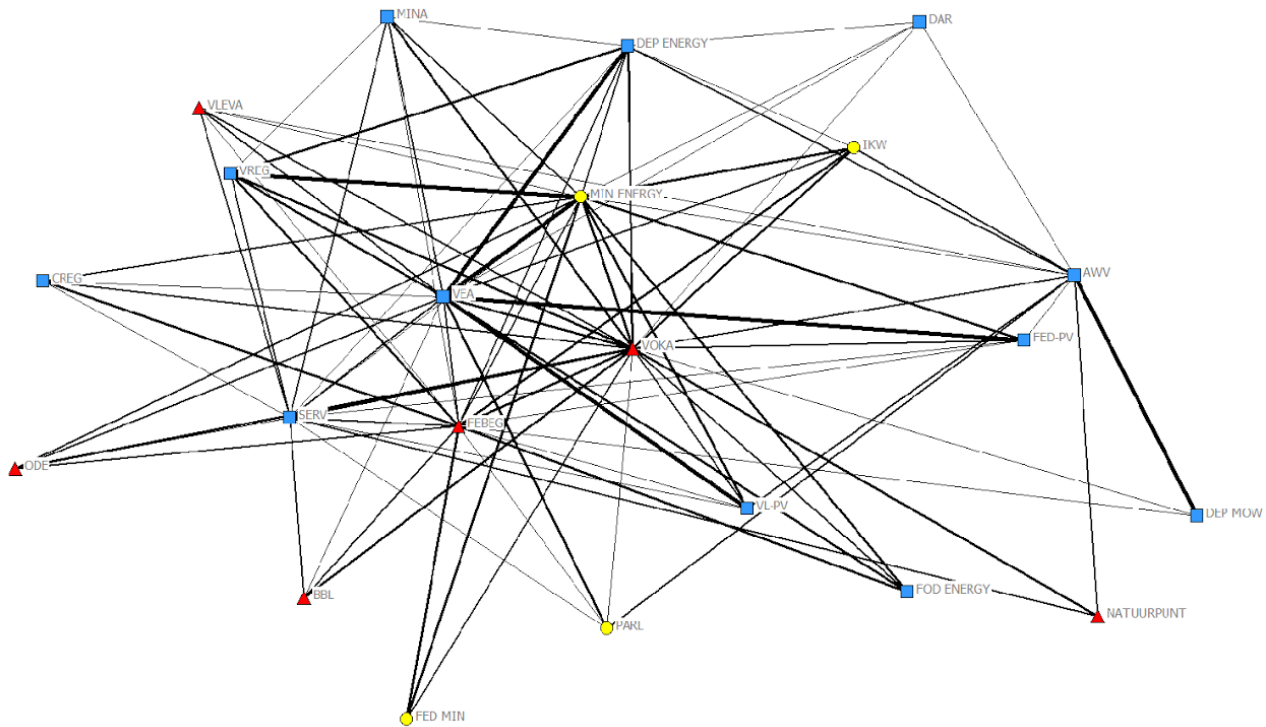**Figure 2.** Education—National semester.

Figure 3. Energy—European semester.

Figure 4. Energy—National semester.

The governance structures in the policy domain of poverty most clearly resemble shared participant governed networks (see Figure 5 and 6). During the national semester the most central positions are obtained by societal organizations or administrative actors (Table 6 lists actors in the networks of poverty), suggesting a lack of steering by the competent department or the responsible minister and his staff. Although the department of welfare, public health and family is the second most central actor in the governance structure during the European semester, the corresponding score on the degree of centrality is rather weak (6.5%). On the contrary, and especially during the national semester, societal organizations are far more involved. But even their score on the degree of centrality indicator remains quite modest. From this, we conclude that poverty governance structures are organized in accordance to a shared participant governance network.

In the remaining part of this section we map the independent and intervening variables that have been identified as potential explanations for the variation in governance structures (see table 7 for an overview). First, the degree of EU competences is expected to affect regional governance structures as this variable indicates the amount of adaptational pressure. Article 4 of the TFEU explicitly stipulates that the EU has a substantial degree of authority regarding energy issues: member states can act only in so far the EU has not acted. The EU has no such powers for education or poverty. Education is mentioned in article 6: the EU is allowed to coordinate, support or supplement policies developed by member states. Concerning poverty, the

EU may only act conform article 5, i.e. provide arrangements such as the European platform against poverty and social exclusion in which member states participate to coordinate their policies on social inclusion. Having substantial powers is one indicator, the extent to which those powers are exercised is yet another. EUR-Lex is a useful tool to determine the level of actual policy practice. A search for the keywords energy, education, poverty and social inclusion, delivered 450, 98, 1 and 6 hits respectively. Both indicators make clear that EU exercises considerably more regulatory powers in the policy domain energy than in the fields of education and poverty.

Next, the Belgian constitutional set-up reveals the competences allocated to the regional level. Education policy is a quasi-exclusive regional competence as it is allocated to the Belgian subnational Communities. In the domain of energy policy, the division of competences is more nuanced. The regional level enjoys legislative and executive powers with respect to energy renewables, isolation of houses and buildings, traffic (including public transport) and road infrastructure, whereas the federal level acts on matters of energy infrastructure (transmission grid), nuclear energy and energy prices. In other words, energy is a mixed competence, making both levels responsible to comply with a series of Europe 2020 energy objectives. In the policy domain of poverty too, both the federal and the regional level are equipped with competences to combat poverty and to increase social inclusion. The balance heads over to the federal level, though, as the latter runs the social security system, including
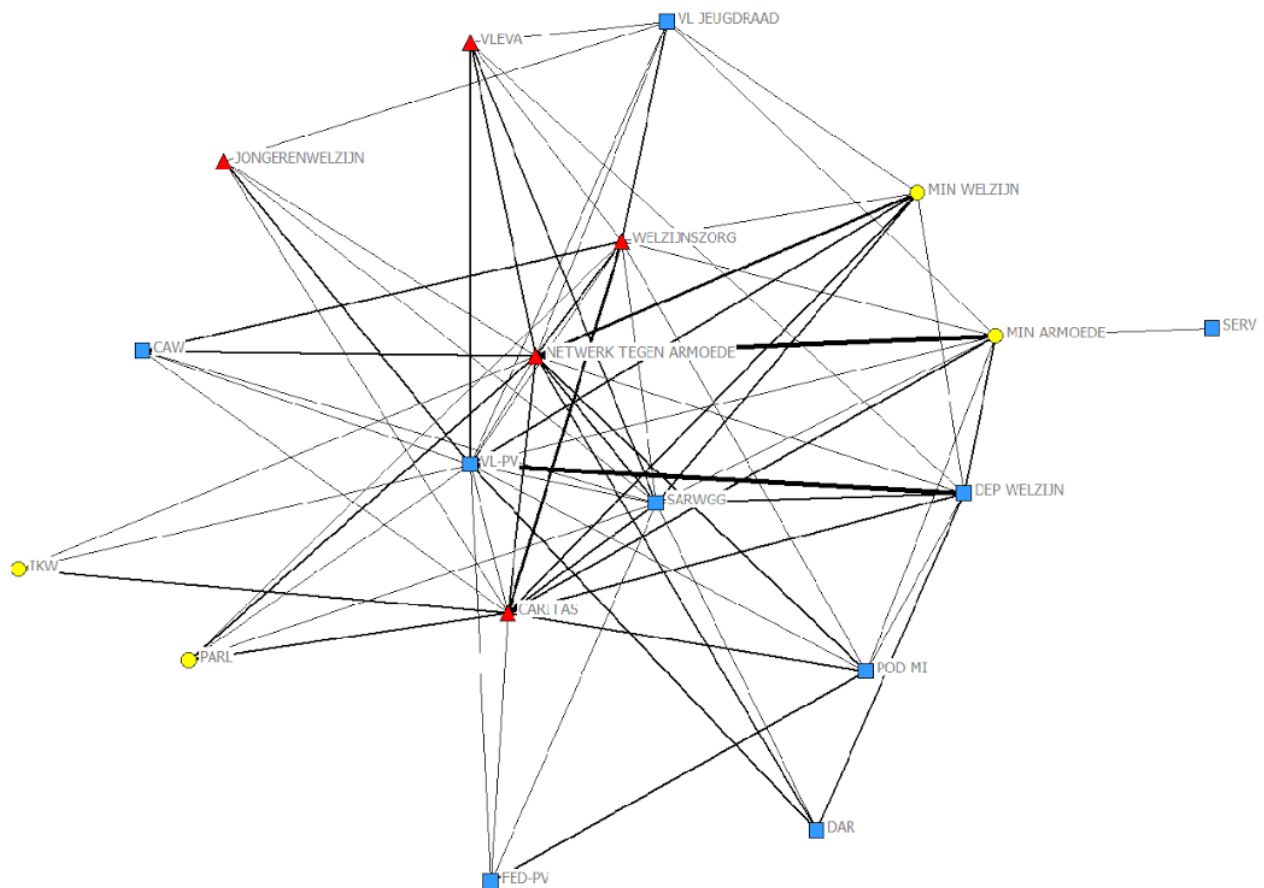
unemployment benefits and income support. The regional level has only supplementary powers, meaning that it is allowed to take measures in the area of social

inclusion within the range of other policy competences (such as education).

Table 6. Actors in the networks of poverty.

