

SECTION A: Multi-Actor and Multi-Level Governance

Network Failures - How Realistic is Durable Cooperation in Global Governance?

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Introduction

The inclusion of civil-society in policy-formation and –execution has been discussed as a new strategy for global management of natural resources in the spirit of “sustainable development”. If such a policy network is about to be build, the main question to be answered is, whether the planned network structure is able to guarantee durable cooperation for global governance or not. We want to answer this question from a theoretical point of view within this chapter. Three steps will be made in doing so:

Chapter 2 is a brief overview on social change and its influences on the management of natural resources. The central thesis is that *modernisation process forces social actors to cooperation in multi-actor multi-level policy networks* by revealing more and more the limitations of the dominant coordination modes “market” and “hierarchy”. Furthermore, globalisation transfers the task of natural resource management from national to global level of policy. As a result, the guiding principle of sustainable development and its additional requests for social integration on time-, territorial- and target-dimension even increases the coordination problems associated with this task and the demand for multi-actor multi-level policy networks. Thus, policy networks are not only an outcome of social change but also a goal for global policy following the principles of sustainable development.

In chapter 3, some general remarks on *network theory* will be made to describe the functionality of multi-actor multi-level networks as institutions for governance. The key elements of networks as coordination mechanism and some findings on the pre-conditions of self-regulation will be presented.

In chapter 4, we discuss the chance to implement multi-actor multi-level networks on global level that promise to be an improvement to actual processes of global governance. The focus is set on “network failures” that hinder the coordination function of this regulative mode. They have to be handled by proper political institutions for to ensure functionality. Some examples for the needed mechanism on a global level will be given at last.

Finally, the central findings of this chapter will be summarised in chapter 5 and used to answer the question how realistic durable cooperation in policy networks is.

The Global Problem of Resource Management

As far as human beings' ability to produce goods for their own needs increased, the *usage of natural resources* becomes more and more an important variable in socio-economic development. During the last century, the rising demand for production proofed the insufficiency of natural resources available. Hence, the need for rational resource management has been recognised and it is becoming more and more a global task. Moreover, the importance of effective and efficient management emerged due to growing complexity of production. As a result of rationalisation and differentiation processes, the division of labour between different social actors revealed also the significance to coordinate individual action for reaching common goals.

This *coordination of action* between individual and/or collective actors occurs within the existing socio-cultural structures of a politically defined territory and is therefore embedded in social structures and processes of a given society (cf. Granovetter 1985). Moreover, it influences societies' capability of *social integration* (cf. Friedrichs & Jagodzinski 1999) and is therefore one of the most important sources for developing a *sense of community* (cf. Tönnies 1988). *Vice versa*, this sense of community is the source of "*positive solidarity*" (cf. Durkheim 1992: 166ff.) which always includes cooperation and is strongly associated with an *active forming of society by political interventions* producing "*positive integration*" (cf. Münch 2000: 206ff.).

According to Parsons (1985: 26ff.), the *key function of polity* is the protection of societal community and to ensure social integration as a permanent process by executing common norms and collective action. *Social institutions* within the political system (e.g. the principles of free election) are safeguards for this development. Hence, *policies* are cooperation processes to (re)produce social integration by using different modes for coordination of action within a given society. The *formation of nation states* in the 19th century (cf. Eisenstadt & Rokkan 1973, Tilly & Ardant 1975) and the emergence of democratic political systems to govern these unities have been up to now the most influencing and path-making result of social integration processes. Today, nation states and its governments are dominant actors not only within its own national context but also on the international political stage.

Coordination of Action through Market Exchange

Within capitalistic societies, *market exchange* has become the most important coordination principle and each kind of social action is more or less subordinated to this code. Hence, the prior function of *social institutions* in modern market societies is the protection of free trade and fair competition from egoistic manipulation of one or the other actor involved in this interaction. Beyond question, this kind of coordination and its supporting social institutions, like for instance the democratic welfare state, increased not only the "wealth of the nations" but also the welfare of its citizens. Globally seen, the economical dynamics are still unbroken, although the centres of growth shifted from the western states (North America and Western Europe) to other regions (especially East Asia). The ecologically determined global "*limits of growth*" (cf. Meadows 1972), heavily discussed as one outcome of the rising exploitation of natural resources in the seventies of the last century, are obviously not yet reached.

However, this does not mean that critical judgements on the problem solving capacities for ecological questions of the existing economical and political order, done by ecologists during public debates in Western Europe and the USA in the 1970s and 1980s (for an short overview see Meyer & Martinuzzi 2000), are *per se* wrong. While the discussion on basic conflicts between ecology and economy seems to be overcome (cf. for the development of public debates on ecology in the western hemisphere, especially in Germany see Huber 2001: 274ff.), some key problems for co-

ordination of action, directly associated with market regulation principles, still remains unsolved (for an overview see Diekmann & Preisendörfer 2001: 77ff.).

To put the focus on only one topic here, the phenomenon described by Hardin (1968) as the “*tragedy of the commons*” seems to be well suited. If several different actors share a common resource, the risk of abuse is given on behalf of individual strategies to maximize personal benefits. Each actor tries to minimize investments for preservation of common resources while simultaneously he or she wants to get the most out of this resources for own advantages. As far as costs and benefits of common resources can not be individually allocated, this problem of exploitation can not be solved by market exchange. From the view of economic theory, common natural resources are highly demanded public goods which are not supplied on private market and due to this can not be traded – the reason for *market failure* (see for further details for instance Buchanan 1999). Moreover, the benefits of *global public goods* – like most natural resources – reach across borders and sometimes even about generations (for the discussion on global public goods at the World Summit 2002 in Johannesburg see Gardiner & Le Goulven 2002). In other words: the globalisation of ecological risks even increases the public good problem associated with environmental topics (cf. Beck 1986).

