

Robert Schuman Centre

Coping with Europe:
The Impact of British and German
Administrations on the Implementation
of EU Environmental Policy

CHRISTOPH KNILL
and
ANDREA LENSCHOW

RSC No. 97/57

EUI WORKING PAPERS



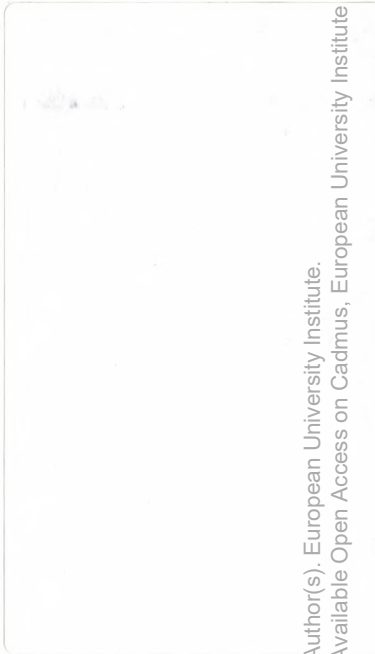
ROPEAN UNIVERSITY INSTITUTE

WP
321
. 02094
EUR

European University Institute



3 0001 0035 5469 0



EUI Working Paper RSC No. 97/57

Knill/Lenschow: *Coping with Europe: The Impact of British and German Administrations on the Implementation of EU Environmental Policy*

WP
321.0209
4 EUR



The Robert Schuman Centre was set up by the High Council of the EUI in 1993 to carry out disciplinary and interdisciplinary research in the areas of European integration and public policy in Europe. While developing its own research projects, the Centre works in close relation with the four departments of the Institute and supports the specialized working groups organized by the researchers.

EUROPEAN UNIVERSITY INSTITUTE, FLORENCE

ROBERT SCHUMAN CENTRE

**Coping with Europe:
The Impact of British and German Administrations
on the Implementation
of EU Environmental Policy**

**CHRISTOPH KNILL
and
ANDREA LENSCHOW**

EUI Working Paper RSC No. 97/57

BADIA FIESOLANA, SAN DOMENICO (FI)

**All rights reserved.
No part of this paper may be reproduced in any form
without permission of the authors.**

**©Christoph Knill and Andrea Lenschow
Printed in Italy in October 1997
European University Institute
Badia Fiesolana
I – 50016 San Domenico (FI)
Italy**

Introduction

This working paper analyses the roots for the widely recognised “implementation gap” of European legislation. Even though implementation failures are feared to undermine the legitimacy and credibility of the integration process (Commission 1996; Ehlermann 1996), solutions seem difficult to find. We focus our investigation on the primary implementing actors, namely national administrations and take as our starting point that their implementation performance is shaped by the existing administrative traditions, which may differ substantially from country to country (Siedentopf/Ziller 1988; Siedentopf/Hauschild 1990, 451; Dehousse et al. 1992; Metcalfe 1994). We ask how do national administrative arrangements affect the implementation performance and under what conditions is the implementation of EU legislation likely to be most effective.

We define implementation effectiveness as the degree to which both the formal transposition and the practical application of supranational measures at the national level correspond to the objectives defined in the European legislation¹. Hence, it is the compliance with these objectives rather than political outcomes in terms of environmental quality improvements that concern us here. Our focus on the impact of institutional structures and on their ability to adapt to European requirements distinguishes this research from a classical implementation study.

The implementation of EU environmental policy in Britain and Germany constitutes the empirical focus of this analysis. Environmental policy is an area where implementation gaps are particularly prevalent (Commission 1996); the selection of Britain and Germany allows us to assess the role of national administrative arrangements in a comparative fashion as these arrangements are diametrically opposed in the two selected countries (cf. Héritier/Knill/Mingers 1996). To support our research design we have chosen five pieces of EU environmental legislation that correspond with either the German or the British patterns more closely. Assuming that implementation effectiveness increases with the degree of compatibility of EU legislation with national arrangements we therefore expect that effective implementation of a certain policy in one country will be paralleled by an ineffective record in the other.

As we will see, empirical evidence reveals surprising results conflicting with this initial hypothesis. Therefore, we will further develop our explanatory

¹ Although practical application is the most important factor when deciding upon effectiveness of implementation, formal transposition is taken into account, as it forms the basis for subsequent practical application.

framework by introducing the concept of perception and by adopting a dynamic institutional perspective. We conclude with a typology of four implementation paths, implying either effective or ineffective performance in the context of differently perceived adaptation pressures.

1 The Factual Constellation of European Requirements and National Administrative Arrangements

As a starting point for our analysis of the implementation effectiveness in Germany and the UK, we introduce the "intuitive" hypothesis that the implementation performance is directly linked to the "match" or "mismatch" between European policy requirements and existing arrangements at the national level. This expectation corresponds to the insights gained in the neo-institutional literature which concludes that institutions do not automatically adapt to exogenous pressure, but resist change although their environment may be changing (Krasner 1988; DiMaggio/Powell 1991; March/Olsen 1996). Accordingly, implementation effectiveness of EU policies is expected to be low if the number of institutional adaptations required at the national level is high. As the flip-side of the coin, we assume effective implementation, when EU policy is corresponding to national patterns; i.e. if compliance with EU provisions is possible without institutional adaptations at the national level.

In order to test this initial hypothesis, we characterise the constellations of the German and British national administrative arrangements and the requirements of the European measures under study and address the objective (factual) differences between national and European patterns. We assess the soundness of our explanatory model by contrasting the actual implementation outcomes with our expectations based on this comparison of factual constellations.

1.1 Contrasting Patterns: German and British Administrative Arrangements in Environmental Policy

To assess the objective "match" or "mismatch" of European legislation and national administrative traditions, we distinguish three analytical dimensions characterising sectoral administrative arrangements: regulatory approach, style, and structures. The *regulatory approach* refers to dominant ideas and beliefs of how to tackle certain policy problems (Hall 1993). The dimension of the *regulatory style* is defined by two related aspects: the mode of state intervention and administrative interest intermediation; i.e. patterns of interaction between administrative and societal actors. From an analytical perspective, we can distinguish between the two ideal types of an interventionist and a mediating

regulatory style. The mediating ideal is characterised by a form of state intervention that emphasises self-regulation and procedural rather than substantive requirements; it implies high discretion and flexibility with respect to practical application. Accordingly, patterns of interest intermediation are shaped by pragmatic bargaining, informality, consensus, and transparency. Following the interventionist ideal, on the other hand, command-and-control type regulatory rules define substantive objectives, leaving administrative actors only limited discretion and flexibility for defining requirements taking into consideration individual circumstances. As a consequence, we expect patterns of interest intermediation to be more legalistic, formal, adversarial and closed (i.e. with limited access for third parties) (cf. van Waarden 1995). As a third dimension, *regulatory structures* are of relevance. Relevant patterns in this context are related to both the vertical (centralisation/decentralisation) and horizontal (concentration/fragmentation) distribution of administrative competencies as well as patterns of administrative coordination and control.