- Vlaams Minister voor Innovatie, Overheidsinvesteringen, Media en Armoedebestrijding (**MIN ARMOEDE**) - Flemish Minister for Innovation, Public Investment, Media and Poverty
- Vlaams Minister voor Welzijn, Volksgezondheid en Gezin (**MIN WELZIJN**) – Flemish Minister foor Welfare, Public Health and Family
- Departement Welzijn, Volksgezondheid en Gezin (**DEP WELZIJN**) - Flemish Department of Welfare, Public Health and Family
- POD Maatschappelijke Integratie (**POD MI**) - PPS Social Integration, anti-Poverty Policy, Social Economy and Federal Urban Policy
- Strategische Adviesraad voor het Welzijns-, Gezondheids- en Gezinsbeleid (**SARWGG**) - Strategic Advisory Council for Welfare, Health & Family Policy
- Welzijnszorg (**WELZIJNSZORG**) - Welzijnszorg
- Vlaamse Jeugdraad (**JEUGDRAAD**) - Flemish Council of Youth
- Agentschap Jongerenwelzijn (**JONGERENWELZIJN**) – Youth Welfare Agency
- Netwerk Tegen Armoede (**NETWERK TEGEN ARMOEDE**) - Network against Poverty
- Caritas Vlaanderen (**CARITAS**) - Caritas Flanders
- Departement Diensten voor het Algemeen Regeringsbeleid (**DAR**) - Services for the General Government Policy
- Sociaal-Economische Raad van Vlaanderen (**SERV**) - Social and Economic Council of Flanders
- Algemene Afvaardiging van de Vlaamse Regering bij de Europese Unie (**VL-PV**) - Flemish Representative within the Permanent Representation of Belgium to the EU
- Permanente Vertegenwoordig van België in de Europese Unie (**FED-PV**) - Permanent Representation of Belgium to the EU
- Vlaams-Europees Verbindingsagentschap (**VLEVA**) - The Liaison Agency Flanders-Europe
- Interkabinettenwerkgroep (**IKW**) - Inter-cabinet Working Groups
- Vlaams Parlement (**PARL**) – Flemish Parliament
- Centrum Algemeen Welzijnswerk (**CAW**) – Centres for General Well-being

Figure 5. Poverty—European semester.

Figure 6. Poverty—National semester.

Table 7. Overview of variables in six cases.

	Independent Variable	**Intervening factors**			**Dependent Variable**
	EU integration	Support towards EU2020	Administrative capacity (FTE)	Allocation of competences	Type of network
Education EU Sem	article 6 of the TFEU 98 hits EUR-lex modestly integrated	4,4/5 strong support	Average: 1,6 high capacity	A full-fledged regional competence	Lead-organization
Education Nat Sem	article 6 of the TFEU 98 hits EUR-lex modestly integrated	4,4/5 strong support	Average: 1,6 high capacity	A full-fledged regional competence	Lead-organization
Energy EU Sem	Article 4 of the TFEU 450 hits EUR-lex strongly integrated	3,6/5 strong support	Average: 1,2 medium capacity	A shared competence	Shared participant
Energy Nat Sem	Article 4 of the TFEU 450 hits EUR-lex strongly integrated	3,6/5 strong support	Average: 1,2 medium capacity	A shared competence	Mixed lead-organization/ shared participant
Poverty EU Sem	article 5 of the TFEU 7 hits EUR-lex weakly integrated	2,7/5 weak support	Average: 0,7 low capacity	A regional supplementary competence	Shared participant
Poverty Nat Sem	article 5 of the TFEU 7 hits EUR-lex weakly integrated	2,7/5 weak support	Average: 0,7 low capacity	A regional supplementary competence	Shared participant

During the interviews respondents indicated to what extent they support the way the EU and the regional level deal with the Europe 2020 integrated guidelines. Support was scaled from no support at all (1/5) to highly supportive (5/5). The data reveal clear differences: while actors in the policy domain of education are highly supportive (on average 4,4/5), those in the domain of energy are moderately supportive (on average 3,6/5) and those in the field of poverty are only weakly in favor (on average 2,7/5).

Finally, regarding administrative capacity we asked respondents to determine the number of people working explicitly on the Europe 2020 targets. The policy domain of education is clearly the best equipped to deal with Europe 2020, having on average 1,6 FTE's per actor in the network, compared to 1,2 FTE's in the field of energy and 0,7 in the field of poverty. More importantly, the authoritative actors in the policy domain of education, the ministerial staff and the department of education, employ respectively 2,5 and 2 FTE's working on Europe 2020, rendering them comparatively well equipped to lead the governance structure. With respect to the policy domain of energy both the department and the ministerial staff reported only 1 FTE dealing with Europe 2020. A significantly higher capacity (3 FTE) is reported for the Flemish Energy Agency (VEA). Concerning the policy domain of poverty, the average amount of FTE's is only 0,7, which is the lowest of all policy domains. The ministerial staff only slightly exceeds the average administrative capacity with a total of 1 FTE. The highest number of staff is recorded for the Flemish Representation within the Belgian Permanent Representation (VL-PV), employing 2 FTE's to deal with Europe 2020.

6. Explaining the Variation in Governance Structures' Type of Steering

The three policy domains of education, energy and poverty are subjected to a varying degree of adaptational pressure induced by the Europe 2020 program. Moreover, domestic intervening variables further differentiate the impact of the adaptational pressure. Across all three policy domains, we found that regional governance structures activated to deal with Europe 2020 are managed by varying steering mechanisms. In this section we seek to explain this variation by analyzing how the identified domestic variables nuance the adaptational pressure on governance structures.

Education and poverty clearly have opposite steering mechanisms in both policy stages while the degree of EU integration and thus the adaptational pressure however only slightly differs. In the case of poverty, EU competences are weak, and although the EU has stronger somewhat competences in the case of education, national law remains dominant. Still, we found that the governance structures in the field of education

are characterized by lead-organization governed networks, whereas the governance structures in the field of poverty are organized by shared participant governance networks. The answer to this puzzle is found by looking at domestic intervening variables which vary substantially. The support for EU 2020 among administrative and political actors, administrative capacity and the extent to which the regional level is competent are all high in the domain of education, whereas the domain of poverty shows lower scores on all these variables. A first comparative assessment thus suggests that strong regional competences coincide with high administrative capacity. As theorized above, these features enhance authoritative actors' capacity to steer and coordinate other actors resulting in a lead organization type of network. The field of education is very outspoken in this respect. Hence, domestic intervening variables seem to strongly affect the Flemish governance structures. Furthermore, the strongest support for Europe 2020 is also found in the governance structures with the strongest steering. These findings so far are valid for both stages in the fields of education and poverty. The lead organization approach in the field of education can be attributed to the quasi-exclusive regional competences, the high administrative capacity and the strong adherence to the Europe 2020 policies, while the shared organization approach coincides with regional supplementary powers, low administrative capacity and weak administrative and political support for the Europe 2020 objectives.

The policy field of energy delivers more puzzling results. The EU has strong competences is this field, yet the governance structures differ in the two policy stages: a weak governance network during the European semester and a more mixed governance network during the national semester. Given the relatively high capacity and the status of shared competence, the weak governance network during the European stage is rather surprising. The explanation may be that precisely because of the strong EU integration of the policy domain of energy, the Europe 2020 targets are rendered less salient compared to the high amount of legislative proposals. Some respondents pointed out that the energy policies of Europe 2020 are far less frequently discussed than legislative proposals, making the presence of lead organizations during the European semester less necessary. This is different during the download stage as both legislation and Europe 2020 policies have to be addressed through transposition and reform programs respectively. From this perspective, the European stage of the energy case can be considered as an isolated case. Secondly, the governance structure of the energy case during the national semester nuances our conclusions so far. The mixed network emerges in a context of strong support and a high level of EU integration, which is even stronger than in the education cases and which therefore induces a lead organization

type of network. However, what makes the energy case different from education is the central position of VEA and VOKA in the network, VEA's strong administrative capacity and the federal competences in energy policy. These features seem to decrease the emergence of strong authoritative actors (such as the ministerial staff or the competent department) as lead organizations. Clearly, the capacity and involvement of other regional stakeholders join the regional authoritative actors as central players in the network, making the governance structure less hierarchical.

From this we conclude that the type of governance structures established to deal with the Europe 2020 program is determined less by the extent to which a policy domain in integrated in the EU or by the degree of support among the actors involved, but rather by the domestic division of competences and the level of administrative capacity of authoritative actors. The more competences, the more capacity, the more authoritative executive actors are able to put themselves in the center of the network and therefore in charge of uploading and downloading Europe 2020 policy. Only when other regional stakeholders manage to mobilize capacity, the authoritative actors have to share their central position, resulting in a more mixed type of steering.

7. Conclusion

Europe 2020 is the European growth agenda that covers a wide area of policy domains. Yet the impact of Europe 2020 plays out differently across policy domains and policy stages. This paper has assessed the differentiated Europeanization at the regional level in three policy domains: education, energy and poverty. Furthermore we have considered two policy stages, providing us with six cases situated in the Belgian region of Flanders. Based on the interactions between political, administrative and societal actors, the governance structures were mapped and the type and strength of their steering assessed. The underlying relevance is that the type of steering affects the effectiveness of the governance structures, whereby the literature suggests that strongly steered networks perform better than weakly steered networks or top-down controlled structures.

Our findings indicate variation between policy domains and policy stages. The governance structures in the field of education were defined as lead organization networks, whereas those in the domain of poverty were considered as shared participant networks. In the field of energy, variation was even found between policy stages: the European semester governance structure is considered a weak governance network, whereas the the national semester network features a more mixed network.

Overall, the extent to which Flanders is competent seems to be crucial. Due to extensive regional powers lead-organization governed networks are likely to be put in place. In order to exercise these powers, a strong administrative capacity is needed to steer and coordinate the governance structures. EU integration may further increase the extent to which Flemish governance structures are steered. However, strong EU integration can also entail a high degree of EU legislation which may overshadow Europe 2020 policies, as was the case in the upload stage in the energy case. In other words, competence and capacity matters for the way the Europe 2020 policies are governed. Support among the actors for Europe 2020, however, was not found to affect the strength of steering.

Clearly, our conclusions are bound to the policy domains and the Flemish region examined in this article. Future research may broaden the scope to other strong legislative regions and other policy domains in order to gain a better understanding of the impact of Europe 2020 on regional governance structures and of the intervening role of domestic variables. Furthermore, increasing the number of cases may open the door for more systematic (small N) comparative analysis enhancing the scope of generalization.

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Conflict of Interests

The authors declare no conflict of interests.