Several strategies to overcome market failures and to integrate ecological topics into the economical system have been discussed in the last decades. In general, some economists suggested state intervention for public goods to adjust market failures (among the classical theorists especially Pigou 1998). A very popular example is the recommendation of taxes for a radical reform of international monetary system (cf. Tobin 1978), which became one of the main demands of attac, the first global social movement (cf. Grefe, Greffrath & Schumann 2002: 73ff.). In global environmental policy, the international emission trade system, probably the most important outcome of the “Kyoto Protocol” (cf. UN 1992, 1997), can be seen as another measure within this way of thinking. On national level, several trials to include ecological costs into the national accounting systems have been made by statistical offices (cf. for Germany Stahmer 1989; Cansier & Richter 1995; Rademacher & Stahmer 1997). Finally, some efforts on the level of firms to include ecological aspects in cost management and controlling systems can be found (cf. Müller-Wenk 1978, for an overview Griebßhammer & Eberle 1996). All these strategies aim on inclusion of environmental costs into economical system and to avoid externalities by measures of *state regulation* (even the creation of property rights like in the case of emission trade is finally dependent on state activities).

Regulation of Action through Nation States

This sets the focus on regulation systems of the *nation state* and its ability to solve environmental problems. In a global historical view, the *implementation of environmental policy* within the political system can be described as a story of success: between the late 60s and the beginning of the 90s of the last century, successively all OECD-countries established national environmental authorities and developed a more or less elaborated environmental regulation system, including national plans, laws and legislations on certain environmental issues (Kern, Jörgens & Jänicke 2000; 2001). Moreover, comparable institutions have been implemented both on supra-national (e.g. within the European Union, cf. Jeppesen 2002) and regional level (for German communes see Kern & Wegener 2002). Finally, the World Summit 1992 in Rio de Janeiro established environmental protection as a global policy and 178 nation states ratified the “Agenda 21” as a common political strategy.

In difference to the successful institutional implementation, the *effects of national environmental policies* are at least ambivalent. While some remarkable outcomes of political programs with sometimes impressive impacts on the ecological system can be referred to (e.g. the progresses in East Germany cf. Stockmann, Meyer et al 2001: 65ff.), many basic trends – especially those concerning the usage of natural resources – are still leading in the wrong direction (as mentioned for example by the Federal Environmental Agency in Germany cf. UBA 2002: 4ff.). In most cases, *executive problems* associated with the political measures used, can be blamed for poor regulative effects of national environmental policy (cf. Mayntz 1978, Gawel 1999, Wilson 2002). Especially the acceptance of state regulation within the stakeholder groups is an important problem – not only in environmental policy.

Due to social change, the decision-making capability of national governments is nowadays challenged from two sides. As Hanf & O'Toole (1992:166) mentioned, „modern governance is characterised by decision systems in which territorial and functional differentiation desegregate effective problem-solving capacity into a collection of sub-systems of actors with specialised tasks and limited competence and resources“. Therefore, differentiation as an outcome of modernization increases the demand for *co-ordination between state and non-state organisations* within the national framework (cf. Mayntz 1994, 1996). Moreover, the inclusion of lobby groups with different member interests into policy forming processes often *raise* the problem to find a commonly shared solution and their power to influence government might even hinder any decision at all (or at least its implementation). The political discussions on health reforms in Germany can be used as an example (see Bandelow 1998; 1999; 2003a, b; Gerlinger 2003): several working sessions including members of all political parties as well as a great variety of non-state organisations (e.g. general medical council, pharmaceutical industry, health insurance companies, pharmacies etc.) developed a solution, which had been publicly blamed for its “bias” preferring some pressure groups' interests. Furthermore, the activities of several of the non-state groups involved have to be described as a blockade to strongly needed reforms. To sum it up: it is becoming more and more difficult for national governments to find proper solutions to societal problems and to make decisions that will be executed by civil society forces in the way they are supposed to.

Supplementing this intra-national development *globalisation processes* with its raising number of trans-national linkages in the economical as well as in the political system face the steering ability of centralized national governments from an inter-national perspective (cf. Zürn 1998, Beck 1999, Prakash & Hart 2001). Hence, globalisation as another outcome of modernization increases the demand for *co-ordination between national organisations* – concerning both state and non-state actors – on a trans-national policy level. The well-known problems of the European Union to find common positions and the inability of the United Nations to develop shared political strategies (actual examples reach from the climate change policy to the Iraq war) need not to be further outlined here.

Following these argumentations, *state failures* primarily occur as a result of coordination problems between autonomous actors which are at least partly not an constitutive element of the national political system. Nevertheless, the nation state is *forced to cooperate* because it has lost the ability to develop proper solutions and to impose the execution of its will. Modern democratic states are “weak states” (and they are still getting weaker) because they have to share power with civil society actors and international cooperation both in the political and the economical system. A return to pure national state governance (as some nationalist movements demand) is not possible and would lead to economical and political disasters. Therefore, both state and non-state actors are doomed to cooperation within *multi-actor and multi-level policy networks* - provided that they are interested to avoid political blockades leading certainly to ecological and economical ruin.