A comparison of German and British arrangements in environmental policy along these three dimensions reveals a picture of rather opposing national characteristics. To begin with the regulatory approach, the German concept can be summarised as precautionary, technology oriented, and emission-based. Based on the principle of precaution, German environmental regulation makes use of the best available technologies (BAT) in striving to reduce pollution as far as possible. BAT is employed despite scientific uncertainty with respect to the actual harmful effects of polluting substances. Technology orientation and precaution imply the definition of uniform control requirements throughout the country, independent of varying local conditions. This problem solving "philosophy" stands in sharp contrast to the British regulatory approach. Instead of precautionary action, the British require sound scientific evidence on harmful effects of pollutants as the basic condition for regulatory intervention. Accordingly, pollution is not reduced at any cost, but by balancing potential benefits for human health and the environment against the economic cost of control technologies. Moreover, control requirements are not defined in uniform manner but by taking account of varying local conditions (cf. Boehmer-Christiansen/Skea 1991; Weale 1992; Hérítier/Knill/Mingers 1996; Lenschow 1997; Knill 1995; 1997).

The contrast between the British and German regulatory approach can also be identified when the dominant regulatory styles are considered. This holds true for both the mode of state intervention and patterns of administrative interest intermediation. The regulatory style in Germany to a large extent reflects the interventionist ideal type. Policy instruments are generally characterised by a command-and-control approach, which defines substantive and uniform

standards to be achieved by industry, leaving limited room for flexible adaptations of control requirements in the context of local circumstances. Accordingly, patterns of interest intermediation can be described as being rather formal and legalistic, with informal bargaining between regulatory authorities and industry taking place under the "shadow of the law". Access for third parties is quite restricted, allowing for participation only in legally specified cases (Winter 1996, Lenschow 1997).

In Britain, by contrast, the traditional regulatory style corresponds to the mediating rather than intervening type. I.e., the UK has a preference for flexible policy instruments which leave great leeway and discretion for adapting to local circumstances. Thus, in water and air regulations, no legally binding quality or emission standards have been in place for a long time. Rather the emphasis is on individual negotiations between the regulating authorities and industry in light of the particular situation given with respect to environmental quality, available technology and economic situation of the company. Procedural aspects of balancing these different criteria are more important than substantive provisions with respect to emission or quality values. The specific type of instruments preferred implies distinctive patterns of administrative interest intermediation, favouring pragmatic rather than legalistic styles of interaction characterised by consensual and informal relationships between public authorities and the regulated industry. Furthermore, transparency of the consensual bargaining is low in order not to jeopardise the rather "chummy" and "cosy" relationships. Consequently, opportunities for third parties such as environmental organisations to participate in the authorisation process are rather limited (Vogel 1986; Jordan 1993; Knill 1995).

In addition, fundamental differences between German and British administrative arrangements exist with respect to the regulatory structure. In Germany, sectoral structure is characterised by a high degree of decentralisation and fragmentation. Decentralisation can be traced to the federal structure of the state, implying a functional division of competencies between the federal level (policy formulation) and the regional level (implementation and practical application). At the regional or *Länder* level, there exists a multi-tier organisational hierarchy, including local districts and councils. The high degree of administrative fragmentation becomes evident in the medium-specific administrative processing given in environmental regulation (Pfeiffer 1991).

While fragmentation of administrative competencies also used to be a typical feature of the British arrangements, the main responsibilities for policy implementation lie with the central level. In contrast to Germany, the Department of the Environment (DoE) is responsible for pollution control not

only with respect to policy formulation, but also for implementation. In this context, the DoE delegated implementation competencies to a whole range of different inspectorates and authorities at the central and local level. Contrasting with the functional division of responsibilities in Germany the division of competencies between the central and local level is based on sectoral criteria, with both levels fulfilling their tasks rather independent from each other; i.e. there is no hierarchical control or inspection of local authorities' day-to-day activities by central government, implying high variation of local authority performance throughout the country (Steel 1979, 34; Knoepfel/Weidner 1985; Weale 1996, 127f.).

Table 1: German and British Administrative Tradition in Environmental Policy

	Germany	Britain
Regulatory Approach	<ul style="list-style-type: none"> - precautionary - technology-oriented - emission-based 	<ul style="list-style-type: none"> - sound scientific evidence - cost/benefit calculations - local quality
Regulatory Style	"Interventionist Ideal"	"Mediating Ideal"
State Intervention	<ul style="list-style-type: none"> - hierarchical - substantive - low flexibility/discretion 	<ul style="list-style-type: none"> - more self-regulation - procedural - high flexibility/discretion
Adm. Interest Intermediation	<ul style="list-style-type: none"> - formal - legalistic - more adversarial - closed 	<ul style="list-style-type: none"> - informal - pragmatic - consensual - closed
Regulatory Structure	<ul style="list-style-type: none"> - functional decentralisation - sectoral fragmentation - hierarchical coordination 	<ul style="list-style-type: none"> - sectoral decentralisation - sectoral fragmentation - lacking hierarchical coordination of local activities

1.2 The Policies under Investigation

Having elaborated on the contrasting regulatory approaches, styles, and structures given in British and German environmental policy, we now take a closer look at the adaptation requirements which the selected European policies imply for the differing national arrangements. Regulatory implications, though not necessarily along all three dimensions, are transmitted via the policy instruments defined in respective EU legislation; the employment of these EU policy instruments may have more or less fundamental repercussions on well-established regulatory arrangements at the national level. The following table summarises the expectations regarding regulatory approach, style and structure inherent in the five pieces of EU legislation under investigation.

Table 2: Administrative Implications of the Policies under Study

	Regulatory Approach	Regulatory Style	Regulatory Structure
LCP	precautionary technology-based emission-based	Intervention hierarchical, substantive, flexibility Interest Intermediation: formal and legalistic	Type: neutral, organisational uniform, rather than structural low implications
Drinking Water	precautionary technology-based quality-based	Intervention hierarchical, substantive, flexibility Interest Intermediation: formal and legalistic	Type: neutral, organisational rather than structural low implications
Access to Information		Intervention procedural Interest Intermediation: transparency	Type: neutral, organisational rather than structural implications
EIA	integrated	Intervention hierarchical, procedural, flexibility Interest Intermediation: (limited) public participation	Type: concentration and coordination of high administrative competencies
Eco-Audit		Intervention self-regulation, procedural, flexibility	Type: building up new administrative high structures

To elaborate briefly, only the LCP, the Drinking Water and the EIA Directives affect the dimension of regulatory approach. The former two emphasise the precautionary principle and the use of the best available technologies (cf. Knill/Héritier 1996; Knill 1997b, 51). Based on these principles, the focus of the LCP-Directive is directed at the reduction of emissions at the end of the pipe, whilst the Drinking Water Directive focuses on water quality objectives. In contrast, the EIA Directive is characterised by an integrated philosophy, calling for the assessment of environmental impacts for any project that is likely to have such impact from a cross-media perspective.

