

### Civil society in EU governance - a remedy to the democratic accountability deficit?

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About C&M

In recent issues of *Concepts and Methods*, core topics have been related to problems of conceptualization. In particular, a discussion about the problem of conceptualizing accountability in the context of EU policy making and a discussion about the meaning of policy learning has emerged in our pages. In this issue, both debates go on.

Responding to the contributions by Papadopoulos and Bovens in *Concepts and Methods* 3 (1), 2007, Beate Kohler-Koch summarizes results in accountability research and highlights the observation that it depends on the perspective on democracy whether civil society organizations can be considered to foster accountability or not. Although the empirical picture of the contribution of civil society organizations to EU accountability does not reveal a true success story, an appraisal must take into account the gradual institutionalization of an “accountability regime” in the EU. From this perspective, the situation does not present itself as bleak as it might look at first sight.

The other two contributions follow up on the debate about policy learning. Nynke Wiekenkamp makes a strong point that learning can indeed take place by outlining the development of early retirement policy in the Netherlands. Her methodological advice is that the problem with identifying policy learning can only be overcome by meticulously tracing the detailed shifts in actor constellations, positions, and decisions over time.

Anne Loeber takes issue with Biegelbauer’s sweeping argument in *Concepts and Methods* 3 (1), 2007, in which he had attempted to clarify the sometimes elusive notion of policy learning by restricting its extension. In response, Loeber outlines different conceptualizations and emphasizes the double problem of identifying the agents of learning as well as the changes taking place in the learning process.

At a more general level, it may be interesting to note the importance of conceptualization that is highlighted by all three contributions. It may be indicative of a more cautious take at an empirical analysis that is gradually spreading in political science in an attempt to reconcile rather elusive phenomena with the ambition to find regularities in politics and to generalize beyond the case at hand.

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## Civil society in EU governance — a remedy to the democratic accountability deficit?

It is widely acknowledged that accountability is a key to making democracy work, and luckily a consensus definition of accountability has emerged: According to Bovens (2007a: 450) “Accountability is a relationship between an actor and a forum, in which the actor has an obligation to explain and to justify his or her conduct, the forum can pose questions and pass judgement, and the actor has to face consequences.” Unfortunately, when applied to the European Union (EU) we face a reality that is far more complex than this straightforward relationship suggests. The EU is noted for its policy-making by negotiations in networks that take in a multitude of actors and span over different territorial levels of jurisdiction. Yannis Papadopoulos (2007) has drawn our attention to the many accountability problems of network governance. The multi-level feature of EU governance and the composition of policy networks work to the detriment of accountability: The lack of visibility of the responsible actors impedes accountability, but what makes matters worse is that many actors share responsibility and only some of them are at least in principle politically accountable while in practice they are more often difficult to reach due to a long chain of delegation from the level of citizens up.

Network governance is not unique to the EU or international relations (Bovens 2007b). It has been spread also in the European member states by upgrading the executive and by increasing stakeholder participation in the attempt to profit from the expert knowledge of private actors and to ensure compliance through cooperation instead of through hierarchy (Pierre & Peters 2000). Why is it that we are less worried about the accountability trap of network governance at the national as compared to the EU level? The reason is that, despite the lack of visibility and the “problem of many hands” (Bovens 2007a: 457) obscuring responsibility, government must nevertheless take the blame while party competition and elections ensure that those in power will have to face consequences. The long chain of delegation is cut short by administrators expectation of accountability and those

administrators are usually well aware that they are working “in the shadow” of potential politicization: political issues are always susceptible to contestation and a spill over into a wider public debate. By contrast to politics at the national level, politics at the EU-level shy away from politicization; the EU is not a majoritarian system responsive to elections and party competition. The EU polity functions according to the logic of consociation; it is geared towards consensus and derives legitimacy from uncontested expert knowledge and direct links to “civil society.” It is consistent with the logic of consociationalism that, since the turn of the century, the “involvement of civil society” has gained high prominence in EU governance (Commission 2001). Civil society is seen as a remedy for the democratic deficit of the Union, enhancing democratic participation and accountability. But how, if at all, does civil society remedy to the democratic accountability problems of EU governance?

### The two faces of civil society

When examining the widely alleged virtues of civil society for EU democracy, we have to sort out the many uses and ambiguities of the term. Opting for a parsimonious approach we can conceptualise civil society’s relationship to the EU in two ways. Firstly, there is the concept of the emergent active citizenry of the Union that constitutes the crucial democratic forum at which decision-makers are held to account. Both liberal and deliberative theories share the view that democracies need a demos with active citizens but deliberative theories bring civil society to the fore. It is generating the public sphere, evaluating EU governance and passing judgement in public discourse. But while communicative power may be generated in the public sphere, in this conception civil society has no actor quality. By a second more agential concept civil society is equated with civil society organisations. Only *organised* civil society can be the relevant other in the above mentioned accountability process and

as such it is an important actor in both theories of democracy. Civil society organisations (CSO) can pose questions and pass judgement, but it cannot be taken for granted that CSOs can impose consequences on the responsible actor “to turn matters right.” Furthermore, even if CSOs had the capacity to exert sanctions, it would constitute a case of accountability, but not necessarily of democratic accountability.

Moreover, the potential role of CSOs in EU accountability itself can be conceptualised in quite different ways. They can be instrumental as agents of public accountability, either as intermediaries of public accountability or as accountability actors in their own right; and they can contribute to make accountability a “virtue” that is alive and strong in EU governance.