Sustainable Development as a New Challenge for Social Integration

Additionally, the use of *sustainable development* as a guiding principle makes the whole thing even more complicated. Since the World Commission on Environment and Development published the famous “Brundtland-report” in 1987, sustainable development is defined as a development ‘that meets the needs of the present without compromising the ability of future generations to meet their own needs’ (World Commission 1987: 8). Although most authors refer to the Brundtland-definition of “sustainable development”, specification problems associated with this definition are still unsolved in the initiated scientific discourse. To give an example, the debate on “weak vs. strong” sustainability should be mentioned here. Nevertheless, the integration of ecological, economical and social targets has been unfolded as another commonly shared aspect of sustainable development (cf. Minsch 1993). On the political arena, especially the World Summit in Rio de Janeiro 1992 and the Agenda 21 were important milestones on the new pathway of global policy. Although a lot of too optimistic expectations had been disappointed, this kick-off led to a bunch of activities on global, national, and local level of politics since then. Moreover, the Rio-slogan “think global – act local” emphasises the spirit of global integration which is still lasting in some of these activities.

By summing up these aspects, sustainable development can be recognised as a (demanded) *social integration process on three different dimensions* (Meyer 2002: 12):

- *Time integration*: As mentioned in the Brundtland-definition, sustainability should be the *integration of needs between different generations of human beings*. This means incorporation on the *time-dimension*, with the demand to include a long-term perspective into nowadays political decisions.
- *Territorial integration*: Following the spirit of Rio, local action for sustainable development has to be framed by national regulations, which itself have to be harmonized with global agreements. Therefore, decision systems integrating several territorial levels of political action have to be developed within the political system.
- *Target integration*: Finally, the scientific debate revealed the importance of target integration because sustainable development needs to be supported by different social groups with diverse interests. The *integration of ecological, economical, and social targets* offers the possibility to include environmental and social aspects in business decisions and *vice versa* to legitimate business action from a social and environmental policy view (cf. Minsch 1993:9).

According to the coordination problems described above, these three requests for social integration dramatically increases the need for cooperation of state and non-state actors on different policy levels – and the problems associated with these cooperation, which have to be solved by political action and institution building. *Time integration implies a lack of information* about the needs of future generations and the risks of optional pathways in consideration. These uncertainties open the floor for ideologies and political discussions which can not be decided by rational arguments or cost-benefits analysis. The fruitless scientific debate on “weak vs. strong” sustainability may only be the opening act for a new century of ideological battles within the political system. *Territorial integration implies intensive communication processes* between local, regional, national and supra-national levels of policy making, assuring a fair democratic representation of all interests involved. The European integration process and its problems to build up appropriate institutions ensuring adequate representation of interests, powerful translation of decisions into common action and support on the local level gives a first impression on the assumable difficulties. Finally, *target integration implies new modes of coordination of political action*, due to the increasing number of corpor-

ate actors which have to be involved in problem solving and therefore also in policy making. As a result, the political system has to open itself for non-political actors, while non-state actors have to allow political interventions in their own sphere of influence.

Therefore, multi-actor and multi-level networks are not only a “must” because of modernisation process but also a common goal of global policy in the spirit of sustainable development. This specific mode of coordination implies some particular characteristics and problems (compared to other coordination modes) that will be analysed from a theoretical point of view in the next chapter.

Is Network Governance the Solution?

Depending on the perspective of scientific discipline, the use of ‘network’ as an analytical concept varies considerably. Even if the focus is set on social sciences, several different understandings of the term can be found: among others economists analyse the interrelationship of formally independent enterprises, innovation research recognise networks both as important sources for developing innovations and tools for spreading innovations throughout a given social system, and in the view of organisation theory network is a hybrid mode of coordination between the poles “market” and “hierarchy” (for an overview on social network research see Weyer 2000). Here, only the last viewpoint is of certain interest because it refers directly to the steering capacities and problems of networks (see especially the contributions in Sydow & Windeler 2000).

The discussion on the *dichotomy of “market” and “hierarchy” as coordination principles* first occurred within economics. Basing on the pioneering work of Ronald Coase (1937), transaction cost theory set the focus on coordination principles for explaining organisational forms and the existence of firms (cf. Williamson 1975): under certain conditions (especially the costs of transaction), bureaucratic organisation (e.g. in firms) is in favour to market transaction, probably leading to an integration of these transactions into hierarchical organised framework. Further research on these issues revealed the importance of mixed or hybrid organisational forms between “market” and “hierarchy”. To describe these forms, the term “network” had been introduced and some authors emphasize the specifics of this coordination mechanisms in difference to “market” and “hierarchy”, justifying the classification as an own type (cf. Powell 1990).

In *political science*, the network approach has been introduced in several different theoretical contexts and used both as a quantitative or a qualitative analysis tool (for an overview see Börzel 1997). For a consensual, minimal definition, Börzel (1997: 1) suggested the understanding of *policy network* “as a set of relatively stable relationships which are of non-hierarchical and interdependent nature linking a variety of actors, who share common interests with regard to a policy and who exchange resources to pursue these shared interests acknowledging that co-operation is the best way to achieve common goals”.

Therefore, the policy network approach offers a broad range of analytical utilities and *research on governance* represents only a small part within this context. Nevertheless, in the past decade a respectable amount of theoretical reflections and empirical studies on multi-actor networks and its contribution to governance had been published (c.f. Marin & Mayntz 1991; Jordan & Schubert 1992; Börzel 1997; Rhodes 1997; Marsh 1998; Koob 1999; Knill 2000; Dinter 2001; Hajer & Wagenaar 2003). As participants of such kinds of inter-organisational co-operations several different state-organisations (national and local government, legislative and administration, federal and regional agencies etc.) and non-state-organisations (multi-national, small and medium-

sized enterprises, non-profit organisations, interest groups and associations etc.) have been recognised in empirical analysis on various policy fields at the local, regional, national and international level of policy making (e.g. from a comparative perspective for health policy Banting & Corbett 2002; for public policy in United Kingdom Richards & Smith 2002; further examples can be found in the work of the Max Planck-Institute in Cologne cf. Mayntz & Scharpf 1995a; Mayntz 2003).