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Appendix. List of respondents.

- **Education**
1. Flemish Minister of Education (MIN EDUCATION)
2. Flemish Council of Education (VLOR)
3. Department of Education and Training (DEP EDUCATION)
4. Flemish Representative within the Permanent Representation of Belgium to the EU (VL-PV)
5. Social and Economic Council of Flanders (SERV)
6. Flemish Council of Youth (JEUGDRAAD)
7. Flemish Council of Universities and Higher Education (VLUHR)
8. The Public Employment Service of Flanders (VDAB)
9. Flanders' Chamber of Commerce and Industry (VOKA)
10. The Liaison Agency Flanders-Europe (VLEVA)
11. Services for the General Government Policy (DAR)

- **Poverty**
1. Flemish Minister for Innovation, Public Investment, Media and Poverty (MIN ARMOEDE)
2. Flemish Department of Welfare, Public Health and Family (DEP WELZIJN)
3. PPS Social Integration, anti-Poverty Policy, Social Economy and Federal Urban Policy (POD MI)
4. Social and Economic Council of Flanders (SERV)
5. Strategic Advisory Council for Welfare, Health & Family Policy (SARWWG)
6. Flemish Council of Youth (VL JEUGDRAAD)
7. Welzijnszorg vzw (WELZIJNSZORG)
8. Network against Poverty (NETWERK TEGEN ARMOEDE)
9. Caritas Flanders (CARITAS)
10. Services for the General Government Policy (DAR)

- **Energy**
1. Flemish Minister for Energy, Housing, Cities and Social Economy (MIN ENERGY)
2. Flemish Department of Environment, Nature and Energy (DEP ENERGY)
3. Flemish Agency of Energy (VEA)
4. Flemish Council on Environment and Nature (MINA)
5. Social and Economic Council of Flanders (SERV)
6. Agency for roads and traffic (AWV)
7. Federation of Belgian Producers of Energy (FEBEG)
8. Flanders' Chamber of Commerce and Industry (VOKA)
9. The Liaison Agency Flanders-Europe (VLEVA)
10. Services for the General Government Policy (DAR)

Article

EU "Mobility" Partnerships: An Initial Assessment of Implementation Dynamics

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Abstract

Cooperation with non-EU countries is a central migration policy priority for the EU, and since 2008 eight Mobility Partnerships have been signed. Given the importance attached to this policy area, it is essential that policy-makers understand how EU external migration policy works in practice. However, the literature on the implementation of EU external migration policy is very limited. This article addresses this deficit, by conducting a conceptual assessment of implementation dynamics in the Mobility Partnerships. At this stage in the implementation process, it is not yet possible to assess whether the Mobility Partnerships have contributed to mobility, which is their stated aim. Instead, the literature on implementation is applied in a "backward" fashion, starting with the implementation dynamics at play. The article concludes that standard analytical frameworks for assessing implementation processes will need to be adapted for "new" policy tools featuring elements of flexibility or voluntary participation, in order to accurately capture implementation processes. Future research should adopt a critical, human rights-centred approach to the issue of implementation of EU external migration policy.

Keywords

European Union; implementation; migration policy; mobility partnerships

1. Introduction

The year 2015 has been a powerful reminder that migrants will take desperate and extraordinary measures to try to reach Europe. In light of the tragic deaths of thousands of migrants in the Mediterranean in early 2015, the European Commission restated the argument that it has made since the early 2000s: one of the key factors for the EU to achieve its migration policy objectives is cooperation with non-EU countries on migration issues (Commission, 2015a, p. 5). To facilitate such cooperation, policy instruments have been created and brought together under the Global Approach to Migration and Mobility (Commission, 2011), and project funding has been made available under successive EU funding instruments. This has spawned a sizeable literature on EU external migration policy, with scholars examining policy content and policy-making dynamics (e.g. Boswell, 2003; Coleman, 2009; Weinar, 2011). And yet at the same time the literature on implementation of EU external migration policy has remained extremely limited (Wunderlich, 2013a; 2013b; 2012). This is puzzling, and unsatisfactory. Implementation research matters because "putting a piece of legislation or a government programme into practice does not happen automatically, nor is it a purely technical or apolitical affair" (Treib, 2006, p. 5). Implementation research in EU external migration policy matters because the policy area is so salient, and it is therefore important for policy-makers to understand how this policy works in practice.

This article represents a first step in this direction, by providing an initial conceptual assessment of implementation dynamics in the EU's Mobility Partnerships and advancing a future research agenda. The Mobility Partnerships are selected as the object of study because they are the "main strategic, comprehensive and long-term cooperation framework for migration management with third countries" (Council, 2009, p. 61).

Section 2 introduces the Mobility Partnership instrument and argues that a definitive assessment of policy success/failure, in terms of goal realisation, is premature. Instead, the article focuses on implementation dynamics, in order to discern what we might expect from the process of implementing Mobility Partnerships. Section 3 develops a comprehensive analytical framework based on the public policy literature on implementation, and section 4 explains the methodology underlying the article. The analytical framework is applied in section 5. The conclusion argues that frameworks for assessing implementation will need to be adapted when used for studying "new" policy tools, and that future research on implementation of EU external migration policy should adopt a critical, human rights-centred approach.

2. The "Mobility" Partnerships

The concept of Mobility Partnerships was introduced by the European Commission in 2007 (Commission, 2007). The central idea is that legal migration opportunities will be offered to non-EU countries in return for their cooperation on preventing irregular migration; in practice, this has come to mean that Mobility Partnerships include the signature of both readmission and visa facilitation agreements (Commission, 2011, p. 11). This "quid pro quo" is significant, and the fact that the communication setting out the Mobility Partnership concept also addresses circular migration seems to emphasise the centrality of "mobility" for this policy instrument. To date, Mobility Partnerships have been signed with Moldova (2008), Cape Verde (2008), Georgia (2009), Armenia (2011), Morocco (2013), Azerbaijan (2013), Tunisia (2014) and Jordan (2014).

Mobility Partnerships are signed as political declarations, and appended to this declaration is a list of projects for implementation; projects may be proposed by any of the parties to a Mobility Partnership (the Commission, the non-EU country, or participating member states), but in reality most projects have been carried out by member states (Reslow, 2013, p. 138). A Mobility Partnership is best understood as an "umbrella", bringing together the various individual projects. Participation by member states is voluntary, which has led to varied patterns of opting in and out by the different member states, ranging from France (which participates in all partnerships) to Austria, Croatia, Finland, Ireland and Malta (which do not participate in any

partnerships so far). All other member states are located somewhere between these extremes, participating in some, but not all, partnerships.

Once a Mobility Partnership has been negotiated and signed, it is implemented through the implementation of the projects proposed. Implementation is monitored at the EU level through a Mobility Partnership task force, and in the non-EU country through a cooperation platform. A Mobility Partnership task force consists of representatives of the Commission and participating member states (Lavenex & Stucky, 2011, p. 134). The Commission plays a key role by organising meetings and updating the "scoreboard"—a document produced for each individual Mobility Partnership which shows all the projects being implemented and their state of play. The scoreboard for the Mobility Partnership with Moldova is available online (Ministry of Foreign Affairs and European Integration of the Republic of Moldova, 2015), but the other scoreboards are not publically available. On the ground, member states' embassies, EU delegations and non-EU countries' authorities meet in the framework of cooperation platforms to monitor implementation (Commission, 2009a, pp. 5-6). International organisations and NGOs also play a role in the implementation of Mobility Partnerships: the International Organisation for Migration (IOM), for example, has supported the implementation of the development-related components of the Mobility Partnership with Moldova, and both IOM and the International Centre for Migration Policy Development (ICMPD) implement the visa liberalisation action plan in Georgia (Commission, 2014a, p. 3).

The literature on the implementation of EU external migration policy is extremely limited. Initial academic assessments of the Mobility Partnerships have focused on the decision-making process. Member states "wrangle" amongst themselves to ensure that EU policy favours non-EU countries with which they have a special relationship (Parkes, 2009, p. 343). At the same time, they maintain strict control over the form and content of the Mobility Partnerships, thus severely limiting the Commission's room for manoeuvre (Reslow, 2013, p. 229). The exclusion of the European Parliament from the policy-making process has "marginalised any sort of democratic accountability" of this policy instrument (Carrera & Hernández i Sagrera, 2011, p. 106). Mobility Partnerships can also be considered "insecurity partnerships" because "they undermine the coherence of EU policy on labour immigration and increase the vulnerability of third country workers' human rights in Europe" (p. 97).

Despite their name and the centrality of the idea of mobility as put forward by the Commission (see above), several authors argue that labour mobility schemes have been lacking in the Mobility Partnerships concluded to date (Carrera & Hernández i Sagrera, 2011; Lavenex & Stucky, 2011; Parkes, 2009; Reslow,

2013). These judgements are based on a reading of the Mobility Partnership texts only, and the actual status of mobility in the outcomes of the Mobility Partnerships is uncertain: due to their non-binding nature, full implementation of the proposed projects on mobility cannot be guaranteed (Carrera & Hernández i Sagrera, 2011, p. 110). On the other hand, new projects on mobility may be added later, that were not originally foreseen.