But before exploring the potential accountability functions of CSOs we should clarify what qualifies as a “civil society organisation.” It is widely agreed that CSOs share some common features: They are *voluntary* associations; *independent*, i. e. not bound by instructions from outside bodies; and they are *not-for-profit*. Furthermore, civil society organisations are expected to *act in public* and in a *civil* way. In this very broad understanding also associations representing trade, industry, and agriculture or professional interests qualify as CSOs since they are not profit oriented despite the profit orientation of their memberships. Thus in principle, they are not different from trade unions or many grass roots organisations, which also represent the interests of their memberships.

The European Commission has propagated a relatively wide understanding of CSOs, including

“(...) trade unions and employers’ organisations (“social partners”); non-governmental organisations; professional associations; charities; grass-roots organisations; organisations that involve citizens in local and municipal life with a particular contribution from churches and religious communities. Civil society plays an important role in giving voice to the concerns of citizens and delivering services that meet people’s needs” (Commission 2001: 14).

When the Commission opened the online register CONECCS for “European-level civil society organisations” it introduced the category of “non-governmental organisation” (NGO). NGOs were defined more narrowly; in addition to the general criteria mentioned above, they were to serve the *public good*, be dedicated to the interests of a particular group of persons or of *society as such* (i. e. *act in the interest of the “other”*), and were not to act in favour of the economic or professional interests of their members.

This categorisation of NGOs comes close to the self-image of those organisations which have joined together in the Civil Society Contact Group (CSCG). They characterise themselves as “rights and value based NGO”<sup>1</sup>, representing public interests. Their mission is to represent issues — whether environmental, social, developmental or humanitarian — and to represent segments of society that do not have a voice — e.g. victims of human rights abuse, people experiencing extreme poverty, or minorities who are not in a position to speak for them-

selves (Platform of European Social NGOs 2001).

### CSO as agents of public accountability

The Union has made much progress with respect to transparency by providing easy access to documents, giving information on the decision making process through the publication of legislative roadmaps, and opening comitology and expert groups. But transparency is just a necessary and not a sufficient prerequisite for public accountability. Democratic accountability needs publicity so that citizens may be alerted and able to judge whether or not the conduct of those in power matches their interests and aspirations. CSOs are seen as agents of accountability but the exact role attributed to them differs with the different concepts of democracy (Kohler-Koch 2007; Kohler-Koch & Finke 2007).

- *Deliberative democracy* in the tradition of Habermas suggests that democratic decision making, ideally, rests on *public deliberation aiming at reasoned consensus*. Consequently, the role attributed to CSOs is to promote through active and controversial debates in public the emergence of a European trans-national public sphere. The presentation of a wide diversity of views on the essence of envisaged policies and their likely consequences is supposed to further the “enlightened understanding” of citizens and enable them to pass a rational and well reasoned judgement. Just because the diversity of views is so essential, all different kinds of CSOs are supposed to participate in this debate irrespective of whether they represent economic or social interests or pursue rights and value based political ends. CSOs’ contribution to democratic accountability thus depends on their capacity and willingness to contribute to reasoned public deliberation.
- From the perspective of *liberal democracy* CSOs serve democratic accountability by acting as watchdogs alerting their members or constituencies to any infringements on their preferences and by holding public agents on account in the name of those whom they represent. CSOs are thus instrumental in a pluralistic system where each CSO (or an advocacy coalition of CSOs) demands accountability in order to induce EU institutions to be responsive to the preferences of their membership. When assessing the democratic value of CSOs’ engagement, by contrast to the deliberative democracy approach, it is the nature of the association and the equal (or un-equal) endowment with resources that matters. Civil society associations acting in the public interest get better marks than CSOs defending the focussed interests of their own membership. The yardstick for democratic accountability is the fair and equal representation of the plurality of interests.

Do CSO in one way or the other (be it from the perspective of deliberative or liberal democracy) qualify as agents that further democratic accountability?

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1 See the CSCG homepage:  
<http://www.act4europe.org/code/en/default.asp>;  
27.02.2008

Here, empirical analysis is sobering.<sup>2</sup>

- Looking at CSOs' contribution from a *deliberative democracy* point of view, the findings are that the public sphere hardly benefits. Because CSOs are accountable to their members, they focus on issues of concern to their membership rather than promote general public debate. As such their agendas are narrow. So far the move to participatory governance has not prompted a public discourse involving both the Commission and civil society actors. The interaction between the Commission and CSOs is mostly a vertical relation, predominantly issue specific and, consequently, highly segmented. Initiatives have been launched in recent years to encourage horizontal communication between civil society organisations, and sector associations have established networks and formed permanent platforms. Also the Commission has been eager to support dialogues for cross-cutting issues, not least to attain more policy coherence. Nevertheless, there is no European public sphere developing; even if there were civil society dialogue developing in Brussels, it does not register at the national civil society level. Hence, institutional constraints and membership concerns hamper CSOs' potential contribution to a public deliberation that could promote democratic accountability (Dabrowska 2007).
- From the perspective of liberal democracy CSOs are well equipped to be the watchdogs of good governance. Their growing involvement in the policy-making process gives them insight and access to decision-makers. However, representation is biased in favour of partial interests. CSOs representing producer interests are better organised, staffed and funded than those that defend public goods and act in the interest of those who have difficulties getting organised. The latter CSOs are mostly funded by the EU and this can make for a docile watchdog. The main impediment to efficient accountability is that EU institutions do not have to face direct consequences when CSOs hold them to account. CSOs have no legal right to ask any of the EU institutions to give account. They can only ring the fire-alarm and hope that this provokes pressure on the EP or the Council. With respect to the Commission, their intervention may alert the EP or the Court of Justice so that it will be exposed to horizontal accountability. Apart from that, "blaming and shaming" is the only way to put pressure on the Commission. It is a soft instrument since the Commission is independent from public support (Persson 2007).