Network Regulation and Coordination of Action

As a short summary, the following four key elements of “*network regulation*” can be identified (cf. Meyer 2003):

- *Trust*: Collective action is only possible, if trust in the reliability of each member to act in a co-operative way can be guaranteed (cf. Knill 2000: 119ff.). Cheating will destroy the cooperation (only Charlie Brown will try to kick the ball again) and break up the network.
- *Durability*: To produce trust, to avoid cheating and to overcome “prisoner dilemma”-situations, continuous (or as a minimum repeated) interaction between same actors is necessary (cf. the considerations of game theory Ordeshook 2003, especially on the importance of repeated interaction Axelrod 1984). Therefore, networks have to be stable constellations of actors at least to a certain extent and over a recognizable time period.
- *Strategic Dependency*: Continuous interaction between formally independent and voluntary participating actors leads to “strategic dependency” (Streeck & Schmitter 1996: 137f.) due to shared production of common goods. Therefore, the scope of action for each actor in every decision situation is reduced to cooperative alternatives because egoistic behaviour risks future support of partners.
- *Institutionalisation*: Especially for balancing power disparities between members (cf. Bachmann 2000: 108ff.) network rules have to be developed. Such an institutional framework regulates the modalities of participation, the process of decision-making, the distribution of commonly produced benefits and the possibility of access and exit to network (cf. Mayntz & Scharpf 1995b: 19ff.).

Problems of network coordination are to a certain extent identical with *general problems of collective action*: Neither the “invisible hand” of market exchange nor the threatening force of sanctions in hierarchical power relations is primarily relevant in this context. In contrary, “trust” as the central regulation principle has to be reproduced in every single cooperation situation and cheating is always possible. Hence, actors have to *invest in network maintenance* by waiving individual benefits with respect of the common output or the individual benefits of others with the expectation of comparable behaviour of the other actors now or in future situations. As far as social institutions controlling interactions are missing, the only potential sanction for a single actor is to leave the network (and this also the only threatening force to push its own will through). From a theoretical viewpoint, this will happen if individual costs to maintain cooperation exceeds the benefits of collective action. Although positive experiences in repeated interaction will increase trust, the risk of cheating still exists. Moreover, cheating is the best option, if expected benefits of further collective action are supposed to be lower than individual benefits available in the concrete situation. These are the well-known problems of collective action and theoretical considerations as well as experimental research have shown that sufficient institutions and measures are needed to avoid bargaining dilemmas and egoistic behaviour (Olson 2000, Heckelman & Olson 2003). Therefore, only social institutions regulating network activities like formal agreements and rules make the difference to repeated collective action that is not able to ensure stability of the interaction system by itself.

The implementation of *network rules* lead also to some kind of restrictions. They might, for instance, limit the exit option making an agreement on periods of notice. Comparable to rules within organisations, such network rules need to be developed, controlled and reformulated over time (cf. on the life history of organisational rules Schulz & Beck 2002). This might lead to some kind of closure of the network and probably even run into a process of organisation building. Especially for continuing cooperation including a clear-cut division of labour and a big number of members, hierarchic organisation has definitely advantages compared with networks (cf. Schimank 2002: 30ff.). Therefore, with increasing intensity and length of cooperation and/or number of members a shift from network to organisation (probably in form of associations) has to be assumed. Even private-public partnerships in policy networks can be formalised in some kind of association. To sum it up: *networks are instable constructions* which are tending either to disintegration or to establish formal organisation. As far as policy networks shall be long-lasting modes to coordinate individual action, they are in need of *suitable social institutions ensuring the durability of the regulation mechanism* network itself (this argument is quite similar to the problems of institutional framing of market exchange mentioned in chapter 2).

Governance through Policy Networks

From the viewpoint of *decision-making*, non-hierarchical forms have some visible advantages, especially in complex social environments. They have the capability producing more effective solutions because they are able to process more relevant information, to take a greater variety of values into account rising the acceptance of decisions by stakeholders, and to be more flexible in reaction on changing situations increasing the adaptability of solutions (cf. Scharpf 1993). Due to this, policy networks are creating innovative answers on complex questions and they are regarding the possibilities of execution. For doing so, they need to include all relevant interests in the decision-making process and to balance these interests during the negotiations. In other words: *policy networks have to beware their openness* and flexibility to discuss innovative suggestions, to develop balanced and practicable solutions, and to force execution in a changing social environment. Social institutions to regulate network activities have to guarantee this.

Three different types of *governance through policy networks* can be distinguished regarding the position of nation state within the decision-making process:

- *Neo-corporatist governance*: Any kind of direct collaboration of public authorities and private corporate actors in form of institutionalised negotiations can be subsumed in this category, as long as the power of decision lies still in the hand of national government. Although network negotiations between state and non-state actors might be open and equal, the administrative decision process remains untouched and the output of negotiations might be changed in further steps on its way to legislation. Especially strong interventionist states in Western Europe (among others Austria, Germany and Sweden) developed such kinds of institutions. A recent and obviously not very successful example in Germany had been the “Bündnis für Arbeit” (“cooperation for employment”; for further information on neo-corporatist institutions in the German labour market system sees Schroeder 2001).
- *Multi-level governance*: Following the principles of federalism, several different levels of policy-making (local, regional, national, and supra-national) are institutionally linked in a shared decision-making process. Within such kind of multi-level systems, the nation state is only one actor among others and it has to take the decisions (or at least a right to a say) of sub- and supra-national committees into account. The European Union is probably the most popular example for such a kind of institutionalised multi-level governance (cf. Marks et. al. 1996; although

several nation states – among others the USA and Germany – are organised in a comparable way). From an institutional perspective, the integration of civil society in the political arrangements of the EU is still very poor. However, the discussion on a better inclusion of civil society in European governance has been recently started with a “white paper” (cf. Commission of the European Communities 2001).