Different conceptions shape EU legislation also with respect to regulatory styles. Whereas the LCP and Drinking Water Directive reflect the interventionist ideal type, the Information Directive and the Eco-Audit Regulation point to the mediating ideal. The EIA Directive lies somewhere

between these two poles. The interventionist character of the LCP and Drinking Water Directives becomes apparent in the substantive and hierarchical instruments, which define emission or quality standards. Thus, the LCP Directive defines legally binding emission standards for dust, NO_x and SO₂ for all new plants (entering operation after 1.7.1987). Moreover, emissions from old plants had to be reduced in the context of differentiated national requirements. In the latter case, member states have certain flexibility in deciding on relevant means for achieving the national "bubble" targets. The Drinking Water Directive binds member states to be in compliance with defined guide values and mandatory values (maximum admissible concentration and minimum required concentration) regarding a range of parameters linked to water for human consumption (Haigh 1996). These uniform and hierarchical specifications imply quite formal and legalistic patterns of administrative interest intermediation.

In contrast, the Information Directive is characterised by procedural requirements aiming at increasing regulatory transparency. To make the performance of both public authorities and the regulated industries accountable to the public, the Directive requires relevant authorities holding information on the environment to make this information available to the persons requesting it. The mediating regulatory style is even more pronounced in the case of the Eco-Audit Regulation, which emphasises industrial self-regulation by the voluntary introduction of an environmental management system. The EIA Directive, on the other hand, is characterised by both mediating and interventionist elements. While the requirement to carry out an EIA is specified in a hierarchical way, the Directive's focus on procedural aspects and public participation reflects elements of the mediating ideal type.

When focusing on structural arrangements, potential implications exist primarily in case of the EIA Directive and the Eco-Audit Regulation. Thus, the integrated approach inherent to the EIA procedure points to the concentration or at least coordination of administrative control responsibilities. While the EIA Directive may imply changes in existing structures, the Eco-Audit Regulation requires to build up new structures. Member states must create competent accreditation and certification bodies in order to set up an Environmental Management and Audit Scheme (EMAS) to be applied by industry. Structural implications of the other Directives, in contrast, seem less demanding.

1.3 The Constellation of EU Policies and National Arrangements: Assumptions and Empirical Evidence

Given the administrative implications of the European legislation under study and the corresponding arrangements to be found in Germany and Britain, one

could expect a bifurcation of implementation results for each country. In Germany, we assume effective results for the Directives on LCP and Drinking Water, which basically correspond to national administrative characteristics. In contrast, the British implementation record with respect to these measures is likely to be rather ineffective, since both the national regulatory approach and style differ from the EU provisions. On the other hand, we expect effective implementation in the UK for the Eco-Audit Regulation and the EIA Directive. Both pieces of legislation demand far-reaching adaptation for the regulatory style and structure given in Germany, however, suggesting ineffective implementation results here. The Directive on Access to Information is the only legislation, where we expect similar implementation problems in both countries, since the European provisions require changes in the rather secretive administrative practice given in both Germany and Britain.

When comparing these initial hypotheses with empirical evidence on the implementation of the five policies under study, we find rather puzzling and surprising results. In Germany three cases confirm our expectations; in Britain only one case corresponds with our hypotheses.

Beginning with Germany, empirical evidence on the LCP Directive confirms our hypothesis of effective implementation results. The LCP Directive was complied with without involving changes to the domestic regulatory approach, style or structure. Only with respect to EU reporting requirements, Germany is struggling to meet its obligations (Lenschow 1997). The Drinking Water Directive, on the other hand, where we would have expected an "easy" implementation record revealed surprising problems visible in a much delayed formal transposition of the Directive (see below).

Our expectations regarding implementation problems in Germany are supported in two out of three cases. With respect to the EIA, several legal proceedings suggest that Germany has exploited legal ambiguity in the Directive with restrictive implementation. The EIA was integrated into existing authorisation procedures without adopting an integrative approach which would have implied an overhaul of administrative structures. In a similar way, the Information Directive was implemented in a very restrictive manner fundamentally reducing the objectives defined in European legislation (Lenschow 1997). Germany's actual implementing performance reflects resistance on the administrative level (aside from coordination problems between the federal and state levels resulting in the delayed transposition of the Directive). The German expert committee for the environment (*Sachverständigenrat für Umwelt, SRU 1996*) criticised the narrow interpretation of the public bodies obligated to provide free access to environmental information in the framework of the Directive, the ambiguous

provisions regarding the form in which access is to be provided, the broad interpretation of the exemption clauses included in the Directive, and the implementation of the provision that public authorities are entitled to charge for responding to an information request.

Similar to the EIA and the Information Directives, the Eco-Audit Regulation, with its voluntary and self-regulatory elements, contradicts the prevailing interventionist and legalistic regulatory style in Germany. Against this background, the emergence of Germany as the "European champion" in implementing EMAS is rather surprising. By November 1996 there were almost 350 registered sites, compared to the "runner up" Austria with more than 30 sites (Drezet 1996, cited in Bouma 1996). Our general hypothesis obviously is not sufficient to account for the German experience in the case of the EMAS Regulation.

The insufficiency of the explanatory framework developed so far becomes even more evident when considering the British case, where only the effective implementation of the EMAS Regulation corresponds to our expectations. EMAS is compatible with the British preference for self-regulation and procedural instruments and was integrated in the already existing structures relatively smoothly. With respect to all other measures under investigation, empirical evidence in Britain contradicts our initial hypothesis, however.

Firstly, the implementation record of the EIA Directive is quite ineffective, although its procedural character as well as its structural requirements seemed to imply no particular adaptation problems for the British. European requirements were integrated into the planning procedures which fall under the responsibility of the local authorities. This integration without change, however, to some extent runs against the objectives of the Directive. Firstly, due to the lack of coordination between central and local authorities given within the British political system, there is no linkage between the EIA (where responsibility lies with the local level) and the industrial process authorisation (which for the larger plants lies with the Environment Agency) (Knill 1997a). Secondly, as a result of the "easy" implementation, environmental impacts are given no particular rank compared to other considerations in the planning process. In light of the wide discretion traditionally given to the planning authorities, the latter have broad leeway in balancing the results of the EIA against other information to be considered, such as financial and economic interests. Moreover, the balancing of competing considerations is only to a limited extent subject to court review. The courts only review the procedural aspects, e.g. if all interests have been taken into account, but leave the concrete decision to the discretion of the local authorities (Alder 1993, 212). The quality

of environmental statements in general is therefore not very satisfactory. Some provide only little more information than a standard planning application, and few provide information on the alternatives considered, or the mutual interaction of the effects on different environmental media.

The second surprise to be found with respect to the British case is the fact that the implementation of the Directives on LCP, Drinking Water and Access to Information reveals quite effective results, although these measures required far-reaching adaptations of the existing regulatory approach and style. In the LCP and Drinking Water case, despite initial resistance far-reaching administrative changes have taken place, including a more substantive orientation with respect to state intervention and a tendency toward formal and legalistic patterns of administrative interest intermediation. Given these adaptations, the substantive objectives defined in the two Directives are basically achieved, implying fundamental quality improvements as a result of significant investment programmes in order to meet the EU requirements (Maloney/Richardson 1995, 145; Haigh 1996, 6.10-8; Knill 1997a). Considering the Information Directive, administrative changes occurred which in part go even beyond the European requirements. While the Directive provides only a passive right of information on request, the British rule grants an active right of access to information. Most important in this respect are the so-called public registers, which contain all data (including application, authorisation, prosecutions, infringements, emission data) relevant to the authorisation and operation of industrial plants (Knill 1995; 1997a). In general, the objectives of the Information Directives are achieved, an aspect which seems to be rather surprising in light of the former secretive practice.