Ideally an assessment of the process of implementation would be based on the scoreboard for each Mobility Partnership. However, these are not made publically available, so it is difficult to assess the state and progress of implementation. An alternative option is to judge the outcome of Mobility Partnerships in terms of their contribution to mobility, based on the (at least nominal) importance attached to this concept in the original Commission communication, and the rather sceptical initial assessments by scholars. Figure 1 below shows the number of first residence permits issued to citizens of Mobility Partnership countries, and Figure 2 shows the number of short-stay visas issued to citizens of Mobility Partnership countries. From Figure 1 it is clear that none of the Mobility Partnership countries has seen a consistent and significant increase in the number of residence permits being issued. This implies that Mobility Partnerships are actually not contributing to mobility, although other factors (particularly economic) may also affect mobility entirely separately of the Mobility Partnerships. The data on which Figure 2 is based is only available for 2010–2013; however, visa facilitation agreements are usually agreed after the Mobility Partnerships have been signed, meaning ratification and implementation are on-going or at an early stage.[1]

It is therefore not possible to definitively determine the contribution of Mobility Partnerships to mobility: mobility is affected by numerous other factors; and the implementation of important instruments, such as visa facilitation agreements, are still at an early stage. Definitive assessments of implementation success/failure may take years because of the data and evidence required to make such an assessment (Ripley & Franklin, 1982, p. 203). This article will therefore apply the literature on implementation in a "backward" fashion: instead of beginning from an observed successful/failed policy implementation and tracing this back to the implementation dynamics, the article conducts a conceptual analysis of the implementation dynamics in order to determine what we can expect in the future from the implementation of the Mobility Partnerships. As this approach is ambivalent regarding the final outcome of implementation, it avoids the accusation commonly levelled at implementation scholars that they focus too much on policy failures (DeLeon, 1999, p. 329). The following section develops an analytical framework based on the public policy literature on implementation.

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[1] The visa facilitation agreements with Armenia and Azerbaijan entered into force in 2014, and the visa facilitation agreement with Cape Verde has still to be ratified.
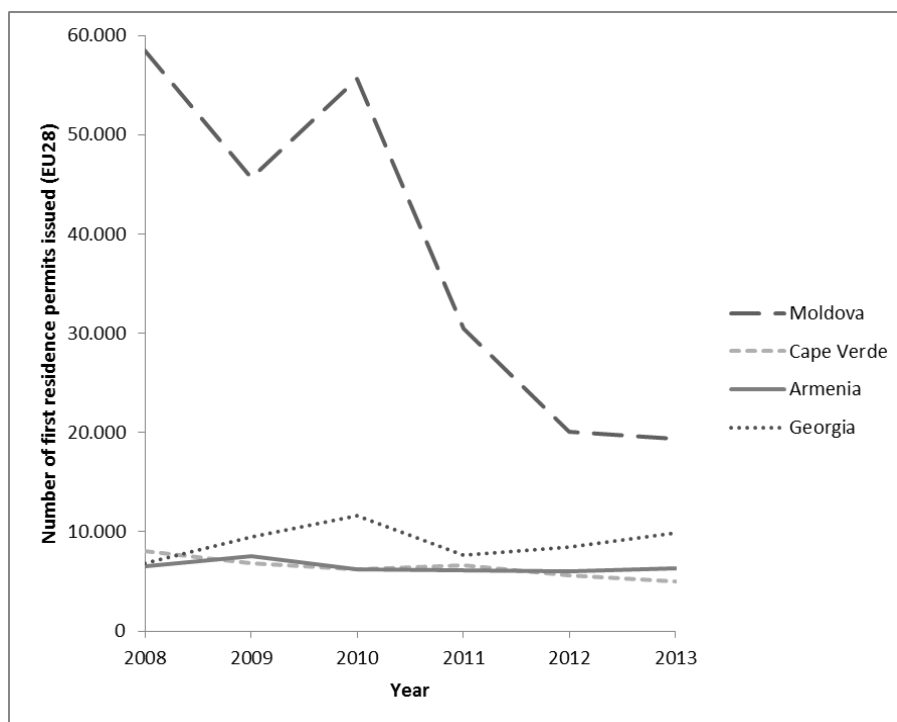
Figure 1. Number of residence permits issued by the EU 28 member states to citizens of Mobility Partnership countries (source: Eurostat). The data concerns residence permits issued for more than 3 months, for all purposes. Eurostat data is currently only available up to 2013; Morocco, Azerbaijan, Tunisia and Jordan are therefore not included, as their Mobility Partnerships were agreed in 2013 and 2014.
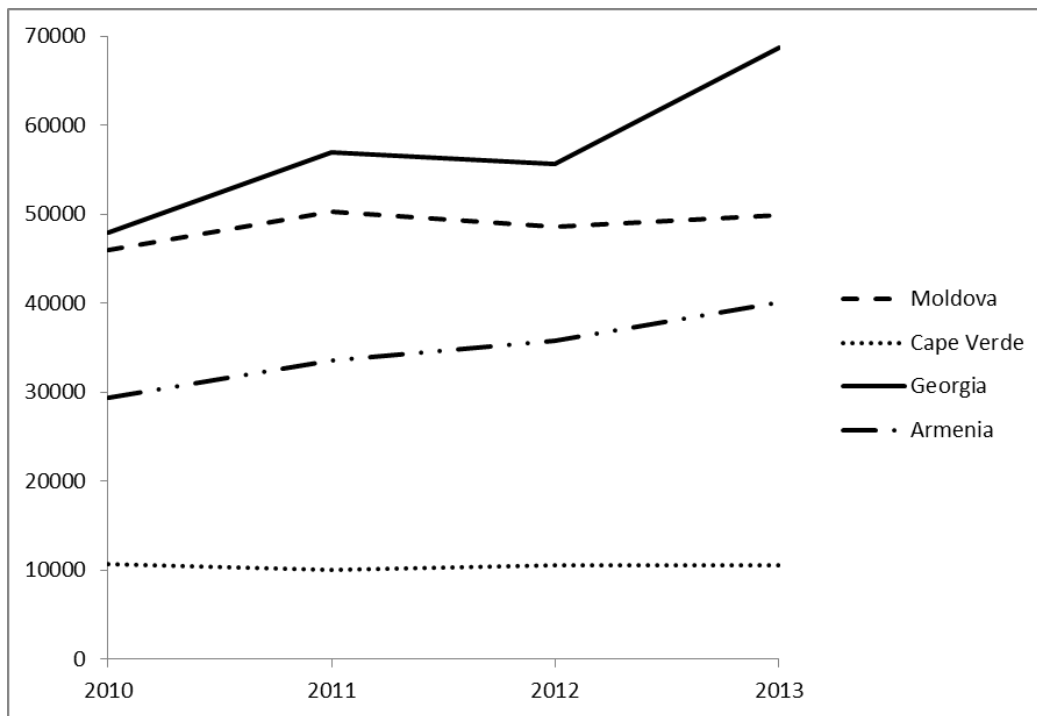
Figure 2. Number of short-stay visas issued to citizens of Mobility Partnership countries (source: Commission, http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/index_en.htm; author's own calculations). The data does not include the UK, Ireland or Croatia; data for Romania, Bulgaria and Cyprus is patchy; and the data concerns visas issued by location of member states' embassies, not according to citizenship of the person receiving the visa.

3. Defining and Assessing Implementation

It is important to firstly define what is meant by implementation. This is especially so given that some authors writing on EU external migration policy claim to analyse "implementation" whilst actually studying decision-making or policy-making. Wunderlich (2012, p. 1423), for instance, examines why Morocco and Ukraine "have agreed to co-operation on illegal migration", and highlights the concerns of Moroccan and Ukrainian actors concerning migration flows and the requirements of an EU readmission agreement. His analysis therefore concerns broader processes motivating these governments' decisions and relationship with the EU, but not how the implementation of specific projects is functioning. It may be difficult to draw a firm distinction between policy-making and policy implementation, as implementation processes feed into policy formation in an iterative process of feedback and evaluation (Hill & Hupe, 2002, p. 139; Nakamura, 1987). Nevertheless, this article differentiates between the process leading up to the signature of individual Mobility Partnerships (decision-making) and everything that happens afterwards (implementation).

The literature on the implementation of EU external migration policy to date is very limited. Wunderlich has adopted three different analytical approaches: following the work of Matland (1995) and focussing on the role of conflict and policy ambiguity in the imple-

mentation process (2013a); focussing on coherence between the objectives of different policy components (2013b); and following an organisational perspective which holds that implementation dynamics depend on the perception of the policy problem, the macro-political context, and organisational factors such as administrative capacity and overlap between existing organisational structures and policy objectives (2012). This article develops a comprehensive framework for assessing implementation dynamics, based on an extensive review of the public policy literature on implementation. It therefore brings together these and other factors for a broader view of implementation.

It is necessary to differentiate "implementation" from the notions of "impact" or "policy effectiveness". "Impact" refers to the consequences of a policy decision (i.e. "what happened") and 'implementation' refers to the dynamics and factors which explain programme performance (i.e. "why did it happen in this way"). Policy impact is therefore the extent to which policy objectives were achieved, and implementation studies examine the factors contributing to this realisation/non-realisation of policy objectives (Van Meter & Van Horn, 1975, p. 448). This article focuses on implementation dynamics.

The analytical framework in this article is based on the public policy literature, because the literature on EU compliance suffers from the problem that it has focussed extensively on the implementation of EU *legis-*

lation (e.g. Bursens, 2002; Hartlapp, 2007; Skjærseth & Wettestad, 2008). This is problematic for EU external migration policy for two main reasons: firstly, EU external migration policy is not based on legislation, and little of it is legally-binding (apart from readmission and visa facilitation agreements, which are international agreements). It is thus futile to look for evidence of member states adopting supportive national legislation. Secondly, focusing on EU legislation reduces implementation to an internal EU affair and a matter of the dynamics at play between the EU institutions and the member states, and within the member states' national administrations. Implementation of EU external migration policy, however, relies on non-EU countries, and their role must also be considered in order to reach a comprehensive understanding of implementation processes (Wunderlich, 2013a, p. 409).

The public policy literature on implementation has highlighted a number of factors required for successful policy implementation. These factors draw on both the top-down perspective (those factors that central policy-makers can control) and the bottom-up perspective (those factors outside the control of central policy-makers). Although the article does not engage with the "top-down versus bottom-up" debate within implementation research (see e.g. Matland, 1995), it draws mainly on the work of the scholars writing from the top-down perspective. This choice is made because the focus here is on a particular policy instrument (cf. Sabatier, 1986, p. 37).