- *Self-regulation (“governance without government”)*: Two different kinds of self-regulation through policy-networks should be mentioned here. On one hand, self-regulation is the dominant coordination mode of international institutions like the United Nations (cf. Rosenau & Czempiel 1992). Under these circumstances nation states are actors with more or less equal rights and governance is the direct outcome of negotiations. On the other hand, self-regulation describes policy networks without any political authorities involved in the decision process. In this case, private organisations overtake regulatory functions and act in public interest as so-called “private governments” (cf. Mayntz 2003, Streeck & Schmitter 1985). The nation state is not involved in decision-making and its role is reduced to legal framing of civil-society institutions.

The enormous amount of empirical literature on governance in these different types and its differentiated and sometime even contradictory results can not be mentioned in detail here. Only some of the main determinants for durability and effectiveness of network governance will be presented, following an actual summary of findings by Mayntz (2003).

- First – and most important in the context here – one has to recognise the *need of a “strong” (nation) state to ensure the functionality of self-regulation*: “If self-regulation remains ineffective, the state can step in and regulate by direct intervention... Self-regulation in the context of modern governance is always regulated self-regulation” (Mayntz 2003: 4). Thus, policy-networks often act “in the shadow of hierarchy” and powerful political authorities as “guardians of public welfare” are preconditions for effective self-regulation. If such kind of control mechanism is missing (most probably in international relations), effective governance through self-regulated policy networks proves to be very difficult.
- A second precondition of effective governance in multi-actor constellations, mentioned by Renate Mayntz, is “the existence of *a strong, functionally differentiated, and well-organized civil society*” (Mayntz 2003: 5). Therefore, most important parts of civil-society and policy-networks are corporate actors with professional communication management which are able to *integrate and aggregate the particular interests of citizens and to represent them for opinion-building within policy network* as well as *to produce common social responsibility and to organise collective action of its members in the sense of network decisions* (cf. Meyer 2003).
- Finally, a “*common identity*” of corporate actors involved in network management is needed to (re)produce social responsibility not only in the network but also in the memberships of the participating civil-society actors. Without at least a crude feeling of being “all in the same boat”, the willingness to cooperate and to waive claims on common resources will not exist. Therefore, extensive communication both between and within network actors for developing a shared “sense of community” and to enable social integration independently from nation state is needed.

This short summary on research findings on policy network governance reveals the importance of *strong corporate actors with an extraordinary sense for common identity and the importance of appropriate institutions and rules to regulate the network itself*. To ensure the functionality of self-regulation, the threat of (state) intervention is needed. Representation of civil society’s interests is only possible within a system of professional interest organisations which are able to communicate the positions of their clients. *Vice versa*

they have to transmit social responsibility from policy network to their members. *Policy networks are costly and demanding regulative modes with high requests for the participating corporate actors as well as for the institutional framework.*

Network Failures and its Institutional Consequences

Obviously, the preconditions to ensure functionality and durability of policy networks mentioned in the last chapter are not given in a *global perspective*. The claims of social integration associated with the concept of sustainable development even increases the difficulties. There are at least three special problems facing *global governance through multi-actor multi-level networks*:

- *Competence for Governance*: If policy networks should be able to solve problems, they require the power to make decisions. Therefore, a transfer of this power from nation states to multi-actor policy networks is needed. Moreover, in multi-level policy networks a division of decision-making competences between the levels is essential. Hence, global reorganisation of power division is a premise for *decision-making competence* of multi-actor multi-level policy networks in the spirit of sustainable development. Additionally, the possibilities to include new options and expertise for developing proper solutions have to be guaranteed, if those who decide should get *problem-solving competence*. As a result, the policy networks have to be open for any kind of consultation and the entry of new civil-society actors. In a global view, this requires an enormous amount of flexibility and information processing within the network structure. The concept of sustainable development even requests more: if the needs of future generations have to be taken into account the results of rational long-term planning has to be integrated as basis of decision-making. Hence, *long-term planning competence* on a global level of governance means the transfer of information on complex and hardly predictable topics that have to be scientifically monitored and appropriate estimated.
- *Communication within corporate actors*: If private corporate actors and interest groups are getting involved in political decision-making and policy formation at least to a certain extent, they have to manage internal “bottom-up” and “top-down”-communication processes in a professional way. “Bottom-up”-communication refers to the problem of “*representation of interests*”. Due to democratic principles, each member of the electorate must have the same right and possibility to get his or her interests represented by delegates within the political system (cf. Dahl 1998). In civil-society organisations, delegates get elected by *members* of the organisation. As far as membership is voluntary, members are not identical with the “*clients*”, which should be represented by the organisation. Hence, legitimation of delegates is limited to a more or less large part of the group they should represent. Increasing heterogeneity of this “clients” group as well as a rising number of organisation members lead to more difficulties for its representation through one single organisation. At least, it is a challenge for internal communication, especially within civil-society actors (cf. Meyer 2003). Obviously, these problems can be found more often on the global than on the local level of politics and global actors have more problems to handle them. “Top-down”-communication within corporate actors involved in political negotiations is needed to ensure internal support for the resulting decisions of these negotiations. In other words, “*corporate social responsibility*” must be produced by communication tools within the participating organisations. Therefore, the problem of involving civil-society actors in political decision-making is *for them* connected with intra-organisational conflicts between *social and member responsibility*. If delegates from non-state organisations agree with common network decisions that provoke the members of their organisation, they might be voted out at the next election. If they try to push the opinion of their

organisation through the network decision process, they risk a breakdown of negotiations. Hence, the delegates have to transfer *responsibility for public goods* among the members of their organisation. If the national state shall be replaced in his function as a “guardian of public welfare”, each civil-society organisation included in the political decision-making process has to internalise this task within its existing organisational and communicational structure. Again the problem rises with heterogeneity and number of people that have to be involved in this internal communication process.

