

Learning in Governance

Climate Policy Integration in the European Union



Katharina Rietig

Learning in Governance

Earth System Governance

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Katharina Rietig

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Series Foreword

Humans now influence all biological and physical systems of the planet. Almost no species, land area, or part of the oceans has remained unaffected by the expansion of the human species. Recent scientific findings suggest that the entire earth system now operates outside the normal state exhibited over at least the past 500,000 years. Yet at the same time, it is apparent that the institutions, organizations, and mechanisms by which humans govern their relationship with the natural environment and global biogeochemical systems are utterly insufficient—and poorly understood. More fundamental and applied research is needed.

Such research is no easy undertaking. It must span the entire globe because only integrated global solutions can ensure a sustainable coevolution of biophysical and socioeconomic systems. But it must also draw on local experiences and insights. Research on earth system governance must be about places in all their diversity, yet seek to integrate place-based research within a global understanding of the myriad human interactions with the earth system. Eventually, the task is to develop integrated systems of governance, from the local to the global level, that ensure the sustainable development of the coupled socioecological system that the Earth has become.

The series, *Earth System Governance*, is designed to address this research challenge. Books in this series will pursue this challenge from a variety of disciplinary perspectives, at different levels of governance, and with a range of methods. Yet all will further one common aim: analyzing current systems of earth system governance with a view to increased understanding and possible improvements and reform. Books in this series will be of interest to the academic community, but will also inform practitioners and at times contribute to policy debates.

This series is related to the long-term international research program, the Earth System Governance Project.

Frank Biermann, Copernicus Institute of Sustainable Development,
Utrecht University

Oran R. Young, Bren School, University of California, Santa Barbara
Earth System Governance Series Editors

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I am very grateful to the policymakers at the European Commission in the directorate generals (DGs) for Agriculture, Climate Action, Energy, and Environment, and their respective cabinets, as well as the members of the European Parliament, representatives of the member states in the Council of the European Union (EU), both in Brussels and in the member states, for volunteering their time and sharing with me their experiences in the process of drafting and negotiating the Renewable Energy Directive (RED) and Common Agricultural Policy (CAP) Directive, as well as reflections on learning. The insights of the environmental nongovernmental organization (ENGO) representatives, industry lobbyists, and researchers involved in the process also proved to be extremely valuable for triangulating and verifying the policymakers' reflections on their learning and its influence on the policy outcome. Without the honest, frank, and often self-critical insights of these key individuals, this research would not have been possible.

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Newcastle upon Tyne, February 2021

List of Abbreviations

CAP	Common Agricultural Policy
COREPER	Committee of Permanent Representatives
Council	Decision-making bodies of the Council of the EU, including European Council (heads of states), Council of Ministers and Council working groups consisting of technocratic experts and civil servants from the national permanent representations to Brussels and the member states' ministries responsible for the respective policy area
CPI	Climate policy integration
DG Agri	Directorate General for Agriculture and Rural Development
DG Clima	Directorate General for Climate Action
DG Energy	Directorate General for Energy
DG Env	Directorate General for Environment
ENGO	Environmental nongovernmental organization
EPI	Environmental policy integration
EC	European Commission
EP	European Parliament
EU	European Union
FQD	Fuel Quality Directive
GATT	General Agreement on Tariffs and Trade
HEBDO	Weekly meeting of the heads of cabinets at the European Commission
ILUC	Indirect land use change
IPCC	Intergovernmental Panel on Climate Change
LULUCF	Land Use, Land Use Change, and Forestry
MEP	Member of the European Parliament
MFF	Multiannual Financial Framework
RED	Renewable Energy Directive
UNFCCC	United Nations Framework Convention on Climate Change
WTO	World Trade Organization

1 Learning in Governance . . . Does It Matter?

Policymaking is a human, personal learning endeavor. It is different from working in a sausage factory. It is more like an art.

—European Commission

Over time, policy changes frequently mirror evolutions in societies' political preferences, advances in scientific knowledge, and experiences with previous actions, unintended consequences, or even catastrophic events. Regional cooperation, such as within the European Union (EU), can be motivated by the prospect of economic prosperity and the hope of reducing negative environmental impacts through collective action. As the interests of key actors change, additional knowledge is taken into account, or experiences with previous policies are reflected upon, changes in policies can result in further reactions of key actors. These developments could be summarized as learning in the process of governing institutions, rules, and practices in earth system governance. The questions are whether policy and governance outcomes are necessarily a result of learning among policymakers, and to what extent they occur independently.