In summary, this section revealed that our initial hypothesis, suggesting that implementation effectiveness depends on the level of correspondence between national regulatory patterns and those implied in the EU legislation, is not sufficient to explain German and British implementation performance with respect to the five environmental policies analysed in this working paper. While we find three of our five "matching cases" in Germany; in the UK only the implementation of the Eco-Audit Regulation corresponds to our initial expectations. Considering this obviously limited explanatory value of "objective" factors constituting the basis for the implementation process, we will now introduce a "subjective" dimension to our analysis: We assume that the perceived adaptation pressure may vary from the adaptation pressure that was inferred from objective criteria and hypothesise that perception is ultimately decisive for the implementation performance.

2 Perception of Adaptation Pressure: The Impact of Institutional Embeddedness and Policy Context

By introducing a subjective dimension in the analysis we account for the role of policy actors in the implementation process. Rather than assuming that the national regulatory arrangements can be taken in their aggregate - with their elements equally weighed - in order to infer the adaptation pressure, we argue that the distance between EU and national patterns and the malleability of national arrangements is defined subjectively by policy actors involved in the implementation process. These actors perceive their task within a frame of reference established by their institutional environment and their role-specific interests defined by and pursued in this context (Hall 1986, Thelen/Steinmo 1992). Hence, a particular adaptation challenge may be perceived as more or less severe depending on the range of options provided by the institutional structure which may be factual (e.g., legal and procedural veto points) or conceptual (range of policy ideas circulating in the institutional context). We suggest that the potential for highly perceived adaptation pressure rises with the level of institutional embeddedness of the existing regulatory arrangements.

The institutional perception filter allows for the distinction of administrative core patterns (where embeddedness is high) and more peripheral arrangements in the eyes of the implementor (where embeddedness is low). Embeddedness is defined by institutional depth; i.e., the extent to which administrative arrangements are ideologically rooted in paradigms (Hall 1993) affecting the beliefs and ideas of administrative actors and institutional breadth, referring to the number and strength of inter- and intra-institutional links that need to be broken or re-routed in order to comply with EU legislative requirements (Krasner 1988).

Implementation problems are likely to arise if the implementation requirements imply the change of regulatory patterns perceived as core features by the relevant policy actors. If implementation involves some adaptation but is thought doable within the context of the regulatory core, we speak of moderate adaptation pressure. In such more open institutional environment we expect generally a high chance for successful implementation but also some vulnerability to temporary effects of the policy context. A favourable policy context (high policy salience and a consensual climate) will support policy reform (within the core), while a negative policy context (low salience or a conflictual climate) may result in a failure to act upon the moderate adaptation pressure (i.e., the actual perception of only low pressure). In other words, policy

context performs as a second(ary) perception filter, operating within the constraints created by the institutional filter².

Turning to our empirical cases, we are now capable of supporting the conclusions derived from our previous analysis of the four "no-surprises" with a more sophisticated institutional analysis. More importantly, we are now able to account for the surprisingly effective implementation of the EMAS Regulation in Germany, the surprisingly cumbersome - though in the end successful - implementation of the Drinking Water Directive in Germany, and the surprisingly unsatisfactory implementation of the EIA Directive in Britain.

2.1 High Level of Institutional Embeddedness in the Two "Matching Cases" with Effective Implementation

In Germany we did not expect implementation problems in the case of the Large Combustion Plant (LCP) Directive as it corresponded with the national regulatory approach (precautionary, technology based, emission-based with respect to air pollution) and its interventionist regulatory style, legally imposing uniform, substantive standards. The UK, in turn, was expected to do well in the context of the EMAS Regulation as it shared the British preference for procedural regulatory tools allowing for a high degree of flexibility (if not self-regulation). Looking at the dimension of institutional embeddedness, we find that this explanatory layer further supports our expectation of effective implementation.

Implementing the LCP Directive in Germany

The LCP Directive was drafted on the basis of the German model (*Großfeuerungsanlagenverordnung, GFAVo*). The German *GFAVo* is deeply embedded in a historically grown, sectoral regulatory regime, aside from corresponding to general features of the German state and legal tradition discussed in section one. The basic structure to combat air pollution by industrial plants in Germany was built already in the mid 1800s, when special trade offices (*Gewerbeaufsichtsämter*) were legally empowered to restrict the operation of industrial plants in the name of the public interest (Boehmer-Christiansen/Skea 1991: 160) and a hierarchical structure of federal laws and administrative directives built to guide the plant authorisation process. Following the 1959 Federal Air Purity Act (*Luftreinhaltegesetz*) which

² The introduction of the policy context as an auxiliary factor in cases where institutional constellation provide no sufficient explanation follows the principle of „decreasing levels of abstraction“, which takes the institutional frame as analytical point of departure and moves towards an actor-centric perspective if needed (cf. Mayntz/Scharpf 1995).

established air quality standards and required the application of best available technology by targeted industries, the 1974 Federal Air Quality Protection Act (*Bundesimmissionsschutzgesetz, BImSchG*) provided the statutory basis for the German Large Combustion Plant Regulation (*GFAVo*) of 1983. The *BImSchG* defines the principles upon which pollution control is to be based (e.g., precaution, BAT), allocates responsibilities and establishes the framework for authorisation procedures. The *GFAVo* applies to all combustion plants rated over 50 MW thermal and established strict emission limits for seven major pollutants or groups of pollutants.

Not surprisingly, the LCP Directive was complied with in Germany without involving changes to the domestic regulatory approach, style or structure. Had the EU Directive departed from the Germany model (implying national adjustments) we would have expected the perception of relatively high pressure, considering the strong embeddedness of the German air pollution regime. As it stands, Germany is struggling to meet its obligations only with respect to meeting EU reporting requirements. This is due to the absence of a national inspectorate (as in the UK) and the presence of the federal and sectorally fragmented system with diverse authorisation and monitoring structures and procedures. To the extent that we witness changes to Germany's administrative structure that would streamline the collection and aggregation of data, this seems to occur in the context of general attempts to "trim the state" rather than in response to its reporting difficulty in the EU (Lenschow 1997).

Implementing the EMAS Regulation in Britain

The Eco-Audit Regulation matched the mediating regulatory style in Britain which could build on already established institutional structures (which needed to be created in Germany). With respect to the body necessary for the accreditation of verifiers, the UK could rely on an administrative structure already in place to implement the national environmental management system and the ISO 9000 quality management. While the national management system and standards did not yet have a long tradition in the UK, they were perceived as core administrative innovations standard since they correspond to the British preference for self-regulation and procedural rather than substantive requirements. The adoption of the EU Regulation took place at about the same time as the institutionalisation of the British system, using it as a reference point (Héritier/Knill/Mingers 1996). Before this background, the adaptations required by the EU Regulation were perceived as rather minimal as they demanded the introduction of additional elements to the existing environmental management system based on British Standard 7750 (which had been introduced in 1992) rather than the change of this standard. Considering the young history of the

British management system such additions did not pose any real challenge, even though they resulted in some confusion during the early implementation phase (Knill 1997a).