- *Global Coordination of Action*: The number of independent and equally righted actors involved in decision-making increases the complexity and reduces the chance to find a commonly accepted solution. On global level with the claim of total integration of all interests either the number of actors in *multi-actor coordination* exceeds or only delegates of organisations on an exorbitant high level of aggregation can be involved in decision-making. However, limiting the quantity of negotiators by constant number of interests to be represented on one level of negotiations only shifts the problem to delegation and aggregation of interests on a lower level. Again the number of levels linked together in *multi-level coordination* increases complexity and reduces the possibility of a common statement. The more different interests should be involved in one decision process the higher the number either of actors within negotiations or levels of negotiation. Following the claims of sustainable development both numbers of actors and levels have to be maximised to include the interests of the whole world.

The mentioned problems of global governance through multi-actor multi-level network are not primarily associated with the coordination mechanism “network” but with the *inclusion of civil-society into (global) decision-making processes*. Moreover, most of these aspects are even well-known as coordination difficulties of political actors in global policy and the inclusion of civil-society only increases these troubles to a certain extent and on some specific dimensions (e.g. the principles of democratic representation and legitimation, see Sørensen 2002 for more details on the implications of network governance for democratic theory). The existing institutionalised system of global politics is far away from being an effective measure for global governance. The limits of United Nations steering competence have been most recently revealed by the Iraq crisis – and even the more elaborated political institutions of the European Union failed to produce a common European position and to avoid different policies of their member states. As far as, on one hand, the inclusion of civil-society and the establishment of multi-actor multi-level networks are not *per se* solutions for these problems, they are, on the other hand, not definitely reasons for a significant increase of trouble under all circumstances. Whether multi-actor multi-level networks are able to improve global governance or not, is an open question that have to be answered with respect to the institutionalisation of its coordination mode.

Specific Problems of Network Coordination

A transfer of power from the United Nations to self-regulating civil-society networks may open the floor for more effective institutional solutions, but it will be confronted with the demands of effective network governance that are:

- Institutions that are able to subsidize the nation state as a “guardian of public welfare”
- Strong corporate actors representing civil-society in a proper way and being able to organise collective action of its members
- A common global identity overcoming cultural differences and national egoism.

Unfortunately, even if one is able to fit these requirements, there are still a couple of problems remaining, which are inseparably linked with the regulation mode “network”. These “*network failures*” are associated with its structural elements. Due to the “hybrid” structure of “network” coordination, including both characteristic elements of “market” and “hierarchy”, these poles have some forces of attraction destabilising the network mode:

- *Production of Trust (Openness vs. Oligarchy)*: The main advantage of “network as a cooperation mechanism compared with “hierarchy” is its *openness* for new members and ideas. While formal organisations are “closed shops” with an own corporate identity, “networks” are flexible constructions being able to adapt much better to changes in their social environment. However, openness is not only a precondition for innovation but also a threat to *trust*. As far as repeated interaction within a network is needed to develop trust into the behaviour of others, free entrance and exit of members makes this production of trust at least more difficult. The main source for “trust” is, as mentioned above, the *positive experience of cooperation*. People who worked together several times and demonstrated each other the willingness (and ability) to produce common benefits instead of maximizing individual outcomes prefer this proved partnership for cooperation. This “team-building” process may also lead to some kind of closure against third parties supposed to hinder successful cooperation. In other words, “*mistrust in others*” is often a result of “*trust in companions*”. Following the argumentation of Scharpf (1996: 518), such a dichotomy of “insiders” and “outsiders”, companions and competitors, as a radical cognitive simplification is needed to reduce complexity of cooperation situations. Therefore, the production of trust within a given network can cause enclosure. Moreover, following Michels (1987), this is a “must” because of the “*iron law of oligarchy*”. Due to the extensive communication in policy networks, the interpersonal relationship between delegates even may lead to estrangement from the organisation they are representing and result in clique-building. Thus, trust is important for the stabilisation of network negotiations but it is also a source for oligarchic tendencies that excludes even the members of corporate actors from network benefits.
- *Durability of the Network (Integration vs. Disintegration)*: The relationship between stability and change in networks is unclear both from theoretical and empirical perspective. On one hand, networks need to be stabilized for ensuring the development of trust between participants. As a result, network members as well as formal and informal rules of interaction have to remain more or less constant over time because any change would challenge the balance needed for successful cooperation. On the other hand, to protect the network both from internal and external takeovers, an institutionalisation process with on-going changes of rules and agreements is necessary. Furthermore, modernisation process demands for the possibility to include new actors. “Networks” as regulative modes seem to be fragile constructions, tending towards bureaucratic closure (“hierarchy”) or dispersal of cooperation (“market”). Therefore, the capability of “network” cooperation for *social integration* seems to be limited to a certain extent. The positive ability of networks to integrate new members and ideas endangers the existence of the network itself. Innovation networks (e.g. in industry or in research) have, in most cases, an institutionalised limitation of existence. In contrary, policy networks are seldom defined as periodical constructs. As durable solutions, networks have the risk to be transformed to organisation or to an oligarchy.
- *Strategic Dependency (positive vs. negative coordination)*: Scharpf (1996: 512ff.) distinguished two different modes of self-coordination of actors that can be interpreted as contrary modes of strategic dependency. While *positive coordination* points on the goal to maximize the common output of activities, *negative coordination* emphasise the minimal consensus to avoid individual disadvantages as a result of common activities. Following Scharpf (1996: 523), perfect correspondence between net-