A central challenge of earth system governance is to effectively govern international institutions and complex systems (Young 2017) by devising public policies across governance levels to address climate change and related challenges in the Anthropocene (Biermann 2014; Nicholson and Jinnah 2016). This happens through agency—that is, individuals and organizations acting as agents with the authoritative capability to govern behavior based on a certain legitimization through the governed (Betsill et al. 2020, 8). The concept of agency includes a very wide variety of actors, ranging from national governments to nonnational actors such as cities, businesses, non-governmental organizations (NGOs), experts, domestic opposition parties,

international organizations, and their secretariats to individuals engaging in ad hoc coalitions and issue networks (Betsill et al. 2020). While private and hybrid governance (e.g., through public-private partnerships) continue to have increasing importance to complementing and closing gaps where environmental challenges occur across jurisdictions and in contexts of limited governmental capacity (Bloomfield 2018; Park and Kramarz 2019; Partzsch 2020), public policies devised in a national or supranational context such as the EU remain a cornerstone of effective environmental and climate governance due to their enforcement mechanisms as well as the direct accountability and legitimacy of the actors involved. Earth system governance happens within multilevel, multiagency, and multiproblem settings that can be understood as polycentric governance. Going beyond the related, yet more government-focused concept of multilevel governance (Hooghe and Marks 1994) where nonnational actors cogovern with state actors for the provision of collective goods (Stephenson 2013), polycentric governance takes a broader perspective by attributing a higher level of autonomy and influence to nonnational actors such as individuals, NGOs, and companies, as well as their networks (Wurzel, Liefferink, and Torney 2019).

Originally inspired by the municipal level in the federal governance system of the United States where municipalities collaborate or compete under the umbrella of the state and/or federal level with a shared system of rules, the concept of polycentric governance emerged in the 1960s, referring to “many centers of decision making that are formally independent of each other” (Ostrom, Tiebout, and Warren 1961, 831). It was advanced in Elinor Ostrom’s seminal work on governing the commons, especially with regard to private and public-private actors such as individuals, companies, and NGOs (Ostrom 1990; Ostrom 2010a; Ostrom, 2010b), and features prominently in natural resource governance (Carlisle and Gruby 2019; Thiel, Blomquist, and Garrick 2019), such as water governance (Berardo and Lubell 2016; Lubell, Mewhirter, and Berardo 2020; Schröder 2018), urban governance (Hendrigan 2020), and increasingly climate governance (Gallemore 2017). More recently, the concept of polycentric governance has been adopted and applied to the EU (Hall and Pain 2006; van Zeben and Bobic 2019), including the capacity to learn about the functioning of the EU as both a precondition for polycentric governance and a potential benefit of it (Garben 2019).

Despite this progress in our understanding of the interactions and interdependencies of actors, institutions, and decision-making processes, a gap remains in the Earth System Governance literature concerning agency, as well as in the polycentric governance and European public policy literature with regard to microprocesses such as learning among individuals and

organizations involved in decision-making and when, why, and under which circumstances they influence the effectiveness of the governance processes and outcomes within European multilevel and polycentric governance.

In this book, I argue that there is a role for learning in improving the effectiveness of earth system governance as the process of devising rules to support peaceful coexistence, economic prosperity, and environmental sustainability in the Anthropocene. It presents a fuller picture of the empirical and theoretical puzzle on what determines outcomes in governance, and more precisely in the policymaking process. The key question is to what extent learning, which is widely regarded as a facilitating factor, contributes to policy outcomes. Learning can be a result of reflecting on failure (Ravenal 1978) or occur in the form of drawing lessons (Rose 1991) from the policies of other countries that serve as the inspiration for policy diffusion (Dobbin, Simmons, and Garrett 2007; Gilardi 2010; Perkins and Neumayer 2004). Increasing group pressure among countries to present their domestic climate mitigation and adaptation strategies at such events as international climate change negotiations (Rietig 2014) points toward coercive elements of policy transfer (Dolowitz and Marsh 1996; Stone 2000) as supplementary explanations for policy outcomes.

Learning can be regarded as an intervening variable, one of many factors. Learning and conditions for learning can provide a deeper understanding of how coherence across multiple governance levels in national and international organizations can be improved (Bernstein and Cashore 2012). Overall, learning is frequently regarded as the facilitating factor for policy outcomes on multiple levels of governance.

So what role does learning play in public policymaking? To answer this central question, I examine how learning occurs in the policy process, how we can analytically differentiate aspects of learning, and under what conditions learning matters to the outcome of the policymaking process. In short, I systematically examine how relevant learning is to governance. The central argument of this book is that we need to better understand the role of learning and to what extent learning can facilitate more effective public policies that help addressing the key challenges of the Anthropocene. Different aspects of learning occur only under certain circumstances. However, learning does not occur automatically as soon as actors communicate or engage in a policymaking process. For example, in order to transmit individual learning to the organizational level of a government department's policy proposal or national negotiation position, and thus achieve a policy outcome, leadership by policy entrepreneurs acting as learning brokers and institutional dynamics are crucial.

