



Contents lists available at [ScienceDirect](#)

Environmental Science & Policy

journal homepage: www.elsevier.com/locate/envsci



Exploring governance learning: How policymakers draw on evidence, experience and intuition in designing participatory flood risk planning

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ARTICLE INFO

Article history:

Received 24 December 2014
Received in revised form 14 July 2015
Accepted 17 July 2015

Keywords:

Evidence-based governance
Policy experimentation
Policy learning
Policy design
Flood risk management
EU Floods Directive

ABSTRACT

The importance of designing suitable participatory governance processes is generally acknowledged. However, less emphasis has been put on how decision-makers design such processes, and how they learn about doing so. While the policy learning literature has tended to focus on the substance of policy, little research is available on learning about the design of governance. Here, we explore different approaches to learning among German policymakers engaged in implementing the European Floods Directive. We draw on official planning documents and expert interviews with state-level policymakers to focus on learning about the procedural aspects of designing and conducting participatory flood risk management planning. Drawing on the policy learning and evidence-based governance literatures, we conceptualise six types of instrumental ‘governance learning’ according to sources of learning (endogenous and exogenous) and modes of learning (serial and parallel). We empirically apply this typology in the context of diverse participatory flood risk management planning processes currently unfolding across the German federal states. We find that during the first Floods Directive planning cycle, policymakers have tended to rely on prior experience in their own federal states with planning under the Water Framework Directive to inform the design and carrying out of participatory processes. In contrast, policymakers only sporadically look to experiences from other jurisdictions as a deliberate learning strategy. We argue that there is scope for more coordinated and systematic learning on designing effective governance, and that the latter might benefit from more openness to experimentation and learning on the part of policymakers.

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1. Introduction

In the face of massive implementation problems, governments across the globe have increasingly sought to improve environmental policy delivery. One vehicle for this is stronger decentralisation and proceduralisation of policy-making (Flynn and Kröger, 2003), witnessing what has been described as a shift from ‘government’ to ‘governance’ (Pierre and Peters, 2000; Stoker, 1998). Polycentric and collaborative systems of governance, involving non-state actors (including the general public) in decision-making, are expected to enhance the knowledge-base of decisions and support improved implementation (Newig and Fritsch, 2009). However, it remains unclear just which problems and programmes might best be managed via participatory and collaborative models (Buss and Buss, 2011). This question has been a focus of research from different disciplinary perspectives, but it

has also directly occupied policymakers responsible for designing and conducting public environmental decision-making processes. The issue we seek to address in this paper is: How do these actors learn about, design and adapt effective participatory processes? And does this change governance in practice?

To address this, we turn to the literature on policy learning. This rich, but also rather conceptually crowded literature (Dunlop and Radaelli, 2013), intersects and overlaps with work on policy transfer, social learning, diffusion and convergence, and policy experimentation to name just a few neighbouring fields. Much work has focused on learning about the substantive effects of policy, but less attention has been devoted to learning about how to design and implement participatory (or less participatory) governance processes, and the benefits of participation under specific contexts. However, precisely because participatory and collaborative decision-making is becoming more prevalent and the repertoire of participatory instruments is becoming more complex, policymakers increasingly need to learn how to design and conduct effective participatory processes (see Howlett, 2014). By ‘effective’, we refer to decision-making processes that meet the goals of

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<http://dx.doi.org/10.1016/j.envsci.2015.07.020>

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policymakers, such as reaching well-informed, implementable, acceptable decisions that are beneficial to environmental sustainability. Thus, questions of process design are increasingly relevant in the context of contemporary governance.

In this paper, we empirically examine policy learning about how to conduct participatory governance – or ‘governance learning’ – in the context of EU Floods Directive (FD) implementation in Germany. As a recent example of ‘mandated participatory planning’ (Newig and Koontz, 2014), and with close links to the earlier Water Framework Directive (WFD), the Floods Directive requires local administrations to develop flood-risk management plans by 2015, and in six-year cycles thereafter. Authorities are required to ‘encourage’ the ‘active involvement’ of non-state actors in order to improve planning. This affords considerable leeway on how participation is realised. Having triggered diverse forms of (more and less participatory) flood risk management (FRM) planning across Europe, the FD presents an ideal case to study learning on the design of participatory governance. We focus here on decentralised FD implementation in Germany, exploring in particular how federal state authorities actually design, conduct and adapt participatory FRM planning. Within this, we are especially interested in whether, and how, FD implementation stimulates governance learning on the part of competent authorities in FRM.

The research contributes to wider discussions on participatory and collaborative environmental governance, evidence-based policy and governance, (adaptive) policy learning and policy transfer. We seek to advance the debate in that we deliberately depart from the traditional focus of the policy learning (and related) literature on the *content* of policy to focus on procedural dimensions and the *process* of planning and governance (Emerson and Gerlak, 2014; van der Heijden, 2013).