Successful policy implementation depends firstly on the tractability of the problem being addressed: there must be a clear understanding of the link between the problem and the solutions which can address this problem, and existing practices causing the problem should not be diverse (Goggin, Bowman, Lester & O'Toole, 1990, p. 35; Sabatier & Mazmanian, 1980, pp. 541-544; Wunderlich, 2012, p. 1418).

Secondly, successful policy implementation is more likely if the new policy does not deviate substantially from previous policies: "incremental changes are more likely to engender a positive response than will drastic ones" (cf. Sabatier & Mazmanian, 1980, p. 543; Skjærseth & Wettestad, 2008, p. 277; Wunderlich, 2012, p. 1419; Van Meter & Van Horn, 1975, p. 458). Knill and Lenschow (2000, p. 32) refer to a "bounded space for innovation", which is the fine line between requiring "something, but not too much".

Thirdly, policy objectives which are clear and are ranked in terms of their relative importance are more likely to be successfully implemented (Goggin, Bowman, Lester & O'Toole, 1990, p. 35; Sabatier & Mazmanian, 1980, p. 545; Wunderlich, 2012). This is complicated for EU external migration policy because the various actors involved in implementation are likely to have different objectives and priorities (Wunderlich, 2013b, p. 28).

Fourthly, implementing agencies must have financial and organisational resources (meaning an adequate number of skilled staff) available to ensure successful implementation (Sabatier & Mazmanian, 1980, p. 545; Van Meter & Van Horn, 1975, p. 471).

Fifthly, successful implementation is more likely if implementing agencies are integrated in a single hierarchical structure (Sabatier & Mazmanian, 1980, p. 546; Van Meter & Van Horn, 1975, pp. 466-467). In political systems where multiple actors are in charge of implementing a single policy, "command from the centre, control by the centre, and obedience by those commanded and controlled" cannot be taken for granted (Ripley & Franklin, 1982, p. 188). This is not surprising given that these political systems (like the United States federal structure and the European Union) were designed to limit the authority of central government (Hill & Hupe, 2002, p. 72). The degree of hierarchical integration amongst implementing agencies depends on the number of actors who have the opportunity to prevent policy objectives being achieved, and on the availability of inducements and sanctions to ensure that actors act in accordance with policy objectives (Sabatier & Mazmanian, 1980, p. 546). These inducements/sanctions can take various forms: the threat of punishment for non-compliance; the transfer of knowledge and resources to actors facing difficulties complying; and persuading actors to change their underlying norms and values (Hartlapp, 2007). Sanctions and punishment are most effective when there is a direct hierarchical relationship between the two sets of actors concerned (Matland, 1995, p. 164).

Sixthly, the interests and motives of implementing officials affect the implementation process (Hill & Hupe, 2002, p. 152; Wunderlich, 2012, p. 1420). Implementation is more likely to be successful if implementing officials agree with the policy objectives. This can be ensured by their inclusion in the policy-making process (Sabatier & Mazmanian, 1980, p. 547; Van Meter & Van Horn, 1975, p. 459).

Finally, the context within which a policy is implemented matters. Economic, social and political conditions can all affect the public and political support for a policy. Changing socio-economic conditions can make the problem being addressed by the policy relatively less important, and thus decrease public and political support. Media attention affects the perception of importance of an issue; policies which receive sustained media coverage are more likely to be successfully implemented. Public opinion influences the political agenda, and so a policy which has high support amongst the public and is perceived as being highly salient is more likely to be successfully implemented. Interest groups and elites mobilising in favour of a policy also affect implementation (Goggin, Bowman, Lester & O'Toole, 1990, p. 39; Sabatier & Mazmanian, 1980, pp. 548-550; Van Meter & Van Horn, 1975, pp. 471-472).

Section 5 applies the framework outlined above in analysing implementation dynamics in EU Mobility Partnerships. The following section first explains the methodology underlying the article.

4. Methodology

Table 1 summarises the analytical framework by showing how each of the factors identified will be applied in the analysis in section 5. Given that this article represents an initial conceptual assessment of implementation dynamics in the Mobility Partnerships, the analysis is based mainly on secondary literature. It also relies on documents by the Commission and Council, particularly the 2007 Commission communication on Mobility Partnerships, the 2009 Commission evaluation of the Mobility Partnerships, and the texts of the individual partnerships. These are the main policy documents relating to the Mobility Partnerships which are publically available.

Table 1. Operationalisation of the analytical framework.

Factor for successful implementation	Definition
Tractability of the problem	Clear understanding of the link between the problem and the solutions Existing practices causing the problem are not diverse
Nature of change required	Policy does not deviate substantially from previous policies
Clarity of policy objectives	Policy objectives are clear Policy objectives are ranked in terms of relative importance
Financial and organisational resources for implementation	Adequate financial means for implementation Adequate number of skilled staff for implementation
Relationship between implementing agencies	One actor can force another to act in a certain way, through sanctions/inducements
Disposition of implementing officials	Implementing officials agree with policy objectives Implementing officials have been included in the policy-making process
Implementation context	Socio-economic conditions are favourable Sustained media coverage of the policy Public opinion is favourable Interest groups and elites mobilise in favour of the policy

5. Implementation Dynamics in EU Mobility Partnerships

5.1. Tractability of the Problem

An analysis of EU policy documents suggests that, at least within the EU, there is a clear understanding that the problem to be addressed is the management of migration flows to the EU, and the solution to this problem is cooperation with non-EU countries. Since the early 2000s, EU policy documents argue that cooperation with non-EU countries is the key to preventing irregular migration to the EU (e.g. Commission, 2001), and that such cooperation needs to be incentivised, for instance by linking the signature of readmission agreements to visa facilitation agreements (Council, 2005). However, it is not clear that non-EU countries share this view. Cooperating with the EU on the prevention of irregular migration may be coupled with high social, political and economic costs (Coleman, 2009; Ellermann, 2008; Weinar, 2011). For non-EU countries the issue is not one of preventing irregular emigration, but rather about securing better access for their citizens to EU territory.

Existing practices by member states in the area of external migration policy are diverse. France, for instance, has signed agreements with non-EU countries on the management of migration flows, which are very similar to Mobility Partnerships in that they encompass legal migration, visas, readmission, police cooperation, reintegration, and development (European Migration Network, 2010a, p. 45). The Austrian government, on the other hand, implements assisted voluntary return programmes and information campaigns about the dangers of irregular migration (European Migration Network, 2010b), but does not facilitate temporary or circular migration to Austria due to the experiences with the guest-worker schemes in the 1960s and 1970s. Whilst the literature on implementation suggests that such diversity will negatively affect policy implementation, the voluntary nature of the Mobility Partnerships mitigate this: member states whose existing policy practices do not match well with the Mobility Partnership approach can simply choose not to participate, as is the case with Austria (Reslow, 2013).

5.2. Nature of Change Required

Mobility Partnerships sit at the crossroads of migration policy and foreign policy. These two policy areas are politically sensitive and important to state sovereignty. Control over entry into a country's territory "is often seen as one of the last bastions of national sovereignty" (Lavenex, 2011, p. 2). EU migration policy is filled with caveats, particularly references to member states' continued competence on entry and residence of third-country nationals (see e.g. article 1(b) of the Single

Permit Directive). Foreign policy is at the core of national sovereignty, and although member states conduct a significant amount of their foreign policy objectives through the EU context, they maintain their own distinct priorities, preferences, and privileged relationships with individual non-EU countries.

A policy instrument requiring *any* change in this nexus between migration policy and foreign policy might then be expected to engender opposition. The overall objective of the Mobility Partnerships to enhance migration opportunities for citizens of the non-EU country concerned certainly does not seem to fit well with the tendency by most member states towards restrictive immigration policies. However, Mobility Partnerships do not in reality *require* all that much change by member states, given their voluntary nature. Member states are free in their choice of which projects to propose; indeed, despite the overall aim of the Mobility Partnerships to combine cooperation on irregular and legal migration, the Mobility Partnerships with Moldova, Cape Verde and Georgia did not include many projects aiming to create new channels of migration (Reslow, 2013, p. 138).

A separate issue concerns the nature of change required by the other partner in the implementation process, namely the non-EU country concerned. This will depend on the particular non-EU country. The most onerous requirement associated with a Mobility Partnership is the signature of a readmission agreement. However, with some non-EU countries (like Moldova) a readmission agreement already exists before the signature of a Mobility Partnership. The change required for such a country will be less than for a country (like Morocco) that has been in arduous, drawn-out negotiations with the EU over a readmission agreement for several years.

5.3. Clarity of Policy Objectives

Although the overall objective of the Mobility Partnerships—better legal migration opportunities for non-EU countries that commit themselves to cooperating with the EU on preventing irregular migration—is relatively unambiguous, the Commission communication lists many possible types of projects that could fall under a Mobility Partnership (see Commission, 2007, pp. 4-8). The communication is also rather vague regarding the legal nature of Mobility Partnerships, stating only that they "will necessarily have a complex legal nature" (p. 3). It does not rank the different types of projects in terms of their relative importance, and does not assign more weight to either the commitments by non-EU countries on irregular migration or the commitments by member states on legal migration.

The clarity of policy objectives is further compromised by the preamble to each individual Mobility Partnership, which states the aims of cooperation. A Mobility Partnership is always linked to the existing frameworks of cooperation, and this differs amongst non-EU countries. In other words, the framing of a Mobility Partnership is not fixed but depends on the particular non-EU country concerned. In addition, the first Mobility Partnerships did not include asylum as one of the pillars of cooperation (e.g. Council, 2008), but the later Mobility Partnerships do (e.g. Council, 2013). Overall then, the specific policy objectives are too numerous and potentially competing to be defined as "clear". When the sub-goals of a policy are so numerous and varied, disagreement over implementation is likely to arise between actors with different training (Matland, 1995, p. 169). In the case of the Mobility Partnerships, civil servants in interior/justice ministries are likely to have different proposals for implementation than civil servants in foreign ministries (see e.g. Pawlak, 2009, p. 37).