work members is improbable due to the increasing variability of interdependence relations. Moreover, one can assume that some actors who have to cooperate for successful positive coordination in a specific coordination situation are not members of the network. The capability for positive coordination is restricted by the chance to produce homogenous interests within the network and, additionally, by the chance to include external actors into cooperation that are commonly needed in specific cases. In other words, positive coordination leads to strategic dependency of actors that can be described as *internal homogenisation of interests* and *instrumentalisation of social integration with respect to shared network interests (collective egoism)*. In contrary, negative coordination stresses the individual interests of each actor and therefore the heterogeneity of interests within the network. According to this coordination mode, agreements with “significant others” are needed to minimise the threat for individual action. If this significant others are not yet members of the network, they have to be integrated for egoistic reasons of single members despite the integration problems resulting for network community. Thus, negative coordination leads to strategic dependency of actors that can be described as *internal heterogenisation of interests* and *instrumentalisation of social integration with respect to individual actor interests (individual egoism)*.

- *Institutionalisation of rules (network restrictions vs. individual freedom)*: As mentioned above, network institutions and rules are needed to stabilise networks and to produce trust as its key coordination mechanism. Therefore, the institutional framing of networks is of prior evidence not only for its functionality as a coordination mode but also for its capacity for social integration. From the perspective of actors, formalisation of inter-actor relationships within networks requires self-commitment and results in some *restrictions of his or her individual freedom to act*. As far as corporate actors are involved, the increasing demand of network institutions may even lead to incorporation and is therefore a threat for the independent existence of the own organisation. Therefore, *the institutionalisation process of networks can result in building a new formal organisation* that is – from the perspective of network – the most extreme form of social integration of actors and institutionalisation of coordination. At this severe end of scale, the networks itself as well as its corporate actors lose their existence and shift to another form of coordination of action. Below this level, social integration of corporate actors within network is guaranteed by social norms, juristic proceedings and contractual commitments. Such kind of “integration by constitution” can be called *political integration* and is associated with the problem of legitimisation of common norms by the members of the unit (cf. Fuchs 1999: 167ff.). For corporate participants of networks, legitimisation of network institution and rules is a product of a social process that occurs within the organisation. Moreover, social integration is of course also an important task for corporate actors, which have to ensure the support for their own target by their members. As far as network rules are limitations of corporate actors’ activities and the network goals are not absolutely identical with actors’ goals, some problems for internal integration have to be assumed under the condition of free choice for membership. In other words: *the capacity for social integration of corporate actors is dependent of the degree of freedom to act for its own targets*. The absence of network rules maximises this capacity but also leads to disintegration of the network (approach towards “market”).

Additionally to this general “network failures”, at least one other aspect has to be mentioned for *governance through policy networks*:

- *Governance through networks (effectiveness vs. efficiency of decision-making)*: Despite the question, whether multi-actor policy networks are effective modes for decision-making and problem-solving, they are for sure not very *efficient* compared to “market” and “hierarchy”. While competition at the “market” proofed to be an effective *and* efficient way to co-ordinate exchanges of goods and services, bureau-

cratic rationality in hierarchies offers an optimised way to handle routine tasks fast (assuring a minimum of communication and coordination expenses) and productive (assuring the involvement of exact those actors needed to produce the common good). Compared to these co-ordination modes, “network” is rather inefficient because of the amount of informal and non-task-related communication (necessary for the production of “trust”). Furthermore, effectiveness of coordination is as well associated with communication: a growing number of actors require higher expenses for communication to reach an identical solution. Under given circumstances (actors involved, interest constellation, decision-problem, etc.), a rise in effectiveness call for more or intensified communication. As far as communication is the most important factor of costs in this coordination mode, *an increasing effectiveness may generally result in decreasing efficiency and vice versa.*

Consequences for Network Institutions

Following these theoretical considerations, some consequences for network institutions can be derived. The functionality of institutions has to be controlled by a *third party* that is not directly involved in network negotiations or dependent on one of the actors. This party has to act as “guardian of public welfare” protecting common interests both against individual and collective egoism of network members. It has to guarantee the right to participate (and equal chances in doing so) of each relevant (defining this is probably the most difficult part of this task) stakeholder organisation to avoid oligarchic tendencies. Furthermore, for the protection of trustful interrelationship of network members, sanctions for cheating and effective measures for punishment have to be developed to shun “free-rider” behaviour. The functional relation of this instance is comparable to the relation of political system and jurisdiction.

A common identity of network members and shared responsibility for network decisions must be assured to support integration processes. Additionally, adaptation to changing social environments and rational rules development is necessary. As far as stabilisation of the network as coordination mode is seen as one of the most important tasks for institutional regulation, two aspects of *communication within the network* have to be mentioned. First, purposeful communication between members is needed to ensure progress in negotiations and to attain common goals. Second, the implementation of observation and evaluation of changes in social environment of the network is necessary regarding adaptation and integration of improvement. For internal management of negotiations as well as for monitoring external development, at least one *specialist and independent unit within the network structure* must be implemented overtaking these “administration” tasks. Institutions have to guarantee a clear-cut assignment of responsibilities for this “network office”.

Probably the most difficult mission is the regulation of inter-actor dependencies within the network. Balancing power differences and establishing mediation capacities for conflict management are at least some of the tasks that are difficult to handle for people or organisations who are involved in network relations and negotiations. Therefore, institutions have to regulate the inclusion of *external experts of mediation* if they are needed for optimizing communication between network actors. Moreover, it is an important task to avoid inequalities within the network relations. Although the “third party” is able to control the misuse of power, the task of social intervention should not be given in the same hands. Not every conflict situation is in need of a “court” but requires “fire brigades” to get the things under control again.