2.2 High Level of Institutional Embeddedness in the Two "Matching Cases" with Ineffective Implementation

The dimension of institutional embeddedness supports and further substantiates the "positively matching" cases; it similarly sheds some more light on Germany's problems in implementing the EIA and the Information Directives. Conflicting regulatory structures, in the former case, and regulatory style proved too deeply embedded in the German political and sectoral structure as well as legal tradition to allow for easy adaptation.

Implementing the Access to Environmental Information Directive in Germany

The procedural style and implication of rather transparent patterns of interest intermediation implied in the Access to Environmental Information Directive goes deep in contradicting the German regulatory model in putting into question the state and legal traditions which define the role perception of the administration as well as the administrative "rules of the game".

Scherzberg argues that the German executive still perceives its position as that of a state power to be isolated from civil society and not being accountable to it (1994: 745). This state tradition, he argues, still shapes the traditional mentality of the German civil servant, perceiving him- or herself as a servant of the state and the law, rather than of the ordinary citizen.

The German legal tradition has built additional obstacles to an open information policy. First, "in Germany, access to official files has traditionally been restricted to persons whose individual substantive rights may be affected by an imminent administrative decision. The right to know is seen as an essential element... of the legal protection of the substantive rights and it is not designed to guarantee participation in public decision making" (Winter 1996: 81). Accordingly, the principle of "free" access to information exists in traditional German administrative law only with respect to parties involved in an administrative procedure and tends to be restricted to access to existing documents (Wegener 1993: 17). Secondly, under German constitutional law the protection of individual rights has achieved primacy over the facilitation of the well-being of society insofar as this implies an intrusion into individual privacy - hence, the wide interpretation of the Directive's exemption clauses in Germany (see above). The comprehensive application of these deeply rooted

notions in the German state and legal tradition is ensured with the German law on administrative procedures (*Verwaltungsverfahrensgesetz*) which specifies under what conditions information is provided to the public (c.f., Erichsen 1992, Drucksache Deutscher Bundestag 12/7138, Lenschow 1997).³

Implementing the EIA Directive in Germany

As mentioned above, the German federal as well as sectorally fragmented administrative structure hampers the implementation of the integrated and cross-media concept embodied in the Directive which presumes comprehensive, centralised (due to standardisation and the designation of a “lead agency”) and concentrated consent procedures and structures (Commission 1993: 101).⁴ In Germany “[a]dministrative processing of a project is medium specific both vertically and horizontally, and consequently uncoordinated in either legal terms or in practical performance” (Pfeiffer 1991: 57, cited in Héritier/Knill/Mingers 1996: 297). This structural contradiction was felt particularly intensely in Germany due to the constitutional nature of its federal structure and the existence of well elaborated sectoral arrangements for authorising public or private plans or projects (*Planfeststellungsverfahren, Genehmigungsverfahren*). Especially in cases of project authorisations (*Genehmigungsverfahren*), the EIA is likely to be perceived as a superfluous procedure because the existing authorisation arrangement is embedded in an emission oriented regulatory framework which clearly established the conditions under which the authorisation is to be granted (though not focusing on cross-media emission flows).

Given the strong embeddedness of general and sector-specific regulatory features that were contradictory to the content of the EIA Directive, hence the high perception of and resistant attitude toward EU-imposed adaptation requirements, implementation problems in Germany were not surprising. The German government opted against structural reforms in order to reach compliance with the Directive and instead sought to integrate the EIA procedure

³ The implementation problems in Germany were not exclusively rooted in its contrasting regulatory tradition, however; ambiguities in the Directive and hence the failure to impose clear implementation standards on the national governments and administrations further contributed to deficient implementation (Lenschow 1997). Under these conditions reform-minded actors currently hope for clarifying Court rulings that might increase the “objective” adaptation pressure in Germany.

⁴ The integrated regulatory approach may not overlap but also does not contradict German traditions, hence it does not represent a challenge to the core on this dimension. Such core challenge emerged due to the structural implications of the integrated, cross-media approach, however.

into the relevant existing authorisation procedures. Due to the density of this regulatory structure, and the complex and slow legislative process in Germany, the period of this integration process exceeded the time permitted in the EU Directive for the transposition process,⁵ aside from defining the Directive narrowly in case where legal ambiguity allowed to do so. Even though the Commission anticipated that by “integrating the EIA, the shortcomings and structural deficiencies of the existing environmental legal system may become more obvious...[which] could lead to very far-reaching structural changes of the German administrative and legal system for environmental protection (Commission 1993: 7), such radical departure was resisted in Germany. The very cautious streamlining of horizontal and vertical structures that can be observed (on the level of several German states) takes place in the context of general attempts to slim the state (Lenschow 1997).

So far, we have provided some more depth to our explanation for the existing “matches” to our initial hypothesis concerning the effect of the “objective” distance between national and EU regulatory approaches, style and structures on implementation performance. In the following section we will turn to three cases that contradicted our initial hypothesis and, we suggest, can be explained by reference to the institutional and policy context perception filters.

2.3 The “Value-Added” of the Institutional and Policy Context Perception Filters for Explaining Mis-matches

In this section we suggest that the peculiarities in Germany’s implementation performance with respect to the Drinking Water can be understood by adopting the more differentiated concept of institutional embeddedness as perceived by policy actors in our analysis. It illuminates why Germany seemed to “over-perceive” the factually existing adaptation pressure. Furthermore we argue that the surprises with regard to the German EMAS and the British EIA implementation can be explained by reference to the only moderate institutional embeddedness of the relevant regulatory arrangements at the national level. In Germany this contributed to the fact that the EU measure was accepted as a positive contribution to the existing regulatory core. In the UK, by contrast, the only moderately adaptation pressure was neglected. Both experiences show that in cases of moderate institutional embeddedness we need to consider the policy context as a second perception filter which may send the implementation path up or down in terms of effectiveness.

⁵ Instead of mid 1988, the German EIA law (*Umweltverträglichkeitsgesetz*) was passed in early 1990 and statutory ordinances detailing the integration of the EIA in sectoral consent procedures with further delay.

Implementing the Drinking Water Directive in Germany

Similar to the LCP Directive, the EU Drinking Water Directive generally corresponds with the Germany regulatory approach and style, hence poses little “objective” adaptation pressure. The fact that Germany nevertheless perceived at least moderate pressure and had some compliance problems has to do with the interplay of regulatory ambiguities in the Directive’s design and the strong embeddedness and relatively dogmatic application of the German regulatory approach.

Despite considerable local diversity, the German drinking water administration corresponds to the hierarchical structure whereby the local water providers (*Wasserversorgungsunternehmen*) are locked in a clearly defined and regulated chain of command and control, bridging all levels in the federal structure. Some deficiencies in actual coordination across levels of governance (cf. Wessels/Rometsch 1996) are balanced by a deeply rooted sense of responsibility to the consumers on the part of the water providers⁶ and related, the strong embeddedness of the precautionary and technology-oriented regulatory approach. The extent of this embeddedness became visible in Germany’s implementation performance.

