



Available online at www.sciencedirect.com

ScienceDirect

Policy and Society xxx (2016) xxx–xxx

policy
and
society

www.elsevier.com/locate/polsoc

Regulating side by side: The role of hybrid organisations in transnational environmental sustainability[☆]

Christian Ewert^{*}, Martino Maggetti

Institute of Political, Historical and International Studies (IEPHI), University of Lausanne, Switzerland

Abstract

We have witnessed a rise of hybrid regulators in transnational governance, and the regimes they form have grown in number, complexity, and importance. They are directly involved in rule making, provide crucial information, and conduct supportive tasks, such as arbitration, certification, or mobilisation, to other rule makers. In our paper, we examine the complex organisational ecology in the transnational governance regime of environmental sustainability, including public, commercial, and civil-society interests. Specifically, we investigate the relationship between the level of hybridisation of regulatory bodies and their degree of specialisation. The analysis of a medium number of cases shows that highly hybridised bodies tend to endorse a bundling role whereas weakly hybridised organisations mostly function as focussing bodies specialising in a very limited number of regulatory tasks. These insights help to understand the evolution of regulatory governance while pointing out the advantages and limitations of this form of transnational governance for the management of complex and interdependent issues such as sustainability.

© 2015 Policy and Society Associates (APSS). Elsevier Ltd. All rights reserved.

1. Introduction

The politics of regulatory reform involving deregulation, liberalisation, and privatisation, which have been endorsed by many countries from the 1980s onwards, were in fact accompanied by considerable “re-regulation” (Gilardi, 2008; Levi-Faur, 2005; Vogel, 1996). The new order of “regulatory capitalism” has been promoted not only by governments but also through the development of new technologies of regulation in the private sphere and the proliferation of transnational mechanisms of co-regulation and self-regulation in the shadow of public authorities (Abbott & Snidal, 2000; Black, 2008; Borzel & Risse, 2005; Drahos, 2004; Eberlein & Grande, 2005; Levi-Faur, 2005, 2006; Scott, 2004). Non-governmental regulatory governance, which is emerging where control by neither the market nor the state (alone) is possible or desirable ‘mainly because these forms of control are less cost effective or less legitimate’ (Ronit & Schneider, 1999, p. 244), is expanding rapidly across sectors and countries.

[☆] An earlier version of this paper was presented at the workshop ‘The Causes and Consequences of Private Governance: The Changing Roles of State and Private Actors’ held on 6–7 November 2014 at the Mannheim Centre for European Social Research (MZES). We gratefully acknowledge funding for this event by the COST Action IS1309 ‘Innovations in Climate Governance: Sources, Patterns and Effects’ (INOGOV), MZES, and the Lorenz von Stein Foundation.

^{*} Corresponding author.

E-mail addresses: christian.ewert@unil.ch (C. Ewert), martino.maggetti@unil.ch (M. Maggetti).

<http://dx.doi.org/10.1016/j.polsoc.2015.12.004>

1449-4035/© 2015 Policy and Society Associates (APSS). Elsevier Ltd. All rights reserved.

Please cite this article in press as: C. Ewert, M. Maggetti, Regulating side by side: The role of hybrid organisations in transnational environmental sustainability, *Policy and Society* (2016), <http://dx.doi.org/10.1016/j.polsoc.2015.12.004>