5.4. Financial and Organisational Resources Available for Implementation

A consideration of the financial and organisational resources available for implementation must take place across three levels: the EU, the member states, and the non-EU country concerned. For the EU level, answers need to be sought across a number of institutional settings. In terms of financial resources, the 2014 work programme of the EU's Asylum, Migration and Integration Fund set aside €3 million specifically to support the implementation of the Mobility Partnerships, focussing on Azerbaijan, Morocco, Jordan and Tunisia (Commission, 2014b, p. 11). However, funding for the projects carried out within Mobility Partnerships can also come from one of the frameworks for cooperation with the partner countries concerned, such as the European Neighbourhood Instrument or the EU's development cooperation budget. In terms of organisational resources, DG Migration and Home Affairs plays the central role. The Commission's organisational capacity on migration has certainly increased: from only a small task force working on justice and home affairs matters prior to 1999 (Lavenex, 2009, p. 259), to the creation of DG JLS, and the later separation into what is now DG Migration and Home Affairs, with a staff of 275 on 1 January 2014 and 295 on 1 February 2015 (Commission, 2015b; 2014c). The European External Action Service has also become an important actor in EU external migration policy, particularly because it controls the EU delegations which play an important role in monitoring implementation of Mobility Partnerships. However, EU officials on the ground "are not necessarily initially well-informed and equipped to follow-up on intensified and increased activities on migration in the partner country or to ensure their articulation with already existing activities in that field" (Commission, 2009a, p. 6).

Member states and non-EU countries have differ-

ent resources available for implementing Mobility Partnerships, and it is difficult to draw universal conclusions about these capacities. In small member states with small administrations, one individual civil servant might be responsible for a number of tasks which in a larger member state would be shared between several people (cf. Engelmann, 2015, p. 211). In newer member states, where migration as a policy area is a relatively new phenomenon, experience and expertise might be lacking (p. 129). Several member states participating in Mobility Partnerships face the problem that they are not represented locally by an embassy in the country concerned (Lavenex & Stucky, 2011, p. 136). However, it is not the case that only large/old member states are choosing to join the Mobility Partnerships; for example, in the Mobility Partnership with Azerbaijan, participating member states include Bulgaria, the Czech Republic, Lithuania, Poland, Slovenia and Slovakia (Council, 2013). Future research should establish whether there is a causal link between member states' organisational capacity and implementation of the Mobility Partnerships.

It is equally difficult to come to a general conclusion regarding non-EU countries. Empirical research has shown that both Cape Verde (which signed a Mobility Partnership) and Senegal (which refused to sign a Mobility Partnership) have limited organisational capacity in the area of migration: competence is shared between several ministries, with little inter-ministerial communication or coordination. It has been shown that this did not affect these countries' preferences on whether or not to participate in the Mobility Partnerships (Reslow, 2012); however, the literature on implementation suggests this limited organisational capacity will negatively affect implementation.

5.5. Relationship between Implementing Agencies

Three sets of actors are involved in making and implementing EU external migration policy: the EU, the member states, and the non-EU countries. However, these actors are not integrated in a single hierarchical structure. The relationship between the EU institutions and the EU member states is determined by the nature of the policy area: competence for both migration policy and foreign policy is shared between the EU and the member states. The Mobility Partnerships are not legally binding international agreements, but rather political declarations (Commission, 2009a, p. 4). This has meant that the Commission has been unable to force member states to implement the partnerships in a certain way. For instance, Commission officials favour multilateral projects over bilateral initiatives, and the funding allocated to Mobility Partnerships under the thematic programme for cooperation with non-EU countries in the areas of migration and asylum was partly conditional on partnership between member

states (Commission, 2009b, p. 10). This inducement has not been sufficient, as the Mobility Partnerships are dominated by bilateral projects (Reslow, 2013, p. 137). In theory, the scoreboards might serve a "naming and shaming" function; however instances of projects being duplicated imply that member states' officials do not pay too close attention to the scoreboards (p. 237).

The relationship between the EU and the non-EU country is more difficult to characterise, and depends on the particular non-EU country concerned. Countries in the EU's immediate neighbourhood with deep ties to the EU through several frameworks (such as the European Neighbourhood Policy) have more of a stake, including financially, in cooperation with the EU (cf. Wunderlich, 2012). By contrast, countries further away with less well-developed relations with the EU or for which cooperation with the EU is not a domestic priority, may be less inclined to participate in the Mobility Partnerships (see e.g. Chou & Gibert [2012] on the case of Senegal). The implementation of Mobility Partnerships is overseen by local cooperation platforms, bringing together representatives of the government of the non-EU country, member states' embassies, and the EU delegation (Commission, 2009a, p. 6). An examination of the nature of the interactions within these cooperation platforms would increase our understanding of the relationship between the actors in the Mobility Partnerships.

5.6. Disposition of Implementing Officials

As indicated above, three sets of actors are involved in implementing the Mobility Partnerships. Their dispositions towards this policy instrument are likely to be very different. As the idea originated in the European Commission, officials in DG Migration and Home Affairs can be expected to view Mobility Partnerships positively. The Commission has long emphasised the need to offer non-EU countries a real incentive in return for their cooperation on preventing irregular migration, and this is what the Mobility Partnerships aim to do. DG Home maintains the scoreboards and has a coordinating role in the implementation of the partnerships. However, the position of the European External Action Service (EEAS) should also be considered, as the EU delegations (which fall under the EEAS) play a key role in the local cooperation platforms that oversee implementation. Boswell (2003) argues that the former DG for Justice, Freedom and Security had very different priorities in relation to external migration policy than did the DGs for external relations and development. The same argument has been made with regard to national administrations: whereas interior ministries are "inward-looking" and might seek to prevent entry to the national territory through the signature of readmission agreements, foreign ministries might view such agreements suspiciously because they spoil good dip-

lomatic relations (Pawlak, 2009; Van Selm, 2005). The EEAS emphasises the need to see the positive contributions of migration (EEAS, n.d.), but further research is required to uncover officials' true disposition.

The voluntary nature of the Mobility Partnerships, although potentially problematic in some respects (see e.g. section 4.5), may be linked to a positive disposition of implementing officials towards the policy instrument. Member states that participate have voluntarily signed up to do so, and have been included in the policy-making process (see Reslow, 2013). In many cases the projects implemented under Mobility Partnerships are not new; rather member states have rephrased existing initiatives that they would have carried out anyway (pp. 136-137). While this may not be very ambitious (cf. Skjærseth & Wettestad, 2008), it ensures member states' commitment to these projects. On the other hand, given the initial lack of clarity over the nature and aims of the Mobility Partnerships (see section 4.3 above), it is possible that some member states signed up to participate without fully understanding the consequences of this. Future research should try to establish links between officials' dispositions in the decision-making stage and actual implementation process.

Despite having signed up to the Mobility Partnerships, empirical research has shown that officials in non-EU countries are not necessarily positive about all aspects of this policy instrument. Cape Verdean government officials, for instance, were critical of the pressure put on them to sign the readmission agreement, because it makes them responsible for readmitting migrants who have merely transited through Cape Verde on their way to the EU (Reslow, 2013, pp. 207-209). Given that a Mobility Partnership encompasses various types of projects, covering all pillars of the Global Approach to Migration and Mobility, implementation success will likely differ depending on the contents of the projects.

5.7. Implementation Context

Economic, social and political conditions can all affect the public and political support for a policy. The Commission communication on Mobility Partnerships makes clear that "mechanisms to facilitate economic migration should be based on the labour needs of interested member states, as assessed by them" (Commission, 2007, p. 5). The economic crisis in Europe, which took hold just as the first Mobility Partnerships started to be signed, led to many EU member states making immigration policy more restrictive, clamping down on irregular migration, and encouraging return migration (e.g. IOM, 2010; Kuptsch, 2012). In addition, the Commission communication stresses that projects within Mobility Partnerships will respect the legal principle of preference for EU citizens (Commission, 2007, p. 5). The Mobility Partnerships are therefore being implemented in un-

favourable circumstances, as these socio-economic conditions are not conducive to the creation of new channels of immigration from non-EU countries.

The Mobility Partnerships link two issues: irregular migration, and legal immigration. There is plenty of media coverage of the problem of irregular migration at Europe's borders, with recent coverage focusing on the fate of migrants who get into trouble in the Mediterranean Sea (see e.g. EUObserver, 2015; The Guardian, 2015). However, legal migration is not mentioned as a solution to this problem. In fact, immigration from outside the EU is often negatively portrayed (see e.g. De Telegraaf, 2010; Jyllands-Posten, 2014), and recently the free movement of EU citizens has even been called into question (e.g. Financial Times, 2013). There has been no media coverage of the Mobility Partnerships in EU member states.

As there has been no media coverage of the Mobility Partnerships and no public communication about this policy instrument by either the Commission or member states' governments, there is no public knowledge of this policy instrument, making it impossible to judge public opinion. Public opinion on irregular migration and legal immigration in general, however, may be a useful proxy measure. It is clear that many Europeans are sceptical about immigration from non-EU countries (e.g. Eurobarometer, 2012, p. 20; Pew Research Center, 2014), and even about free movement of EU citizens (e.g. Migration Watch UK, 2014).

In non-EU countries, public opposition can be expected to the commitments on irregular migration contained in a Mobility Partnership, in particular the requirement to sign a readmission agreement. In Senegal, for example, a readmission agreement that had been agreed with Switzerland was not submitted to the parliament for ratification due to intense public opposition (Ellermann, 2008, p. 168). However, governments armed with the knowledge of negative public opinion can choose not to sign a Mobility Partnership in the first place. The voluntary nature of this policy instrument may thus have a positive effect on the implementation process. Future research should examine the nature of public opinion in non-EU countries that have agreed to a Mobility Partnership.