### CSO promoter of an EU accountability regime

Before we end with a pessimistic appraisal of CSO contribution to EU accountability, we should remember Bovens' reminder that accountability is not just a concept

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2 The findings are based on our on-going research project Democratic Legitimacy via Civil Society Involvement? [http://www.mzes.uni-mannheim.de/fs\\_projekte\\_e.html](http://www.mzes.uni-mannheim.de/fs_projekte_e.html) and on the CONNEX Research Group on Civil Society and Interest Representation in EU-Governance, <http://www.connex-network.org>

capturing the institutional arrangements in which an actor can be held to account by a forum, but it is also a normative concept. "Accountability or, more precisely, "being accountable" is seen as a virtue, as a positive quality of organisations or officials" (Bovens 2007b: 16). I propose that CSOs add significantly to the political accountability of the Union by strengthening the virtue of accountability. I argue that network governance has to rely on a sense of appropriate behaviour of public and non-public actors and that the institutionalisation of an "accountability regime" establishes and supports a shared concept of appropriateness. Drawing on IR regime theory, I call it an accountability "regime". According to the consensus definition "Regimes can be defined as sets of implicit or explicit principles, norms, rules, and decision-making procedures around which actors' expectations converge (...)" (Krasner 1982:186). CSOs have engaged in negotiations above all with the Commission to anchor the principle of accountability in EU-civil society relations. In order to make this virtue sustainable they pushed for agreements on norms, rules and procedures. With the publication of the White Paper on European Governance and the formalisation of EU consultations, accountability has become a major issue.

According to the Commission the aim of governance reform was to "(...) help citizens to hold their political leaders and the Institutions to account for the decisions that the Union takes" (Commission 2001: 34). The resulting general norm is "Each of the EU institutions must explain and take responsibility for what it does in Europe" (Commission 2001: 11). In reverse, also CSOs are asked to be accountable: "With better involvement comes greater responsibility. Civil society must follow the principles of good governance, which include accountability and openness" (Commission 2001: 15). In the meantime accountability has developed from an abstract principle to a more precisely defined concept with explicit rules and procedures. Furthermore, negotiations between CSOs and individual General Directorates have upgraded the once one sided declaration of the Commission to an agreed commitment. Accountability is a "regime in the making" with some General Directorates taking the lead, forming an advocacy coalition with the members of the Civil Society Contact Group and academics dedicated to participatory engineering (Commission 2007).

### A balanced view on CSO contribution to EU accountability

I agree with Papadopoulos that network forms of governance and the multi-level allocation of jurisdictions in the EU entail a number of accountability problems. But I would argue that the mechanisms of accountability we are familiar with from national experience do not operate very factors that make it so difficult for the EP to hold EU decision-makers to account. Though CSO may be weak agents of public accountability they, nevertheless, have an influential role to play in bolstering the *virtue of accountability* by helping to build an "accountability regime." The next step for research would then be to assess the conditions that make such a regime effective

and how it may strengthen the role of CSOs as agents of accountability, be it as intermediaries or as accountability actors in their own right. ■

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## Using policy learning to analyse welfare state reform: the case of early retirement in the Netherlands

Since the 1980s, European states have faced considerable challenges increasing pressures on their social security systems due to downturns of the economy, growing unemployment, lower fertility grades and ageing (cf. Ebbinghaus and Hassel, 2000; Visser and Hemerijck, 1997; Rhodes, 2001; Natali and Rhodes, 2004). In this respect, early retirement also constitutes a challenge. Indeed, in a system of pay-as-you-go, a great amount of pressure is exerted on the labour market when a great proportion of people retire early, especially in current ageing societies (e.g. Schludi, 2005; Natali and Rhodes, 2004). All over Europe, these challenges have prompted governments to discourage early retirement, and to change existing early exit schemes in order to achieve higher levels of labour market participation, so as to sustain national social security systems at large. The aim of this contribution is to outline how the concept of policy learning can be used to analyse such reforms of early retirement schemes. This is done by analysing the case of the Netherlands, for which this concept proves particularly useful.

Despite the fact that reforms of early retirement schemes have proven to be difficult to achieve (Natali and Rhodes, 2004), the Dutch case sharply contrasts this observation. Since its introduction at the end of the 1970s as a way to fight youth unemployment (people retiring early being believed to free jobs for young people), early retirement in the Netherlands was very widespread and concerned a great amount of employees<sup>1</sup>. Despite this, reforms were conducted in a relatively fast pace with the involvement of the social partners. Agreements in this domain, negotiated in the framework of social pacts, were implemented into actual policy by means of fiscal policy (from legally based fiscal incentives to disincentives) at the national level, but most of all by means of collective labour agreements (CLAs) at the level of economic sectors. In 2004, the system was reformed through an overarching law *VPL (VUT, Prepensioen, Levensloopregeling* – Early Retirement, Early Retirement Pension, Life Course Savings Schemes) instead of previously minor changes on parts of this system. The social partners and the government agreed that, firstly,

new early retirement schemes would no longer be facilitated fiscally by tax deduction from 2006 onwards, and that, secondly, this would also apply to all existing schemes from 2009 onwards. It was agreed that the costs of early retirement would be paid out of individual's net pay, so that these costs would be assumed by individuals choosing to retire early, and no longer by all premium contributors. This was supposed to make early retirement less attractive. This regulation also became part of the collective labour agreements of sectors with physically intensive labour in which employees generally retire earlier, since their physical conditions urged them to do so.