The paper proceeds as follows: Section 2 outlines our conceptual framework, which draws on key ideas from the literature on policy learning and evidence-based policy and governance. Section 3 then describes the German context and the transposition of the FD into national and federal state law. Section 4 comprises the empirical core of the paper and presents findings from top-level expert interviews with flood risk management planning officials across 11 German federal states. The discussion focuses on how the FD has been received within German FRM planning circles, the design and execution of participatory FRM planning processes, and the extent to which FD implementation has afforded opportunities for governance learning. Section 5 concludes with a discussion of the relevance of our findings for theory and practice, and suggests avenues for further research.

2. Conceptual framework: governance learning for participatory planning

Several typologies of policy learning have been advanced in the literature in efforts to systematise the variety of ways in which policy-relevant learning takes place (e.g. Dunlop and Radaelli, 2013; Gilardi and Radaelli, 2012; Hall, 1993; May, 1992; Toens and Landwehr, 2009). We focus here on what has generally been referred to as instrumental policy learning, and seek to disaggregate this category for the purposes of our analysis of *governance learning*. We define learning as the reflexive updating of beliefs on the basis of evidence, experience and new information. Referring to Bennett and Howlett’s (1992) three dimensions,¹ we build on instrumental policy learning as learning (1) *by* policymakers and other government actors, (2) *about* designing and running

participatory planning processes, (3) *in order to* improve their effectiveness. We argue that a focus on policymakers and how they learn is important given the increasing prominence of participatory and collaborative modes of governance, yet mixed results and continued uncertainty around ‘what works’.

Policymakers may learn intentionally, e.g. through policy experimentation and evaluation of systematically collected evidence on implementation and impacts (Sabel and Zeitlin, 2012; Sanderson, 2002), or learning may be rather incidental or intuitive, via trial and error or ad hoc assimilation of experience (Bennett and Howlett, 1992). While policy learning can also be forced via coercive pressure from superordinate levels or more powerful jurisdictions (Dolowitz and Marsh, 1996; Shipan and Volden, 2008), we focus here on open and voluntary (though not necessarily uninhibited) learning by policymakers.

The experiential basis for policy learning is potentially very broad (May, 1992). Learning may be self-referential, drawing on endogenous (to a jurisdiction/policy network) sources and direct experience (Grin and Loeber, 2007), or it may draw on exogenous sources of learning and build on observed experience from other jurisdictions or policy fields with similar procedural requirements (Table 1 – sources of learning). *Endogenous* sources of learning refer to experience or new information originating from within a given jurisdiction and policy field. *Exogenous* sources of learning are differentiated according to experience drawn from other jurisdictions, and from other policy fields. Learning from other jurisdictions typically entails policy transfer and adaptation to the ‘domestic’ context (Benson and Jordan, 2011; Stone, 2012). Policymakers may also look to other policy fields – within or beyond their jurisdiction – for evidence and lessons. Policy-relevant lessons are perhaps more likely to come from neighbouring/related policy fields. However, lessons may also be available from distant and apparently unrelated policy fields, when the object of learning relates to the *procedural* policy aspects, which we focus on here. Indeed, it is a focus on learning about governance *processes* that opens up this cross-policy-field dimension of policy learning.

Further, policy learning may result from examining one’s past experiences or those of others through time, in a serial or sequential view (Hall, 1993), or it may imply observing the parallel unfolding of governance experiences and their outcomes (Table 1 – modes of learning). *Serial* learning typically occurs through updating and adaptation over the course of successive policy cycles, and via sequential policy pilots or less formal processes of ‘trial-and-error’. Serial learning may also draw on other jurisdictions or policy fields. *Parallel* learning on the basis of endogenous sources includes strategies such as simultaneous piloting and policy experiments or randomised controlled trials conducted to a set timeframe or policy cycle. Parallel learning from exogenous sources may occur via coordinated implementation of a policy programme or similar programmes across two or more networked jurisdictions in the context of joint knowledge generation and mutual learning. Parallel learning is also possible without deliberate cross-border coordination, insofar as policymakers draw lessons and assimilate new information on the basis of the unfolding experiences of other jurisdictions grappling with the same policy issues.

The varieties of learning described above are generally consistent with ‘lesson drawing’ and ‘updating’ (Gilardi and Radaelli, 2012; Toens and Landwehr, 2009), wherein prior beliefs and approaches are revised in light of direct experience and/or new information. Rose (1991, 2005) explains how lessons drawn from policy successes or failures in other contexts, can inform changes to existing policy programmes. Policy change may occur via outright copying or emulation, as well as degrees of adaptation, hybridisation, synthesis and innovation (see Rose, 2005, pp. 80–84). In the context of the EU (and other decentralised planning contexts), such lesson drawing

¹ Bennett and Howlett (1992) consider the (1) subject of learning (who learns?); (2) object of learning (learns what?), and; (3) result of learning (to what effect?).

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