The mobilisation of interest groups and elites has been shown to be a deciding factor in the decision-making process on Mobility Partnerships (Reslow, 2013). However, no general conclusion can be drawn in this respect as elites' positions vary across countries: the French government, for instance, was very committed to getting this new policy instrument off the ground, whilst the Austrian government was concerned that Mobility Partnerships resembled the old guest-worker schemes and therefore vigorously opposed them at EU level. Even within a single member state, elites may be up against one another: in the Netherlands (which has joined some of the Mobility Partner-

ships), the Ministry of Social Affairs and Employment was opposed to participation, but could not prevent it in the face of support from the Ministries of Foreign Affairs and Justice. The question of how the implementation process functions in countries where elites are divided is a highly pertinent one for future research on the Mobility Partnerships.

6. Conclusion

This article has provided an initial conceptual assessment of implementation dynamics in EU Mobility Partnerships. Certainly there are potential obstacles to successful implementation, particularly the ambiguous nature of the policy objectives, the lack of hierarchical integration between implementing agencies, and the unfavourable political, economic and social conditions within which implementation is taking place. There are also several unknowns: a future research agenda on implementation of EU external migration policy should focus on the disposition of implementing officials, the nature of public opinion, and the interactions between the actors involved in implementation. The analysis furthermore found that the voluntary nature of the Mobility Partnership instrument may eliminate some of the obstacles identified by the implementation literature, in particular in the member states. Member states choose to participate in a Mobility Partnership and have been included in the policy-making process. They are also free to suggest projects for implementation. Implementing officials might therefore be expected to have a positive disposition towards this policy instrument. This implies that some of the assumptions derived from the public policy literature on implementation may not hold true for "new" policy tools, which incorporate some degree of flexibility or voluntary participation. Scholars studying the implementation of EU external migration policy or other intergovernmental policy areas will need to adapt standard analytical frameworks in order to accurately capture implementation processes.

The analysis showed that implementation may depend on the specific non-EU country concerned, and the type of project being implemented. EU external migration policy includes cooperation on return and readmission, and therefore makes non-EU countries responsible for dealing with migrants. However, international organisations, NGOs and journalists have raised concerns about the treatment of migrants by some countries with which the EU cooperates (see e.g. IRIN, 2015 on the situation in Morocco). The question therefore is whether successful implementation of policy instruments such as the Mobility Partnerships is actually desirable? Future research on implementation of EU external migration policy should take this normative dimension into account by adopting a critical and human rights-centred approach to the issue.

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Conflict of Interests

The author declares no conflict of interests.

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Editorial

Analyzing the EU Refugee Crisis: Humanity, Heritage and Responsibility to Protect

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1. Introduction

2015 has shaken the EU to its core. Hard upon the heels of geopolitical upheavals in Ukraine, as well as internal battles to define both Eurozone and energy governance, the refugee crisis has prompted a sober reckoning of the EU's competence and its humanity. With an increasing number of articles and Special Issues in *Politics and Governance* focusing upon key aspects of the EU as both a political actor, and a source of governance, our autumn 2015 editorial looks briefly at the significance of the refugee crisis in the context of the EU's current response and future options.

It is difficult to write dispassionately about crises. Crises prompt anxiety about their cause, alarm about their impact and ongoing unease about an appropriate policy response. In responding to a crisis, the term 'policy' suggests a measured, synthesizing stance brought effectively to bear upon the salient parts of a given problem. Championed by a given political actor, and operationalised as a form of governance, policy responses have the potential to be focused, swift, targeted and effective. If only it were so easy in practice.

Political responses to the crises within the Union have accordingly been largely crafted on national, rather than Union perspectives. British PM David Cameron for instance viewed the issue through the lenses of unemployed migrants and alleged claimant abuses within the British welfare system. His French and German counterparts meanwhile responded on the basis of their traditional view of EU and non-EU immigrants as overall net contributors to the welfare system, and ultimately a cultural positive. Even starker contrasts were witnessed as the crisis wore on. In his State of the Union speech, European Commission President Jean-Claude Juncker argued that the vast majority of the 500,000 refugees heading to Europe were 'fleeing from war in Syria, the terror of the Islamic State in Libya or dictatorship in Eritrea', targeting Greece, Hungary and Italy (Juncker, 2015). In contrast to the razorwire-inspired, proto-patriotic response of Hungarian President Viktor Orban, replete with alarmist imagery of migrants breaking down the doors of Europe, Juncker argued credibly that it was 'time for bold, determined and concerted action by the European Union, by its institutions and by all its Member States.' Juncker's argument was clear enough. Despite having become a victim of its own success, the Nobel-prize winning EU needs to rethink the practical implications of operating as a normative, ethical power. Juncker's words are worth revisiting at some length:

This is first of all a matter of humanity and of hu-

man dignity. And for Europe it is also a matter of historical fairness. We Europeans should remember well that Europe is a continent where nearly everyone has at one time *been a refugee*. Our common history is marked by millions of Europeans fleeing from religious or political persecution, from war, dictatorship, or oppression….Have we really forgotten that after the devastation of the Second World War, 60 million people were refugees in Europe? That as a result of this terrible European experience, a global protection regime—the 1951 Geneva Convention on the status of refugees—was established to grant refuge to those who jumped the walls in Europe to escape from war and totalitarian oppression?….Yet, in spite of our fragility, our self-perceived weaknesses, today it is Europe that is sought as a place of refuge and exile. It is Europe today that represents a beacon of hope, a haven of stability in the eyes of women and men in the Middle East and in Africa. That is something to be proud of and not something to fear. (Juncker, 2015, italics added)

Here too, imagery is key, largely because of the categories that arise in attempting to bring order to a crisis, and which subsequently play a key mode in constructing policy responses. Refugees and 'genuine' asylum-seekers from visibly volatile states inhabit one end of the 'refugee crisis' while demographic and market imbalances producing economic migrants have created the 'migration crisis'. The former are to be afforded protection because the arbitrary and violent nature of their home states cannot. The latter, at the mercy of general economic disparities rather than outright persecution, cannot - at least in multitudinous form - yet be guaranteed entry, or possibly even assistance. To some, these are specious distinctions; to others, the basis for an emergent if piecemeal European Agenda on Migration. This Agenda, on the basis of the European Commission's Second Implementation Package proposes—inter alia—a new crisis relocation mechanism, additional funding, reception centres, and amending a 2013 regulation 'establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third country national or a stateless person' (European Economic and Social Committee, 2015).

Is this good enough? Indeed, it is quite simply: enough? Observing the lack of agreement amongst EU member states, the inaction of the European Union itself, and the increasingly negative tone of political debates in various national media against refugees and migrants alike, one must ask what form current and future refugee crises will take, the nature of the demographic volatilities that give rise to them, and critically, the legal and ethical responsibilities of the EU. At a basic level, the migration crisis is no different from the myriad policy challenges that have arisen in the past few years; i.e. it illustrates once again the EU's limita-

tions to jointly perceive problems in common and respond collectively. Problems in recognizing the intrinsic limits of 'Europe' and the necessity for a Union-wide response occur when the most sensitive aspects of Member States are at stake: their sovereignty, their borders, and their identity. For better or worse, migration challenges EU Member States to act as a group, generating zero-sum responses about their *quantitative* ability to economically support migrations, and exclusivist logic about their *qualitative* power to socially integrate migrants, regardless of their economic or asylum-based needs.

The EU's obligations are better understood by appreciating the complications of its own neighbourhood. Externally, the migration of entire communities toward Europe is traceable to roughly half a dozen key sources: (1) ongoing post-Arab Spring volatilities in North Africa; (2) the current failed state of post-intervention Libya; (3) the political and environmental consequences of Sahel-based fundamentalism upon North and East Africa; (4) the ongoing upheavals of the Middle East; (5) uneven post-conflict settlement in Afghanistan; (6) the impact of the Syrian civil war; and (6) recent ISIS incursions into Syria and Iraq. Much of this volatility predates the EU's own foreign policy structure, outflanks its limited strategic depth and is attributable to American and coalition-based incursions that have been more than a decade in the making. However, the demographic outcomes are increasingly and materially felt by the EU alone.

The 2015 EU Strategic Review, entitled *The European Union in a changing global environment: A more connected, contested and complex world* (forming part of the 2016 Global Strategy composed by the High Representative for Foreign Affairs and Security Policy Federica Mogherini) acknowledges that Europe's challenging global environment, in which 'fragile states and ungoverned spaces' have produced suffering, 'instability and violence…poverty, lawlessness, corruption and conflict-ridden electoral politics' resulting in the displacement of 50 million people (European External Action Service, 2015).

As described by the Strategic Review, the contrast between war-torn regions and the relative safety of the EU could not be more stark. The European Union has transformed from being merely alluringly hearth-like for economic migrants to the only remaining safe haven within reach for political refugees. Regardless of the cause, migrants collectively leave homes, property, livelihoods and family to undertake the grim risks associated with trafficking across both land and sea, and the ensuing vulnerability of fending for themselves upon arrival in an EU Member State. Those who survive then enter both a legal purgatory, and the absurdity of Europe's charitable resentment.

The fallout of Europe's neighbourhood, and the collateral damage in human terms has been a clear trend

for the better part of five years; clear enough for key EU policy documents to identify it. Yet this summer, Europe delayed. Abstained. Waited. For death tolls to rise; for collective tragedies to break upon European shores; for localized dramas between the UK and France to herald a wider pressure against southern and central eastern states. From within and without, EU policy on migration appeared inadmissibly tardy and inexcusably inhumane. In the plaintive tones of the *New York Times*: 'It may seem quaint to recall the European Union's ideals; it is also necessary to its survival. Where is the statesman's voice that rises above the pusillanimous chorus of petty calculation and self-regard?' (Cohen, 2015). Only German's Chancellor Merkel appeared to grasp the humanity amidst the severity, the grief amidst the gravity. The European Union 'does not have the luxury of turning inwards', asserts the 2015 *Strategic Review*, and yet the EU still divides its perspective between 'a responsibility to protect our citizens' and a need to promote 'our interest and universal values' which, alongside European prosperity, are precisely the magnets transforming Europe into the sole safe haven for hundreds of thousands (European External Action Service, 2015).