The puzzle here is why social partners, and particularly trade unions, supported and agreed on this turnover, because it is not in the interest of most older employees. Early retirement (VUT) was introduced as a way to fight youth unemployment, the idea being that older employees would be replaced by younger employees. The other goal of VUT was to promote the welfare of older employees. Because of the economic downturn, older employees were made redundant or received a disability benefit: early retirement was a better way to leave the labour market. The VUT was very popular amongst employers and employees. Employers used early retirement to dispose of older employees, whereas for employees, it was a socially acceptable way to leave the labour market. Retiring early is a condition of employment and is considered a vested interest. In order to explain this puzzle, the concept of policy learning can prove fairly useful, as will be outlined in the next section.

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1 For instance, to give an impression of how institutionalized the schemes are, in 2003 92 percent of the biggest collective labour agreements (CLAs), representing 4,9 million employees in a labour force of 7,0 million employees (CBS, 2007), contain a clause on early retirement (SZW, 2003:49).



## Policy learning vs. power and interests

According to the literature, one would expect actors with veto power, principally trade unions, to only think of their own vested interests and that change is therefore not possible. In relation to social pacts, this perspective considers that social partners are invited in policymaking to legitimise change and to neutralise their veto power, whereby powers and interests are battled out in a confrontational way. The other perspective, which seems to support the Dutch case, considers that social partners are invited in policymaking because they are needed to jointly solve problems and share their knowledge and experience so as to overcome problems of bounded rationality. In this reflexive setting, there is room to learn and to change preferences in order to come from one balance to another balance.

Social and economic changes of the welfare state intersect with shifts in normative and cognitive orientations about what “good” policy should bring about. In searching for a theoretical explanation we need to delve deeper, beyond the idea that interests are fixed and stable and that institutional factors cannot be overcome. In particular, it is important to analyse how internal and external problems are interpreted by the relevant actors and search for a perspective that accounts for evolutionary change in a proactive and adaptive manner. This is the point of departure of policy learning<sup>2</sup>. The concept of policy learning questions how human beings actually reason and choose. It reckons for the reflexive and evaluative activities of the actor, and is therefore actor-centred (Scharpf, 1997).

With respect to welfare state reform concluded in the framework of social pacts, the learning perspective highlights how the policy orientations of actors within social pacts develop, how it affects the interactions within and between the actors, and how this, in return, affects policy outputs and outcomes. After all, actors interpret external pressures and internal challenges. Drawing upon Hall (1993), Bower (1975) and Biegelbauer (2007), learning is defined as the change of policy-relevant knowledge, skills or attitudes. It is the outcome of a *voluntary* revision of cognitive and normative orientations resulting from the transformation and recoding of information based on the observations and interpretation of experience and new information. *Cognitive* orientations are understood as causal propositions about what is effective and feasible in order to solve a problem. By contrast, *normative* orientations refer to what is desirable and legitimate. In the domain under scrutiny, normative considerations concern the question of fairness and solidarity when changing early exit schemes. In this context, institutional structures and historical heritage are crucially important mediating factors that structure and shape the learning process, both as providing forums of discussion and in determining the policy parameters of the learning process (Hemerijck and Visser, 2003).

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2 For an extensive explanation of this argument, see Hemerijck et al., 2006.

## Operationalisation and preliminary research results

The next step is how to distinguish learning. What were the reasons and motivations of the involved actors before the policy change, and how were they altered during the process towards this change? As Biegelbauer (2007) stresses, one must be able to differentiate between, for example, the *outcome* of negotiations and the *process* that led to this outcome. There was a policy change, but the question remains if this process towards the reform of early exit schemes can be best characterized as a learning process. In order to study this change, the method employed is historical process tracing (George and Bennett, 2005: 177).

First of all, the rise of early exit schemes is studied by looking at how and why it came to existence, which actors were involved and what their positions were all along the process of institutionalisation. Then, after early retirement became implemented as actual fiscal policy in 1980, all policy documents (of e.g. parliament, Labour Foundation, Social and Economic Council, coalition agreements) and central level agreements that discuss the early exit schemes have been analysed. These documents and pacts state the position, both cognitive and normative, of the government and social partners about how to respond to the challenge of ageing, and which course to take to change these schemes accordingly. The agreements set out the intention of actors, but they do not indicate whether the intention has been put into action. In order to investigate if actors stick to their intentions, more than twenty key representatives of the government and the social partners have been interviewed so far.

