



**Top-down and bottom-up perspectives on EU
public policy implementation:
the institutional challenges for biodiversity
and water governance**

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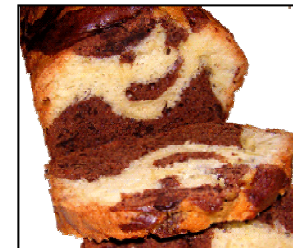
The social science perspective



- Social and political phenomena are inherently complex – as nature!
- Social science theories propose generalizations, e.g. about effects, causes and linkages
- Various theoretical schools compete to produce sound explanations
- To avoid making normative statements social scientists test one or more theoretical predictions against 'reality' (interviews, data etc.)
- Social science does not produce solutions, but insights

Multi-level governance

- Type 1 "Russian doll"
 - general-purpose
 - nonintersecting memberships
 - jurisdictions at a limited number of levels
 - systemwide architecture
- Type 2 "Marble cake"
 - task-specific jurisdictions
 - intersecting memberships
 - no limit to the number of jurisdictional memberships
 - flexible design



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Theoretical justifications

- Type 1: fiscal federalism
 - MLG is optimal approach to allocate responsibility to minimise costs of heterogeneity and maximise benefits of scale
- Type 2: public choice
 - task-driven MLG is better suited to limit transaction costs of public good provision by allowing flexibility and simple exit and entry

European Union Governance

- Type 1 MLG as for relationship between member states and supra-national institutions
- task-specific type 2 MLG evolving around specific policy issues, such as water and biodiversity ?
 - river basin management not nested in member states
 - bird and habitat directives produce overlapping territories and principles of protection

How to evaluate MLG ?

- Implementation research addresses what happens after a bill has become a law – the 'moment of truth'
- Two types of implementation, with different standards for review
 - Structured
 - setting fixed targets, specific standards, firm deadlines to be met by subsidiaries
 - Adaptive
 - establishing institutions, routines and procedures to facilitate decision-making



The top-down perspective on implementation



- The legal approach
 - The "Official Journal" model
 - Do lower levels of government comply with European and national laws ?
- Implementation perceived as a control problem
 - How to minimize slack in extended chains of governance, with many points of veto or bias

The bottom-up perspective on implementation



- A socio-organizational approach
 - Complex networks of actors and institutions with competing agendas for attention
- Implementation perceived as a convergence problem
 - Will stakeholders take an interest ?
 - Have policy-makers included incentives for compliance ?



Public participation and implementation



- Conventional wisdom
 - pp is required for good decision-making as well as for helpful implementation
- Political science literature:
 - peak-level interest group involvement facilitates successful environmental policy implementation (Scruggs in British J of Pol Sc 1999: 1)
 - but how about citizens ?

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WFD and effectiveness

- Adaptive approach to implementation
 - "Ecological" quality criteria w/exemptions
 - River basin management
 - Full cost pricing
- Type-2 MLG
 - task-oriented
 - not nested in member states



Biodiversity and effectiveness



- Structured approach to implementation
 - Natura 2000 sites
 - 2010 target is absolute
- Type 2 MLG
 - task-oriented
 - flexible, intersecting protection



Public participation - always effectiveness ?



- WFD
 - ecological or antropocentric bias ?
 - affordability principle ?
- Habitat and Bird directives
 - fragmentation and lack of framework directive ?
 - risks of iron-triangles and capture ?

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