Despite the parallels in EU and German regulatory approach and style, Germany formally transposed the Directive with considerable delay in 1986; the pesticide parameters were included only in 1989 and then incompletely; the final transposition of the legislation took place in late 1990. This delay was due primarily to German attempts to follow its regulatory approach (most notably with respect to BAT) within the framework of the EU Directive which contained internal inconsistencies. These inconsistencies were rooted merely in the Directive’s design, hence they did not reflect conflicts of principle between Germany and the EU. In short, given the long preparation phase preceding the adoption of the Directive, the measurement procedures imposed by it no longer corresponded to the “state of the art”, or BAT. Furthermore, they were found incapable of performing the fine measurements required to detect the small parameter values called for in the Directive. While other member states transposed and implemented the Directive even though they were quite incapable of measuring whether they were in compliance with the set quality standards, Germany delayed the transformation until it could ensure adequate measuring procedures. In other words, due to the deep embeddedness of the its

⁶ An interview partner at the Federal Association for German Gas and Water Providers (*Bundesverband der deutschen Gas- und Wasserwirtschaft e.V.*) spoke of a “social contract” binding the water providers to meet their obligations (interview, March 1997).

regulatory approach Germany refused to transpose inconsistent legislation even though its implementation would not have caused any concrete adaptation pressure. As a side-effect of its - from the perspective of the requirements of the Directive - slightly exaggerated sense of responsibility and regulatory dogmatism Germany drastically raised the potential of detecting substantive compliance failures with the Directive.

Accepted Adaptation: Implementing EMAS in Germany

As suggested above, the emergence of Germany as the “European champion” in implementing EMAS surprises in light of the contrasting regulatory styles. It may be argued that EMAS has been implemented well because the contradiction to the German administrative tradition is limited to the dimension of regulatory style, while no core contradictions exist with respect to approach and structure. In terms of the regulatory approach the EMAS Regulation offers an operational framework to implement the otherwise elusive prevention principle, formulated already in Germany’s first environment programme. With its requirement for continuous improvement as part of the environmental management system the scheme supports the progressive approach to environmental protection implied in Germany’s traditional insistence to employ best available technology (Bundesministerium für Umwelt 1994: xi), even though technological progress is pushed through management oriented means as opposed to command-control insistence of BAT. With respect to regulatory structure, the EMAS scheme required institutional innovation (establishing structures for EMAS accreditation and control) but no reformation, hence did not challenge any core institutional features.

Analytically, we must note however that neither the Access to Environmental Information Directive nor the EIA Directive implied core contradictions with respect to the regulatory approach and only the Environmental Impact Assessment challenged core features of the German regulatory structure. What distinguishes EMAS from the Information Directive? What does the concept of perceived institutional embeddedness contribute to solving this puzzle? To begin with, while the Access to Environmental Information Directive implies the substitution of a stylistic feature (restrictive access to third parties) with another (transparency), no substitution is called for in the EMAS Regulation. This voluntary tool for self-regulation is added to the persisting regulatory framework; the Regulation did not require any changes to already existing, more interventionist, measures. Hence, the EMAS scheme implies effectively

only “changes within” rather than of the core,⁷ implying that German policy actors felt less inclined to protect core principles against European intrusion

Secondly, the target group with respect to adaptation differs between the three pieces of procedural legislation discussed. While both the Information and the EIA Directive affect the legal and the administrative process, the EMAS Regulation does not call for adjustments of administrative behaviour and procedures. Considering the relative distance from and minimal demand on the established administration, there is no reason to expect intensive opposition on that level (i.e., sabotaging the practical implementation of the Regulation). In other words, the most likely sources for resistant implementation was the political level (in the formal transposition phase) and the private sector (practical implementation). Here, the Regulation resonated with a policy context defined by concerns with deregulation and unburdening the state and bureaucracy. In this context it is currently discussed to what extent EMAS could play a role in accelerating the authorisation procedure for industrial plants; e.g. by granting regulatory relief to companies registered under EMAS, a process spurring the scheme’s acceptance by industrial actors.

To sum up, the surprisingly successful implementation of the EMAS Regulation in Germany was facilitated by a permissive institutional context. The adaptations implied in the EMAS scheme did not meet any severe legal or procedural “veto points” (Immergut 1992), but could be added to the existing regulatory arrangements. Hence, they were perceived as a moderate pressure. On the basis of this institutional foundation, a favourable policy context, already pointing at deregulation, supported the positive response on the legislative as well as industrial level.

Neglected Adaptation: EIA in Britain

In Britain we detected four cases in which our initial hypothesis did not correspond to the actual implementation outcomes. While three cases exhibit surprisingly good implementation, the experience with the Environmental Impact Assessment Directive is disappointing considering its relative fit with British regulatory arrangements.

Similar to the German EMAS case, the implementation of the EIA Directive implied moderate implementation pressure in the UK. The EIA Directive leaves

⁷ While it can be argued that the stylistic features of the EIA Directive similarly only complemented rather than substituted patterns already in existence with respect to Germany authorisation procedures, the structural adaptation would have meant the replacement of existing arrangements.

the member states considerable discretion on the detailed transposition into national legislation. Such national foundation existed in the British case already since the 1970s, albeit on a legally non-binding and relatively unsystematic basis. Nevertheless, the EU Directive came close to the British example where "... the developer already had to supply certain information; the public already had the chance to comment; the planning authority already went through a mental process in arriving at a decision which involves considering the information supplied by the developer and other; and when decisions was taken it was published" (Haigh 1996: 11.2-14). The Directive departed from British practice only in requiring slightly more formal procedures and centralised coordination.

Given the open wording of the Directive and the flexible British provisions, European requirements were merely integrated into the planning procedures which fall under the responsibility of the local authorities. This integration without change runs against the objectives of the Directive, however (see above). Looking at the empirical evidence, we find that the relevant policy actors did not perceive any adaptation pressure due to the EU Directive. In contrast to the German EMAS case, where the pressure to adapt regulatory practice within the core led to a willingly adaptation, in Britain the challenge of the EIA Directive, that after the institutional filter could be characterised as moderate, was perceived as low and the adaptation was insufficient. This "mis-perception" can be explained by the political context.

The political context for passing and implementing environmental legislation was not supportive in the UK during the mid-1980s, that is during the time of the EIA implementation. Generally, the political influence of environmental organisations was low and environmental awareness of the general public relatively weak (cf. White-Grove 1992; Knill 1995). The few political access points for environmental policy entrepreneurs hindered effective mobilisation in this issue area. Furthermore, to the extent that we witnessed some issue salience and concern with environmental pollution this was focused on debate about SO₂ - a context where Britain had been proclaimed to be the "dirty man of Europe". With respect to the rather "dull" EIA, which could not easily be linked to environmental disasters, there was no public pressure keeping the political level "honest" in implementing the Directive. A shift in policy salience took place only after the insufficient structure for implementing the EIA were already in place and institutionalised.