To find out what the exact issues for debate were in this process towards reforming the system, one needs to know what the actual conditions and problems of application were in order to outline the parameters of the debate in which learning may have taken place. This allows to find out what the parameters considered by the actors were, on what kind of issues there was a change of orientations, and how this change of orientations came about. Yet, the government and the social partners agree on which course to take at the central level, but the outcome takes place at the sectoral level by way of CLAs. Hence, negotiations and the implementation of outcomes take place at different levels. The social partners and the government agreed to change the schemes, but in a framework with different spheres of responsibility. Early retirement is part of tax legislation, part of general labour legislation, and it is also a condition of employment. Therefore, the agreements between government and social partners as well as the CLAs need to be studied.

At the methodological level, the narrative is structured by clustering data in time periods. For each time cluster, a number of points are systematically analysed: 1) which actors are involved and what is their position; 2) what are the issues in debate; 3) the output (the agreements); and 4) the outcome in terms of meaning and impact. Regarding substantive policy positions and options, points of attention are the age of retirement, the kind of benefits, the level of benefits and the setting of contributions.

After structuring the data, it becomes clear that recurring topics for debate are the way the system is financed and is maintained; the structure of financing and how it is taxed (employer-employee); how many people can use early retirement (coverage/participation ratio); the embedment of early retirement in conditions of employment and CLAs; the level of the benefit; solvability and transitional agreements. When relating these indicators to *cognitive* orientations, one can think of factors that relate to the causal coherence between early retirement benefits and entitlements such as of factors that relate to the level of importance of these schemes as part of the social security system, what is the value of these schemes, the number of people it covers, what is the price one has to pay for it and how can it be changed. Whereas the cognitive orientations focus on the practical and financial feasibility of reforms, the *normative* orientations relate to the question of fairness and solidarity when changing the schemes. For instance to which group the schemes are aimed at, for which group are these schemes important, who are entitled, at what level should these schemes be offered, generic or sectoral. The normative orientations also concern the intergenerational dimension and debate.

These indicators are used to compare the positions of the actors in the different time clusters in order to assess whether their orientations have changed over time, how they have changed and why they have changed. This last step is investigated by studying reports and minutes of workings groups in which representatives of government and social partners take part, and by the workings groups within each actor and finally by interviewing representatives of each actor. Only then, one can determine how the knowledge and positions of a single actor has changed over time and if the process towards change can be best characterized as a learning process.

Although it is not possible to provide complete research results here, it is nevertheless possible to provide an example of the learning processes that have taken place in this particular case of policy change by using the theoretical framework and operationalisation presented above. Thus, whereas trade unions were initially opposed to changes in early retirement schemes that would endanger the right of retiring early or the level of the benefits, contrary to employers and government, the increasing costs<sup>3</sup> of existing retirements schemes and the aspect of labour market participation as explicated in the introduction made them progressively change their preferences as to the opportunity of reforming these schemes.

However, the solutions regarding *how* to reform it remained an issue of debate. It needs to be stressed that all actors, jointly as well as individually, were looking for solutions to this problem. Finally, social partners, being mainly the trade unions since the employers agreed with the government, urged somehow by the government, agreed on a solution in which early retirement remains possible, but is funded to a greater extent on an individual basis. Hence, learning seems to have taken place under the impulsion of external parameters (growing costs and shadow of hierarchy) and the nature of the solutions found.

## Conclusion

Despite the fact that the identification of learning is difficult and research intensive, a perspective focusing on learning is useful to assess how orientations of actors within social pacts develop, how it affects the interaction within and between the actors, and how this in return affects policy outputs and outcomes. This perspective allows to overcome puzzles that power resources- and interest-based approaches alone fail to explain. However, it is important not to exclude other possible explanations that are part of this debate. Like Hemerijck and Visser (2003), Hemerijck et al. (2006) and Biegelbauer (2007) it is not my aim to advocate a learning perspective as an alternative to other explanations when investigating changing preferences. Yet, changing preferences are not sufficient, actors also need a power base to implement and change policy. The learning perspective should be used as a complement to mainstream path-dependency, policy legacy and power resources approaches. ■

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3 For example the costs increased from 0,8 to 4,4 billion guilders between 1981 and 1987 (Bolhuis et al, 1987). Further, in the beginning of the 1990s it was expected that the costs would increase by 100 percent until the 2000s.

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## The learning concept in the policy sciences: not too elusive to be meaningful in practice

A comment on Biegelbauer

From the 1980s onward, the notion of learning in political science has come to complement – and rival – power as an explanatory factor of policy change. Since Hecló's (1974) observation that policy-making is a matter of 'puzzling' in addition to 'powering', a wide spectrum of theories on knowledge utilization and on the role of ideas and cognition has been developed. Biegelbauer's expose on learning in the 2007 spring issue of this Newsletter<sup>1</sup> may be considered a brave attempt to bring order in this plethora of ideas on ideas. His account brought to mind Minsky's famous dictum that "we use the single word 'learning' to cover too diverse a society of ideas" (1987: 120). Where Minsky wrestled with the learning concept in view of artificial intelligence, Biegelbauer's intent was to pin down the notion in order to keep it from losing its meaning for the policy sciences for sheer ubiquity: "everything can be understood as learning. One must be able to differentiate ...; the term learning otherwise becomes meaningless" (2007:4). Indeed a comprehensive and systematic account of learning theories could be useful. It is therefore unfortunate that Biegelbauer presents a very limited take on the concept as if it were the only valid reading possible. He proposes to use the phrase policy learning for "the change of policy relevant knowledge, skills or attitudes, which are the result of the assessment of past, present or future policies" (2007:3). This is not so much an erroneous view as a blinkered one. Firstly, with the exclusive focus on policy design it fails to acknowledge the implications of the empirically informed dictum that policy implementation is the continuation of politics by other means (Majone and Wildavsky, 1984). By identifying learning as a distinct activity that one can engage in "alongside other daily prac-