There is no comprehensive theoretical framework on learning that would help answer this question. The link between learning and policy outcomes is rarely systematically questioned in the governance and public policy literature. Although the explanation of learning as a policy process or as a relevant factor for a policy outcome is convenient due to its positive connotation, it does compete with other explanations, such as bargaining in negotiations, political power, various actors' interests, and organizational objectives (Moravcsik 1993; Rietig and Perkins 2018; Roberts and King 1991; Verdini Trejo 2017).

Learning is particularly relevant in challenging policy areas where individual incentives to enjoy short-term benefits are misaligned with the long-term needs of future generations. Addressing a global challenge like climate change first and foremost means reducing greenhouse gas (GHG) emissions while adapting to their unavoidable consequences (IPCC 2018). Several policy instruments are available with the single purpose of reducing emissions, such as carbon taxes, emission trading via financial incentives, and absolute emission caps (Skjærseth and Wettestad 2009; Wettestad 2009). However, it is traditional sectoral policy fields such as transport, energy, industry, and agriculture that will need to integrate climate objectives into their areas in order to achieve emission reductions (Rietig 2013) of over 80 percent from the levels in the 1990s by 2050 (IPCC 2014), with a view toward carbon neutrality in line with keeping global temperature increases below 1.5° to 2°C, as stipulated in the Paris Agreement on Climate Change (Falkner 2016; Meckling 2017). Climate policy integration (CPI) is an emerging area with increasing importance for effective environmental governance that can help countries meet their existing international climate commitments and further increase their ambitions to effectively address climate change (Adelle and Russel 2013; Dupont 2016; Rietig 2013).

In the empirical analysis, I subsequently focus on which aspects of learning emerged and whether learning influenced outcomes in European CPI. The learning process of integrating environmental and climate objectives into sectoral policy areas is seen to provide an important contribution to climate mitigation (e.g., Nilsson and Nilsson 2005; Nilsson and Eckerberg 2007). The EU is a key actor in climate governance due to its strong interest in climate mitigation (Biermann 2005) and its leadership aspirations (Jordan et al. 2010; Schreuers and Tiberghien 2007; Skjærseth 2017). Despite the EU's intentions, its actual leadership on climate change has been more aspirational than factual at times. It has been criticized as deficient (Jordan et al. 2012, 44) following the Copenhagen disaster (Blühdorn 2012) and predominantly resulted in some lesson drawing, such as in the case of

China (Torney 2015). However, the EU's aspirational leadership role can be regarded as at least partly restored following the strong and successful push for a post-Kyoto regime, with binding commitments from developing countries in exchange for a second and final commitment period of the Kyoto Protocol, which was brokered by the European Commissioner for Climate Action at the United Nations Framework Convention on Climate Change (UNFCCC) negotiations in Durban in 2011 (Rajamani 2012).

This renewed leadership role (Rietig 2020) developed into a mediator role that also incorporates aspects of acting as a mediator between other key GHG emitters such as the United States and China, as well as smaller and least-developing countries that are strongly affected by the consequences of climate change (Elström and Skovgaard 2014). Climate change returned to a high priority in the EU's internal and external policy agenda in 2018 and 2019 in response to the accelerating global climate crisis (IPCC 2018), in the form of unprecedented wildfires in Australia, North America, and Russia; hurricanes in the Caribbean and more recently in the North East Atlantic; and floods, droughts, and crop failures across Europe. This obvious acceleration of the climate crisis resulted in increasing public pressure from social and environmental movements such as Fridays for Future, enticing the European Commission to review its long-term commitments under the Paris Agreement and to propose the European Green Deal to achieve carbon neutrality by 2050.

The rationale for choosing the EU as a geographical focus for this case study has several justifications. First, the international commitments of the EU are more ambitious than those of other major emitters of GHG emissions or served as inspiration. Second, the multilevel governance character of the EU allows gaining insights into and drawing conclusions about how ambitious policies can be transferred to other complex, multilevel political systems outside the EU, as well as implemented among the EU member states (Jordan et al. 2012, 45–46). These semifederalist (Nedergaard 2008, 180; Rozbicka 2013, 844), multilevel governance (Piattoni 2010), and polycentric governance characteristics (van Zeben and Bobic 2019), as well as the aspirations for an international leadership role in global climate governance (Schreuers and Tiberghien 2007; Skjærseth 2017) that are restrained by the EU's inherent structural inflexibility (Afionis 2010), make the EU an ideal test case for learning.