What the 2015 *Strategic Review* suggests, and what Juncker asserted is roughly one and the same. Europe's heritage seems firmly established, yet its present humanity is in doubt. From a legal perspective, a key source of this rupture is the translation of essentially ethnocentric norms of human rights, rule of law, democracy and good governance into operable standards of behavior, specifically within Europe's own neighbourhood. Despite the soft power attraction inherent in enlargement, and the attempts by its lacklustre successor, the European Neighbourhood Policy, EU norms have ironically proved robust enough to help source post-war international law, but not attractive enough to transform the political outlook of its neighbourhood. Rather than the ring of 'well governed countries' that Javier Solana espoused in the 2003 European Security Strategy, post-enlargement regional upheavals in North Africa, the Middle East and Eastern Europe have thwarted both bilateral and multilateral attempts by the EU to establish a settled neighborhood on the principle of 'enlargement lite'. Instead of strategies to reduce conflict and mitigate insecurity, neither the ENP nor its core value-set have worked to transform any of the neighbourhood states, at least according to the ENP's initial template of governance. Instead, a combination of cultural specificity preventing a common interpretation of those norms, and national and fundamental upsurges inhibiting their implementation has marked the entire region.

For those who see the ENP as a form of remote-control foreign policy designed to prevent volatility and migratory shockwaves from spreading, then European humanity came instrumentally adrift from its heritage the moment the policy was launched. For those who

regarded the ENP as a long-term, incentive-driven form of variable integration, the norms designed to level the political, economic and civil society playing fields eroded more slowly, seeping away with each iteration that transformed itself, rather than its neighbours, from the principle of 'more for more' to a guarantee of 'less for less'.

Civilizationally, the ethical responsibility of the EU is to move from its Westphalian heritage to spreading the lessons of both World Wars. This requires transforming *communitarian* structures in which national communities remain purely coextensive with their borders, and retain exclusivist policy attitudes to *cosmopolitan* structures in which the ethical significance of key norms strikes a balance with state autonomy internally and externally condone general standards of justice, fairness and moral reasonableness. The transcendence of political statism through normative community, in other words. By dint of institutional, legal, economic and political integration, many aspects of EU governance have now transformed statist perspectives to cosmopolitan structures. We have also seen slow but perceptible shifts from exclusivist interpretations of sovereignty to the establishment of international society upon the basis of law, the maintenance and pursuit of peace and the common goals of a social life: the central elements identified by international relations scholar Hedley Bull (1977) regarding the morality of contemporary states. From this perspective, despite the EU's failure to support key neighbourhood states or support their societies during post-war turbulence, the EU has an established record in terms of uploading its normative heritage to the international level, both as a key member of the international community, and as a central player in the construction of key aspects of post-war international law. The EU is therefore identified and indeed appreciated as a normative actor, with a strong reputation for supporting key values, specifically democracy and human rights. The difficulty of course is how to go beyond the technical, diplomatic economic support of values, and construct policies that actually *establish* rather than *espouse* value-based reforms. Human rights, for instance remains the responsibility of every state as confirmed by the International Commission on Intervention and State Sovereignty (ICISS), which from 2001 has promulgated the principle of state-led humanitarian intervention and democracy restoration known as the 'responsibility to protect' (Council on Foreign Relations, 2001).

In this respect, the problem for the EU (as for other cosmopolitan actors) is the observance and enforcement of human rights in the face of breaches. As suggested in the Commission's report on *The Responsibility to Protect* (International Commission on Intervention and State Sovereignty, 2001), enforcement is itself a right, particularly where breaches entail crimes against humanity, war crimes, crimes of aggression, and the crime of genocide. While the ability, and

indeed the *ex ante* responsibility to prevent such crimes has yet to be established beyond episodic modes of international behavior, the *ex post* responsibility to afford a duty of care to those affected by way of post-conflict protection and reconstruction remains ironically both opaque and obligatory. Such responsibilities are essential, whether intervention has destroyed infrastructure and livelihoods, *or* whether the complete absence of assistance has forced countless communities to relocate. The irony is that for the EU, while norms are deeply embedded (if somewhat unevenly upheld) in its domestic makeup, the humanitarian obligations that flow from the observance of these same norms in its neighbourhood contexts are not yet evenly implemented.

Is this simply because the neighbourhood remains fundamentally outside, quintessentially beyond the EU, rather than a fundamental part of the context by which the Union is at once constructed and in the process of constructing? A neighbourhood that is associated with the Union, but not yet of Europe, and consequently entailing differential, but fundamentally *different* treatment? While its intervention in the Balkans is largely a positive story of post-conflict reconstruction and support, EU assistance in states that have for more than a decade fallen within strategic contours of its own European Neighbourhood Policy has been lackluster at best and non-existent at worst. Georgia and Ukraine in the east, Lebanon and Syria in the Middle East, Libya and Egypt in North Africa all exemplify areas where the EU, and other key powers have simply defaulted in their responsibility to protect and rebuild. Bottom-up, civil society-based resilience remains preferable to top-down political support (or resistance), the prevalent strategy being to keep out of conflicts and supporting foreign policy protagonists at arm's length (e.g. Palestine, the Kurds, much of the Ukraine and the majority of civil society in ENP states).

The problem with this approach is twofold. First, one abdicates responsibility for tackling the proximate problem directly. True, the appetite and political will to bring an antagonist to ground is frequently in abeyance. The consequences for failing to do so however, are anything but: protracted inaction permit state-based tyrannies to operate with impunity, while repressive non-state regimes like ISIS to expand their reach rapaciously. Second, in abjuring responsibility to tackle (or even to unequivocally name) the initial cause of a conflict, it is alarmingly easy to then neglect the remote, *ex post* consequences of affording protection to the human communities living within, or shifting desperately to avoid a given conflict. Having deflected the responsibility to engage in any significant way (or in any particular geopolitical combination), with much of the above-mentioned causes of neighborhood upheaval, Europe is now experiencing the consequences of precisely this omission in the form of massive refugee flows. The second omission, that of failing to fulfill even

a basic responsibility to protect societies within those countries most at risk of demographic upheaval has this summer led to a third infraction: neglecting to afford a collective duty of care to the refugees fleeing as a direct response of inaction and lack of assistance by key global actors, including the EU. In instances where return is impossible, either in the short or long term, the *responsibility to rebuild* must at a minimum be replaced by the *responsibility to receive*, preferably as an accepted component of EU foreign policy if not as a principle of international law.

While moral rightness and legality remain on different footings, the majority of national legislation, including the EU's proposed migration mechanisms fall far short of their ethical responsibilities. To remedy such problems, the legal philosopher, Gustaf Radbruch, has suggested that preference be 'given to the positive law, duly and secured by state power as it is, even when it is unjust and of no benefit to the people, *unless its conflict with justice* reaches so intolerable a level that the statute becomes, in effect, 'false law' and must therefore yield to justice (Radbruch, 1946; Radbruch as cited in Paulson, 1995). Within the context of the refugee crisis, one may well conclude that the EU, and its Member States are facing precisely this challenge: injustice and human suffering are indeed reaching intolerable levels, thus the present legal corpus must somehow yield to the principled and justiciable needs of humanity.

In terms of immediate policy change, as well as future types of governance, the ENP is surely in need of radical overhaul if it is to guarantee the continuity of EU stability internally, and neighbourhood security externally. The ENP remains the most paradoxical of all EU foreign policies: designed to domestic its foreign neighbourhood precisely by denying the domesticating influence of full accession; the promise of EU partnership but based on the partner's own promises. Having signally failed to make good the principle of neighbour, partner or even associate, the EU is being forced to internalize the external pressure of refugees and migrants in both practical and cultural terms. The ENP however was not designed as a regional preventative but rather an incentive-driven package. Despite this, while much local and regional upheaval could not have been prevented, its causes, and certainly its effects in societal terms, could have been predicted. Even its most recent appraisal acknowledges that the 'ENP has not always been able to offer adequate responses to these recent developments, nor to the changing aspirations of our partners. Therefore, the EU's own interests have not been fully served either' (High Representative of the European Union for Foreign Affairs and Security Policies, 2015).

What is therefore crucial for the political actor of the EU, and its subsequent governance of the neighbourhood, is that the next overhaul of the ENP is (1) clear from the outset about the migratory shifts that will become a staple of Europe's neighbourhood for

decades to come; (2) offer rationalized Union-based support to refugees in transit and upon arrival of all stripes; and (3) targeted responses based on the responsibility to protect and rebuild in the absence of, but preferably in counterpart with substantive political interventions. European leaders have so far failed to recognize, in the words of the late Tony Judt, 'how much change was needed if you wished to keep the important things as they were'; the challenge therefore being to strike a balance between the possible and the necessary (Judt & Snyder, p. 7). Some acknowledgment of the possible tools needed to ensure the necessary result is found in the above-mentioned Strategic Review, in which 'redoubling commitment to our European neighbours' provides a range of options, all bent on promoting structural economic and positive political reform 'through credible policies of integration and association' (European External Action Service, 2015). The next step however is to ensure that the suggestions in this report, and those in the 2016 EU Global Strategy obtain materially as policy tools that are practical to deploy and efficient to run in ENP partner states, specifically in terms of conflict resolution, and cross-border migratory issues.

Failing to do so will not only deepen the refugee crisis, it will relegate the ENP from being merely discredited to emphatically deceased. If humanity is to actively determine the nature of European governance, rather than passively reflecting its heritage, then Juncker's State of the Union admonition is crucial: 'We Europeans should know and should never forget why giving refuge and complying with the fundamental right to asylum is so important. I have said in the past that we are too seldom proud of our European heritage and our European project' (Juncker, 2015). While for many, the EU remains 'the dullest miracle on earth', it is also the single greatest achievement of one of the most war-torn centuries in human history (Cohen, 2015). In advancing a migratory policy that is both ethical and utilitarian, the EU now needs to realign its internal odyssey with its regional destiny.

Conflict of Interests

The authors declare no conflict of interests.

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