tices..." (2007:4) the interpretation of the learning concept offered, furthermore, falls short of providing insight in how power and knowledge intersect in understanding policy change. In addition, with the implicit focus on cognition in policy design one of the most crucial questions for the policy sciences is bracketed altogether, namely the question how knowledge and action relate to one another. It is my contention – based on empirical work (e.g. Loeber, 2003) as well as on theoretical explorations (e.g. Loeber et al, 2007) – that it is in this respect that learning theories may contribute substantially to understanding complex political and societal dynamics (such as the possibility of fundamental institutional transformation e.g. in the face of 'sustainability' challenges). I am therefore happy to answer to the Newsletter's kind invitation to write on the concept of learning in reply to Biegelbauer's work. Let me below first address briefly how to answer the seemingly simple question, phrased by Biegelbauer, of what policy learning actually is, that is, how to bring some order in the society of ideas. Any answer to the question how to make the learning concept operational in actual empirical research, also put up for discussion by Biegelbauer, is highly contingent on how you cut the cake.

### Order in the 'society of ideas'

Given the two-and-a-half decades of theory development on the subject, obviously it is not possible to cover the full scope of the notion's meanings that have been found contributory to the policy sciences. For an overview I refer the reader, with all due modesty, to the contribution on learning written by John Grin and myself to the 2007 Taylor & Francis Group's Handbook of Public Policy Analysis edited by Fischer, Miller and Sidney. There we take up the challenge of systematizing the various learning approaches with the intention of assessing their merits for the conceptualization of 'governance' (Grin and Loeber, 2007).

1 Wrestling with Methodology: Considerations about Policy Learning. *Concepts & Methods*, vol. 3, Issue 1; Spring 2007.

To that end, we distinguish between approaches that consider learning *across* policy domains – that is, with a focus on the transfer of insight and information produced within one policy area to another located elsewhere in space and/or time – and those that address and conceptualize learning *within* a policy area. In addition we discuss the upshot of theories on organizational learning for the policy sciences.

Secondly we discuss the thus categorized theories by answering for each three questions: *i)* who are included as learning actors and how are these situated in relation to each other and to social and political institutions?; *ii)* what is considered to be actually changing when learning takes place?; and *iii)* to what kind of dynamics (policy change as well as e.g. institutional transformation) is learning supposed to contribute to?<sup>2</sup> Here, I take these questions as a point of departure to systemically comment on Biegelbauer's take on the issue. These comments in turn serve as a stepping stone to address the question which is of course 'des Pudels Kern': why would we, researchers of political dynamics, at all bother with a concept that, if not meaningless, is elusive to say the least?

### Who's learning?

A first issue to be addressed when scrutinizing a particular brand of learning theory is the question who is considered to be the learning subject. It is telling perhaps that Biegelbauer in the first two sections of his text nowhere mentions specifically who is doing the learning in his view. Only in the second part of the piece the learning subjects are identified as 'political actors'; the later mentioned 'members of parliament' are a case in point. While the focus on the individually learning policy-maker is seemingly so self-evident that it needs no explication, the choice is surprising.

In his exploration of what policy learning is, Biegelbauer refers to a variety of authors of which none would endorse this choice. Interesting about the work of the invoked Peter Hall (1993) and Paul Sabatier (1986; 1987; 1999), who both write from a perspective on learning *within* policy domains, is that they include a wider set of learning subjects. To Hall, these include among others experts located at the "interface between the bureaucracy and the intellectual enclaves of society" (1993: 277). To Sabatier, the unit of analysis is what he calls the 'policy subsystem', which comprises "those actors from a variety of public and private organizations who are actively concerned with a policy problem or issue" (Sabatier 1987:652) among them e.g. journalists and other opinion leaders, scientists and grass-root activists in addition to government actors.

Regardless of the differences in their approaches, both authors hence step away from the narrow under-

standing of learning in terms of an individual act of error correction or improved knowledge utilization by policy-makers. Admittedly, the learning subject with Sabatier – analytically distinguishable subsets of actors who "share a particular belief system" (see below) which he dubs "advocacy coalitions" – are still groups of learning individuals, but the act of learning is per definition a social one which takes place in relation to and under the influence of others, both political actors and non-state actors.

By shedding a light on how policy actors and non-government actors can mutually engage in processes of learning, learning approaches provide an integral theory of the policy process that takes into account the role of ideas and arguments in addition to authority and other resources of power in explaining policy change. In addition, they provide a basis for understanding how political and societal dynamics in mutual constitution come to bear on policy design. The more sophisticated theories (e.g. Grin and Van de Graaf, 1996) furthermore take such an explanatory framework beyond the assumed caesura between policy design and implementation to understand how policy change and societal change in practice are mutually shaping and reinforcing.

In order to fully grasp how learning theories may be useful in analyzing how political and social dynamics co-evolve, we have to take into consideration what it is that is at stake in the act of learning.