2.4 Summary

In the previous part of our analysis we have specified our concept of "adaptation pressure" by combining the earlier introduced objective with a new subjective dimension. Adaptation pressure does not simply exist, but is perceived by the relevant policy actors who act - that is, implement EU legislation - on the basis of this perception. First, we have argued the perceived adaptation pressure depends on the level of the (perceived) institutional embeddedness of those features that need to be changed in order to comply with the respective EU legislation. Second, in two cases where the institutional filter left us with moderate adaptation pressure, we made reference to a second perception filter, namely the policy context, to determine the actually perceived pressure on the part of the policy actors, and hence their implementation performance.

To be concrete, the institutional perception filter allowed us to further support those cases, that already on the basis of objective criteria fit our expectations. Institutional embeddedness provided the additional, necessary clues to explain the peculiar implementation problems in the German Drinking Water case. On the basis of the institutional dimension we concluded moderate adaptation pressure with respect to the German EMAS and the British EIA case. The policy context helped us to explain why this moderate pressure was perceived in the German case as indeed moderate and hence manageable, whereas in Britain the EIA challenge was perceived as negligible and resulted in unsatisfactory implementation.

The reader will have noticed that three cases in the UK have not yet been explained (LCP, Drinking Water, Information Directive). A first glance at the institutional dimension seems to suggest that the contradiction between the national and the implied EU patterns are rather deep and the negative position taken by the British negotiators during the EU policy making process and even during initial stages of policy implementation indicate a clear perception of these differences (Héritier/Knill/Mingers 1996) 8. Nevertheless we experienced good implementation in these three cases. Do these cases undermine our institutionalist explanatory model? Considering the role of the policy context as

⁸ The British position given with respect to three Directives during the European policy making process differs to some extent. While British negotiator took a rather strong opposition in case of the LCP Directive, resistance in case of the Drinking Water Directive was modest, but drastically increased during the initial implementation stages. With respect to the Information Directive, on the other hand, Britain's attitude shifted from opposing to supporting during the policy formulation stage (for reasons presented below) (Haigh 1996; Héritier/Knill/Mingers 1996).

a perception filter above, can we rely entirely on this dimension in explaining our puzzles?

Certainly, with respect to the three still outstanding cases, we could argue that by the early 1990s, that is the period when Britain's implementation performance improved, the general policy context had shifted in the UK. Margaret Thatcher had publicly endorsed an environmental agenda (Knill 1995) and the government taken a more proactive stands in combating environmental pollution and in shaping EU environmental legislation (Héritier/Knill/Mingers 1996). However, if policy context alone was generally decisive we should not have seen any implementation problems in Germany. Considering the high political salience with respect to environmental issues in Germany, we can understand the poor implementation of the EIA and Information Directives only before the background of deeply embedded institutional structures challenged by the legislation. Hence, we will not yet discard our institutional model.

In the following section we will resolve the remaining puzzle by taking a closer look at the precise institutional framework conditions in Britain. In short, we will show that the surprisingly successful implementation of the LCP, Drinking Water and Information Directive in the 1990s took place after a "core shift" in Britain. On the basis of a new - and with regard to the Directives in question, more permissive - institutional framework the also more favourable policy context supported successful implementation, though the policy context was not sufficient by itself.

3 Perception of Adaptation Pressure: Institutional Embeddedness From a Dynamic Perspective

Examining closely the implementation process of the LCP, Drinking Water and Information Directive in Britain, we discover that the improvement occurred after far-reaching institutional reforms that also effected regulatory patterns in the environmental field. What used to be perceived as regulatory core features changed in this context of general reforms. From an analytical perspective this process indicates that our conception of institutional embeddedness as a static phenomena is inadequate to deal with the British case. We need to consider the structural stability of embeddedness, i.e. the "embeddedness of embeddedness", since the institutional background, in which administrative arrangements are embedded, may itself be subject to dynamic developments. Their pace and scope are basically dependent on the structural capacity for reforms given at the national level. In other words, the institutional background, in which sectoral administrative arrangements are embedded is conceived of as trajectory, along

which — depending on the reform capacity of the political system — more or less far-reaching developments may take place (cf. Dobbin 1994).

3.1 The “Moving” Core: National Dynamics

In contrast to Germany, the structural potential for dynamic developments of the institutional core is comparatively high in Britain. This capacity for initiating and implementing political reforms emerged as a result of the low number of institutional veto points and the strong position of the central government within the British political system. As Dunleavy writes, "Britain has ... the fewest formal or codified restrictions on government action of any liberal democracy. Governments [can] ignore public consultation, guillotine parliamentary debate, overrule unfavourable judicial rulings by retrospective legislation, and even bulldoze through patently unimplementable policies" (1993, 5).

This structural potential for dynamic developments became particularly evident in the reform policies of the Conservative government, which had profound implications on British public administration. Reform developments initiated with respect to the public sector were linked to the basic objectives of increasing efficiency and effectiveness as well as reducing public sector involvement. To achieve these objectives, policies were directed at administrative reorganization, management reforms, and privatisation; with all of these elements putting potential challenges on existing administrative traditions.

To improve efficiency and effectiveness of public administration, structural and operational reforms occurred. The most important structural changes were introduced with "The Next Steps"-initiative. At the core of this initiative is the creation of semi-autonomous agencies responsible for operational management by separating management functions from policy-making functions which remain with the relevant departments. With respect to operational aspects, private sector management concepts and performance regimes were established. To drive public bodies toward a more efficient performance but also in order to create a substitute for the lack of democratic control of the independent agencies, there is tendency to make agency performance more transparent and accountable to the public. The Citizen's Charter introduced in 1991 contains key objectives to improve the quality of public services, such as publishing explicit performance standards, complete information about running services, and effective remedies (Rhodes 1996, 9f.; cf. Hood 1991; Pollitt 1993; Knill 1995). A further feature of national reform dynamics was the privatisation of

public utilities, such as the nationalised energy and water supply industries. This development coincided with the creation of regulatory regimes to control the market activities of the privatised utilities (Massey 1992, 494)⁹.

The dynamic developments at the national level imply important changes in administrative core patterns affecting regulatory style and structure. As result of the establishment of performance-oriented regimes and the creation of independent regulatory bodies, there has been a tendency toward more formal, legalistic and open patterns of administrative interest intermediation, contrasting the former patterns of informal, pragmatic, and secretive interactions. These patterns are also a result of changes in intra-administrative relations. Thus, the relation between agencies and their sponsoring department are defined in formal contract-like documents. Moreover, the establishment of independent agencies implies a formalisation of intra-administrative coordination. Such formalisation of intra-administrative coordination, in turn, may reduce the leeway for informal interaction between administrative and private actors, at least in cases where the latter are subject to regulation by different agencies; i.e. economic and environmental regulation. In addition, both privatisation and agencification have far-reaching structural implications, leading to a "trimmed down" but increasingly fragmented public sector (Rhodes 1996; Wallace 1996)¹⁰.