Possibly the most sophisticated form of non-governmental transnational regulation is brought into being by hybrid bodies, wherein public, commercial, and civil actors are involved side by side (Abbott & Snidal, 2009). Hybrid regulators are expected to combine the flexibility and expertise of private arrangements with the increased effectiveness of public regulation. However, they also create additional complexity in an environment where the exercise of legitimate authority is increasingly fragmented across different levels of governance and is shaped by the interdependence of decision makers (cf. Büthe & Mattli, 2011). The role of hybrid regulators is still not well understood, especially from a comparative perspective that aims at finding systematic patterns beyond single case studies. In this paper, we investigate the expected connection between the level of hybridisation and the regulatory activities of transnational regulators in the field of environmental sustainability. To do so, the next section of this paper conceptualises the notion of hybrid regulation, arguing that it has the potential to configure an effective style of transnational governance, which might imply some drawbacks that are particularly serious in complex and contested policy fields such as sustainability. Afterwards, we will present our theory and derive two alternative exploratory expectations. On the one hand, the degree of hybridisation of regulators could be positively associated with their regulatory specialisation because their flexibility allows them to find complementary sub-niches and avoid costly inter-organisational competition (Carroll, 1984; Hannan, 1993). In this case, we should observe the prevalence of “focussing” hybrids with a small regulatory scope and limited responsibilities. On the other hand, hybrid bodies are potentially able to gather all the competencies that are required to act effectively throughout the regulatory process and will act as a generalist regulatory body even in organisationally dense fields (cf. Büthe & Mattli, 2011), configuring a “bundling” hybrid. To explore the occurrence of these two types of hybrid regulators empirically, we will map the population of regulators in transnational environmental sustainability. In order to include the most relevant organisations and to maximise variation at the same time, 12 transnational organisations that regulate different aspects of sustainability have been selected. For these, we have determined their degree of hybridisation and regulatory specialisation, respectively. Evidence is found for both task-focussed regulators with a very small and narrow regulatory scope that have only a low level of hybridisation and regulators with a very high level of hybridisation that are able to accumulate and bundle diverse regulatory competencies. We conclude that both types of hybrid regulators form extreme points on the same continuum, with focussing hybrids on the one end and bundling hybrids on the other.

2. Conceptualising hybrid regulation

Hybrid regulators, such as multi-stakeholder groups, are considered ‘the most important civil regulations’ (Vogel, 2008, p. 269). They discuss, prepare, and sometimes enact a great deal of voluntary standards, mechanisms of certification and labelling, and codes of corporate social responsibility to which private firms should conform (Favotto, Kollman, & Bernhagen, this issue; Griffin, 2000; Griffin & Prakash, 2014). These bodies transcend the typology of the modes of global regulation developed by Büthe and Mattli (2011, p. 19) and call for an extension of it. As a matter of fact, hybrid regulators promote non-market-based regulation, but they can coexist along with other standard-setting bodies in a wider regulatory regime (Krasner, 1982). On the other hand, they integrate public and private actors to different degrees. They constitute a specific mode of global regulation whereby the term “hybrid” can be understood quite narrowly to refer to the variety of actors who participate within these organisations. Hence, hybridisation in this paper refers to intra-organisational features as opposed to the concept of hybrid regimes that indicate inter-organisational relations (van der Heijden, 2011).

More precisely, a hybrid organisation is established and/or managed by the joint effort of at least two different types of actors (e.g. state, business, or non-profit), which typically differ in terms of interest and authority (Abbott & Snidal, 2009). This implies that a collaboration of states, companies, and civil-society organisations is necessary to create hybrid bodies. Hence, hybridisation has firstly a constitutive component, which refers to the foundation of the hybrid (i.e. who established it?) and the membership base (i.e. who is part of it?). Secondly, there is an operative component as well. Hybrids are supported financially by different sponsors (i.e. who funds the hybrid?). In addition, control over the hybrid is shared among different parties (i.e. who controls it?). Given that hybridisation rests on both components, one can argue that it is a matter of degree. Organisations can be more or less hybrid depending on the actual involvement of other actors (Cafaggi, 2011; Koppell, 2010; Skelcher, 2010; van der Heijden, 2011).

The literature points to a double ambiguity that surrounds hybrid bodies (Marx, 2008; Vogel, 2008). First, supporters argue that they are flexible, efficient, and participatory tools whereas critics underline their elitist and exclusive characteristics and the fact that they were essentially designed with protectionist aims to avoid more

Download English Version:

<https://daneshyari.com/en/article/5118409>

Download Persian Version:

<https://daneshyari.com/article/5118409>

[Daneshyari.com](https://daneshyari.com)