### What is changing when learning takes place?

The question as to what the object of learning is can be answered as variedly as can the question on the learning subject. Biegelbauer mentions "decisions (made in the past), as well as knowledge, skills and attitudes ... which might lead to decisions in the future" (2007:3). With such a focus, Biegelbauer's interpretation of learning comes closest to the approach developed by Richard Rose (1993) whose work laid the foundations for the growing literature on learning *across* policy areas. Rose holds that policy-makers can draw lessons from the experiences of their counterparts in other cities, regional or national governments in regard to comparable problems that will help them deal better with their own issues (Rose 1991: 4)<sup>3</sup>. Learning in this strand of theory building hence entails the process of developing an improved understanding of policy-related issues and as a consequence an improvement in the quality of decision making.

Although increased knowledge is at issue too in the work of the aforementioned authors writing on learning *within* a policy domain, their take on the object of learning is entirely different. To Sabatier, what is at stake is what he dubs "policy beliefs", that is a set of basic values, causal assumptions, and problem perceptions

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2 With these questions we build on Bennett & Howlett's (1992) idea of bringing some order in the sea of stories on learning by submitting them to a set of descriptive questions..

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3 In contrast to Biegelbauer, to Rose, the learning agents are civil servants and maybe their external advisers, but certainly not politicians.

(Sabatier 1987:660) that pertain to the issue at hand (“secondary aspects”) and underlying normative commitments and values that hold for an entire policy domain (“deep-core beliefs”). Learning to him, then, is conceived of as lasting changes in the policy belief system.

It is this understanding of the object of learning on which Grin and Van de Graaf (1996) build when they argue that non state actors (“policy target populations”) are equally involved in learning processes yet do not necessarily share a *policy* belief system. They may be characterized by belief systems (“theories of action”) which are rooted in the sort of practices they are professionally engaged in when contributing (or not contributing) to policy implementation: managing a firm, farming, developing technology and so on. In developing this approach, Grin and Van de Graaf link up Sabatier’s concept of belief system to the notion of ‘theories-in-use’ (or ‘frame’) as elaborated by Schön (1983; Argyris and Schön 1974, 1996).

Although at first sight perhaps an unlikely amalgamation of ideas (in terms of research approach and basic ontological convictions Sabatier and an author such as Schön have very little in common), it is by probing in this direction that learning theories in my view gain sufficient explanatory power to help shed a light not only on the relation between knowledge and power but also between knowledge and action. The underlying idea here is that the object of learning is understood as a mental map of theoretical, normative and empirical considerations that professionals, be they state actors or non-state actors, invoke and put to use in their professional work. It is this ‘metal map’ that is changing when learning takes place. The map is being reviewed in the process of learning as an *integral aspect of daily practice* (rather than “along side” of it as in Biegelbauer’s reading): observation and experience provide a continual flow of information through which an actor comes to reflect on his goals and actions, and on the way in which these relate to one another in relation to the context in which he operates. Understood in these terms, the act of learning then may be defined as the process of inducing changes in the theoretical, normative and empirical considerations that an actor brings to bear on his or her problem solving activities and which come out in changes in the way he or she perceives and acts upon the world.

This understanding of what learning entails prompts us to pose the question, on a meta-sociological level, what the relation is between the knowing and acting (and ‘meaning-making’) individual and his or her context. Considerations as to how to make the concept of learning operational strongly depend on how this question is answered. Before bringing up the methodological implications, yet, let us first proceed to the third and arguably most relevant issue to be discussed: what is the purpose of learning? And with that, why should we, researchers, employ the concept in the first place?

## Learning to what end?

In Biegelbauer’s interpretation of the learning concept the purpose is quite straightforward: the learning political actor engages in reflection on policy-related decisions taken in the past (or elsewhere) in order to improve future decision making. In the more inclusive reading of the notion as outlined above, the purpose of engaging in learning processes, if at all a conscious act of will, is to develop and continually adjust a strategy for shaping and implementing policies, and more generally, solving problems that is contingent on and optimized for the situation encountered. Since ‘the situation’ is inherently transient and dynamic, the learning actor is continually engaged in such processes of reflection. These may occasionally rescue him from the flux of time (“reflection-on-action” in Schön’s terminology) yet generally will involve a constant conversation with the world around that translates into action (“reflection-in-action”) on the spur of the moment.

It is this conceived contingency between action, ideas and context that makes the learning concept useful and challenging for the researcher of policy-making practices. In the more traditional reading (say, Biegelbauer’s interpretation of developing cognitive sophistication) learning is *added* as an explanatory factor *to* power resources and interests in explaining policy change. In the reading stipulated here, the focus on learning provides a way to perceive power and interest based actions (“powering” in Hecló’s words) *in interplay with and mediated through* processes of reflection and meaning-making (“puzzling”). That means, first of all, that the role and relative relevance of power resources and the formulation of an actor’s specific interests in an issue at hand can, rather than as *a priori* given, themselves be made the object of research that need explanation.

Secondly, it opens the door to exploring not only the causes of policy change but rather, more broadly, the relation between policy and the reproduction and transformation of institutions or, put more conceptually, between agency and structure. This is an interesting road ahead as, after all, among the most fascinating challenges in both policy-making and the policy sciences alike is the question how to deal with so-called tenacious or ‘persistent’ problems. Such problems seem to defy any attempt at resolving through policy-induced solutions as their “wickedness” (Rittel and Webber, 1973) not only roots in their interlacing with other problematic situations but also, more importantly, in their embeddedness in institutions and routines which are considered perfectly legitimate and desirable. Let me clarify this statement with an example. The questionable tenability of health care systems in view of rising costs and increasing demands provides a case in point: the rules and conventions that are invoked in cost-reduction policy measures may themselves support features of the health care system that lead (eventually) to cost increases. The problem here is not that a policy design as such is flawed or implementation is wrongful, but rather that in designing and implementing cost-reducing policy measures, the involved actors think and act through institutionally and culturally paved pathways, and thus underscore and effectuate in their actions the very features of the system

they seek to change (cf. Schuitmaker, forthcoming; cf. Grin & Van Staveren, 2007).