A further rationale for focusing on the EU as a case study area is the rich empirical literature on learning in policymaking within it. There is a certain collective and individual capacity to learn in the polycentric EU (Garben 2019). In particular, the last two decades brought a development of empirical evaluations of learning and the related concept of policy transfer

(Benson and Jordan 2011; Benson and Jordan 2012) in areas such as Regulatory Impact Assessment (Radaelli 2004; Radaelli 2009), the Common Agricultural Policy (CAP) (Feindt 2010), the Open Method of Coordination (Kerber and Eckardt 2007; Nedergaard 2007), economic governance (Dunlop and Radaelli 2016; Dunlop and Radaelli 2017), employment strategy (Nedergaard 2006a), regional integration (Farrell 2009), and European disintegration (Dunlop, James, and Radaelli 2020). A number of studies focus on agency, such as Elizabeth Bomberg's (2007) analysis of environmental NGOs as teachers in the context of European enlargement and Diane Stone's article on the transfer of policies in transnational governance, including the EU (Stone 2004), as well as Anthony Zito's analysis of agencies as agents for learning (Zito 2009).

The empirical analysis follows a qualitative methodology. The primary data sources are in-depth, semistructured elite interviews with the key individuals involved in the policymaking process. The research presented here is based on seventy-four elite interviews with key actors between March 2012 and August 2018. The interviewees were representatives from the European Commission (Directorate General/Cabinet for Agriculture and Rural Development [DG Agri], Directorate General for Environment [DG Env], Directorate General/Cabinet for Climate Action [DG Clima], and Directorate General/Cabinet Transport and Energy [split into DG Transport and DG Energy in 2010; all later references to DG Energy include the former DG Transport and Energy]), NGOs, industry lobbyists, and members of the European Parliament (MEPs) and their advisors from conservative, liberal-democrat, green and social-democratic parties, as well as representatives from relevant member states such as Austria, Bulgaria, Finland, Germany, Hungary, Italy, the Netherlands, Portugal, Spain, Sweden, and the United Kingdom (UK). In addition to interviews providing primary sources, I analyzed all relevant and available document-based sources and gray literature, including white/green papers, draft communications between the European institutions, published accounts of individuals involved in the decision-making processes of the case study policies, and policy outcomes in the form of directives and regulation. The interviews referenced in this book are listed in Appendix 2 formatted as, for example, EC 1, whereby EC stands for European Commission followed by the anonymized numerical designation of the interviewee (see Appendix 2).

In chapter 2, I present the Learning in Governance Framework (LGF), which is based on reviewing and synthesizing the learning literature across political science, social psychology, and management studies spanning more than fifty years. This is particularly useful for further empirical

analysis of learning in any policy field or geographical context, as the literature on learning is dominated by overlapping terminology and thus remains ambiguous on what can (and cannot) be regarded as learning. Chapter 2 also discusses the methodological aspects of data collection and data analysis to allow for applying and further developing the LGF with other levels of governance, in other sectoral policies, or both. One example is the assessment of the role of learning when arriving at the Paris Agreement in 2015 (Rietig 2019b), with a focus on the global level of international negotiations.

Chapter 3 briefly introduces the policymaking process in the EU and conceptualizes CPI as a background for evaluating the role of learning in the subsequent chapters: the Renewable Energy Directive (RED) with the biofuels controversy (chapter 4), the greening of the CAP in the 1980s and 1990s (chapter 5), and more recent reforms in the 2000s and 2010s (chapter 6). The key findings point toward a very nuanced role for learning and its interplay with leadership by policy entrepreneurs (discussed in chapter 7), showing that the policymaking process was at times dominated by bargaining among the actors based on their organizations' interests. So-called normal aspects of learning occurred frequently, such as gains in experience and knowledge, which could be expected in any policymaking process. In several instances, the policy outcome was more a result of policy entrepreneurs using their previously acquired knowledge and experience to achieve a policy outcome that aligned with their preformed deeper beliefs and policy objectives. Finally, chapter 8 provides a synthesis of the findings and original contributions to the earth system governance and European public policy literature before offering an outlook on implications for practice in the EU, as well as for the learning literature.

This research makes several original contributions to the agency aspects of Earth System Governance in the Anthropocene (Biermann 2014): the LGF allows a more nuanced analysis of which aspects of learning occur in governance processes and how they matter to governance outcomes. It furthermore allows more precision in determining the extent to which a policy outcome results from learning or other explanations. I clarify the underresearched link between the learning individual and the factors that hinder learning from being transferred to the organizational level, where most policy decisions are made, and the policy outcome. In addition, the CAP and RED case studies allow a fresh perspective on the key role of bureaucrats as policy entrepreneurs and learning brokers.

Overall, learning does matter to governance as an intervening variable and can affect the policy outcome in combination with dedicated leadership by policy entrepreneurs. The effectiveness of governance can be improved

by aligning actors' beliefs to both address climate change and meet sectoral policy objectives, mastering strategies that are most suitable for influencing the governance process, strategically creating or using windows of opportunity, and particularly using existing experience and knowledge to act as policy entrepreneurs by proactively steering policy proposals through the policymaking process toward its outcome, while avoiding institutional and political veto points.

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