Finally, the development of network rules is neither a task of “network office” nor of the “third party”, it still remains an important duty for network actors and their negotiations. However, for more effective work a special “*rules committee*” has to be implemented and the integration of delegates from outside the network may be useful to

optimise communication between the network and external actors. This last aspect points on the problem of closure: openness can only be ensured by external forces involved in rules development.

These four aspects are only first hints about the institutional framework guaranteeing the functionality of multi-actor multi-level policy networks for global governance of sustainable development. For sure, a more systematic analysis of existing policy networks is needed to develop a theoretical model of network regulation in this context. Nevertheless, social institutions governing policy networks have to cause poor attention for implementing new functional solutions for global resource management and sustainable development governance.

Conclusions

„Sustainable Development“ as a guiding principle offers an answer to the pressing question how natural resources should be globally managed. This solution requests

- the consideration of the needs of future generations for time integration,
- the linkage of policies on all kind of levels for territorial integration, and
- the inclusion of civil-society actors for target integration.

In other words, “sustainable development” is the still utopian idea of “one world” solving its problems in free political discourse, including all people and giving them equal rights to decide with respect to the needs of their children and by acknowledging claims of the ecological system.

From a political point of view, such kind of global governance can not be realised without fundamental changes in the recent political system that is dominated by nation states and their particular interests. The demanded inclusion of civil-society actors on global level will result in multi-actor multi-level policy networks. Moreover, these networks are not supposed to be only “think-tanks” for policy formation, leaving decision-making within existing political structures and legislative processes. Global governance in the spirit of “sustainable development” implies the transfer of power for decision-making from national governments to global multi-actor multi-level policy networks. This step is needed to integrate the growing executive power of civil-society actors and to use it for problem-solving.

This chapter discussed how realistic such kind of durable cooperation in global governance is. By doing so, four key elements of policy networks have been derived from theoretical literature on coordination of action. According to this, cooperation in networks can be described by

- production of trust between network actors to ensure collective action,
- durability of network constellation to enable the production of trust,
- strategic dependency between formally independent actors guiding individual action towards common goals, and
- institutionalisation of cooperation by developing rules to protect the network against external takeover or individual egoism.

A lot of empirical work on the praxis of various kinds of policy networks can be found. As a result, some preconditions for self-regulation through policy networks have to be mentioned:

- Strong nation state is needed as “guardian of public welfare”, enabling self-regulation of the civil-society “in the shadow of hierarchy”;
- Strong civil-society organisations are also needed, ensuring the integration, aggregation and representation of particular interests as well as the production of

social responsibility and the organisation of collective action within its own sphere of influence;

- A common identity of all actors involved in network management is needed to ensure general acceptance and willingness to cooperate with each other.

According to these aspects, several problems for global governance through multi-actor multi-level networks have to be assumed. Some of the difficulties are directly associated with the *global level* of governance and therefore well-known in international politics. The *inclusion of civil-society actors* increases these difficulties in some special parts. We referred to:

- Problem-solving competence requires the inclusion of varying civil-society actors with different perspectives and innovative ideas. This – in addition with the demand for long-term planning - increases the amount of information that has to be processed;
- Internal communication within corporate actors involved in policy network is challenged both by the duty of representing the interests of its clients and the task to transfer responsibility for network decisions and activities to its members. Obviously, there are inequalities of capacities between actors (and their territorial origins);
- The increasing number of actors involved in network negotiations hinders the possibility to find commonly acceptable solutions and a limitation of actors in multi-level structures raises new problems for aggregation of heterogeneous interests on the lower level.

Even more relevant are specific “*network failures*”, comparable to the problems of handling externalities described as “*market failures*” or the limitation of execution as one key element of “*state failures*”. We emphasised the dualistic pressures from both “*market*” and “*hierarchy*” on the coordination principle “*network*” as the main source of “*network failures*” that can be associated with the key elements of network regulation mentioned above:

- Closure tendencies of networks are leading to “*organisation-building*” if they are not counterbalanced by measures to protect openness. Additionally, openness may result in dissolution of network structure in direction of “*competitive market*” if trials for stabilisation fail;
- Networks – as any mechanism to coordinate action of various actors – produce social integration that stabilises their social structure. While “*trust in companions*” goes along with “*mistrust in others*”, it may lead to durable exclusion of non-members;
- Maximisation of common outcome requires “*positive coordination*” between actors and leads to “*collective egoism*”. In contrary, maximisation of individual benefits is in need of “*negative coordination*”;
- Finally, network regulation by appropriate institutions and rules has to balance formalisation for ensuring cooperation and the individual freedom to act. The more formalised rules exist, the less freedom remains for single actors – and *vice versa*.

According to this, we described four key elements of institutions to regulate multi-actor multi-level networks:

Considering these institutional ideas being only first hints that have not shown empirical evidence, the lack of proper institutions has to be seen as the most important reason why durable cooperation in multi-actor multi-level networks needed for global governance to manage national resources still seems to be not very realistic.

- A “third party” replacing nation states in its function as a “guardian of public welfare”, controlling the functionality of networks and its rules;
- A “network office” managing the communication within network actors and observing external development to ensure adaptation to social environment;
- The “inclusion of external experts” at special points for mediation of conflicts, for development of the relations between single actors and for optimizing communication between actors within the network;
- A “rules committee” with the power to develop new network rules and institutions for to optimize communication between the network and external actors as well as to give them the possibility to participate within the network.

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