This (and comparable empirical) insight builds on Giddens theorem of the 'duality of structure': Actions of actors ("agents") are informed by their own motivations and intentions (and interpretations of the intentions of others) as well as moderated and guided by structure, that is, by concepts of rules, resources and other expressions of social institutions. According to Giddens(1984), such structure presents a "virtual order" that exists beyond time and place, and that comes into being only by an "actualisation" or "instantiation" through the actions of actors. In other words, action (human conduct) and structure (social institutions) presuppose one another, and it is through action that structures are reproduced. Fundamental institutional reform then implies the need for changing reiterative patterns of conduct (to Giddens, institutions are "those practices that have the greatest time-space extension") which, in turn, requires a revision of the 'mental maps' that actors bring to bear on their problem solving activities. In other words, it requires learning!

For the policy-maker, this interpretation of the learning concept may have instrumental value in policy design that seeks to contribute to fundamental institutional change (see e.g. Loeber et al., 2007). For the researcher, learning – understood as a process of reflection on and reviewing of an actor's theoretical, normative and empirical considerations regarding e.g. existing routines, rules and values in practice – offers a practical concept to make the rather abstract notion of 'structuration' operational. But how then would one make the learning concept itself operational in research?

### **By way of conclusion: some methodological reflections**

As observed, any statement about how make to the learning concept operational presupposes some notion of what it is and of how the various units of analysis involved are defined. However, the described shift in focus that is observed in policy-oriented learning theories, from governmental actors to including societal actors, did not as such have methodological implications. Like the government-focused theories (e.g. Rose, 1991), the early theories that had a more inclusive take on learning (e.g. Sabatier, 1986) adopted a neo-positivist, hypothesis testing approach to analysing learning and policy change. Sabatier and colleagues, for instance, used extensive surveys (questionnaires) to map changes in policy beliefs over time. Yet the methodological aspects of learning theories have become a topic of discussion. Interpretivist (phenomenological, constructivist) perspectives on learning are winning ground. The basic constructivist assumption that while reality may be 'out there', it can only be known 'through the eye of the beholder' has implications for the practice of doing research on learning. Learning may be said to be observed when in interviews actors themselves report a revision of their mental maps. A major problem with using interviews as a basis for investigating learning, however, is that as soon as one sits down to interview someone on the topic, a situation of

'stop-and-think' is created: the often implicit, continual flow of 'conversation with the situation' in action is interrupted to make place for a conscious and explicit reflection (and explication) of one's motives for action, which results in a different take on what learning entails. A creative and interesting solution to this problem was invented by Schön (1983) who sat professionals together in a teacher – student setting. Schön investigated the processes of learning that took place by analysing the transcripts of their conversations on the motives for action that they engaged in. In my own empirical research on learning processes and the conditions under which learning takes place, I resolved the problem by combining interviewing with participant observation over longer periods of time. Analysis of the (speech) acts of the actors involved in a project (on corporate social responsibility in this case) indicated whether learning took place; inferences to such end I checked and put up for discussion in interviews with those involved when the project was finished (Loeber, 2003).

There is yet another, more fundamental problem. When learning is looked upon as a social rather than an individual act, the question is what the unit of analysis should be. The shift in focus (from the learning individual to the learning collective) can be accompanied by a shift in locus: rather than focusing on the 'meanings' (as in the theories-in-use of a professional, or in the belief system of an advocacy coalition) located in the mind of the learning actor, the researcher may wish to focus on the relation between the meaning-making individual and his or her context. This issue is at the heart of a heated debate between those who situate the mental map as an a priori given within the acting and learning individual (as does e.g. Sabatier) and those who hold that perceptions of a concrete situation are *in situ* produced in a reciprocal relationship between contextual phenomena and the individuals' attempts at constructing meaning in regard to those phenomena, mediated through linguistic systems ('vocabularies', 'repertoires', 'narratives'; e.g. Hajer, 1995).

Yet as researchers I don't think we have to take the suggestion of a dreary dichotomy between an individualist ontology versus a collectivist ontology for granted. In line with the structuralist (Giddensian) position outlined above, it is my contention that with a sophisticated mix of methods (e.g. interviewing in combination with forms of discourse analysis) one is able to capture the dualist character of the meaning making individual and the 'collectivity' of sets of rules and resources (structure, 'regime', including language) that influence actors and on which they draw as they produce and reproduce meaning (and, with their actions, society). Thus defined and operationalised, the learning concept may add to our understanding of the relation between ideas and power in policy change, as well as of the interaction between government and society in policy design and implementation. Yet it is specifically for its explanatory power in analysing the relation between knowledge and action that the notion of learning may prove of practical valuable for the researcher of political and social dynamics. ■

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## 2009 Award for Conceptual Innovation in Comparative Politics

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### 2006 Award

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The winner of the price will be awarded 1.500 USD (one thousand five hundred US Dollars). At the jury's discretion, the price is divisible between various winners.

# A

BOUT C & M

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