3.2 Accepted Adaptations Within a Changing Core

Given these dynamic developments, the requirements contained in the three Directives still in question were no longer perceived as contradicting highly embedded core arrangements, since the core itself was moving. In the case of the LCP and Drinking Water Directives, these dynamics led not only to the accepted adaptations of European requirements within the moving core, but also for the persistence of those core elements not subject to national dynamics. This

⁹ The creation of independent regulators was unavoidable, given the fact that in order to attract private investors, public utilities were often privatised as a whole, thus implying the transformation of a public monopoly into a private monopoly (Massey 1992).

¹⁰ In the context of this agencification, in 1996 the Environment Agency was established (Weale 1996). The creation of the Agency brought together Her Majesty's Inspectorate of Pollution (HMIP), which was in charge of the control of industrial pollution, radiochemicals and hazardous waste, the National Rivers Authority (NRA) which had responsibility for the control of discharges into water, and 83 waste disposal authorities which so far were part of the local authorities. Control of drinking water quality, however, lies with a separate body, the Drinking Water Inspectorate (DWI), which is part of the DoE. Both the tasks of the NRA, which established in 1989, and the Drinking Water Inspectorate, which was created in 1990, imply a separation of regulatory functions from the function of water supply which up to 1989 were carried out by the publicly owned water suppliers by way of self-regulation.

outcome confirms our general hypothesis that implementation performance depends on the nature of perceived (dynamic) core arrangements.

LCP and Drinking Water

As we have indicated, both the LCP and Drinking Water Directive stood in sharp contrast to the traditional regulatory approach and the mediating regulatory style given in the UK. Interestingly, adaptation, once it took place, was limited to the latter dimension, leaving the former basically unchanged. In terms of the regulatory style, state intervention moved towards a more substantive orientation with numerical objectives to be achieved. In the LCP case, this becomes basically evident by the establishment of a so-called national plan, which defines annual reduction targets required by the Directive. In issuing authorisations for large combustion plants, regulatory authorities make sure that these targets are fulfilled. With respect to the Drinking Water Directive, the former principle of *wholesomeness* was abolished in favour of the legally-binding quality standards.

While these changes represent adaptations on the level of regulatory style, a closer look reveals that certain traditional elements characterising state intervention remain in place, indicating a degree of persistence along with adaptation. Thus, within the context of a more substantive orientation, there is still much room for flexible procedures¹¹. In the LCP case, flexibility is achieved by the concept of so-called "company-bubbles"; i.e. a total of yearly maximum emissions. Companies are allowed to allocate emissions with respect to their different plants as long as emissions for each plant remain within a certain margin that is defined by the Environment Agency in light of local environmental conditions (Knill 1997a). With respect to drinking water, flexible handling is mainly achieved by the concept of legal undertakings which water suppliers could submit to the regulatory authority in the case of a breach of standards. The undertakings offer the opportunity for a more flexible approach within the general framework of quality objectives by establishing the necessary improvements the operator has to achieve within a given period of time, in light of the local situation (the quality of the water source) and practicability (in the light of available technology and upholding water supply) (Knill 1997a). As for the instruments in air pollution control, however, it is important to note that, despite the flexibility and discretion characterising implementation in the UK,

¹¹ The emphasis of regulatory flexibility becomes also obvious in the introduction of Integrated Pollution Control (IPC) by the Environmental Protection Act 1990. According to this principle, emissions from industrial have to be reduced in light of the Best Practicable Environmental Option (BPEO), which takes a cross-media perspective. BPEO, however, is the expression of a procedural rather than substantive philosophy (cf. Knill 1995).

the legally-binding objectives introduced by EU legislation provide the crucial substantive objective guiding on regulatory activity.

The co-existence of change and persistence in policy instruments is also reflected in the dominant patterns of interest intermediation. On the one hand, change is reflected in more formal and legalistic patterns as the set substantive objectives leave less room for "cosy" and pragmatic bargaining between regulatory authorities and industry (Jordan 1993; Knill 1995). On the other hand, the continuing quite flexible character of the policy instruments, e.g. in terms of taking account of local circumstances, allows for informal and pragmatic patterns to continue to some extent (Knill 1997a). In the latter context regulatory authorities still see their basic function in "helping industry to meet the standards" (Interviews Environment Agency; DWI, Feb. 1997).

The mixture of administrative change and persistence observed in the implementation of the LCP and Drinking Water Directives can only be understood against the background of a coincidence of national dynamics and European implementation pressure. With national tendencies moving toward more formal and legalistic patterns of interest intermediation, the European requirements pointing in the same direction were no longer perceived as challenges to existing core patterns, but as requiring changes within a changing core. We suggest that EU legislation reinforced the impact of general institutional dynamics in the environmental policy field by offering a concrete adaptation agenda; this agenda would have continued to be opposed without the changing general institutional context, however.

National reform dynamics indirectly facilitated the persistence of some regulatory features in creating new structures that minimised that factual problems Britain had to tackle with respect to air and water pollution; consequently Britain was able to comply with EU requirements without a complete overhaul of its practices. To be concrete, privatisation and deregulation in the energy sector allowed for the continuation of flexible practices as they led to a decrease in the use of national high-sulphur coal (reducing the pollution level) and to the emergence of company fuel portfolios, consisting of a broad mix of plant types using different fuels. Aside from easy adaptation to changing fuel prices, these portfolios allow for a moderation of the technological innovation pressure otherwise implied in the emission standards defined in the LCP Directive. Flexibility to achieve these standards increased, since besides installing expensive abatement technologies into existing coal-fired plants, the market-driven development of other plant types using different fuels allows for achieving the standards without making use of specific abatement technologies. In addition to fuel changes and portfolios,

privatisation and liberalisation led to the introduction of the "company-bubble" concept which provided a framework for more flexible regulatory practices. Partly protecting companies from the risks involved in highly unstable plant utilisation rates and fuel prices, the concept allowed that emission levels, defined on the basis of best available technology, could be exceeded up to a certain level defined in light of local quality, as long as the emission total remains within the "bubble" (Knill 1997a).

Flexibility could also persist in the case of water due to the special characteristics of the national reform dynamics. In the context of water management, where so far no competition was introduced, flexibility is less a consequence of market characteristics, but was seen as necessary prerequisite for successful privatisation. To attract private investors, government had to avoid economic uncertainties stemming from potential infringement proceedings initiated by the Commission. To secure a sufficient degree of certainty, the undertaking procedure was introduced, which provides for regulatory flexibility in the context of a substantive framework (Knill 1997a).

Access to Information

In the case of the Directive on Access to Information, national dynamic developments resulted in administrative changes that went partly even beyond European provisions. In the context of general attempts to increase transparency and accountability of the public sector, the Environmental Protection Act of 1990 established so-called public registers, containing all relevant permitting and operational data as well as the results of emission monitoring for all processes falling under the Act. These arrangements exceed the requirements of the EU Directive which provides only a passive right of information on request, whereas the British rule grants an active right of access to information. The Directive applies to all environmental data, however, while the public registers cover only certain data pertinent to authorisation procedure. In so far, certain legal adaptations were still necessary in the UK, but in the new national context perceived as only a moderate and acceptable challenge.

The impact of the changed institutional environment on the implementation of the Information Directive can be inferred from previous domestic occurrences. Since the mid 1970s did the Royal Commission on Environmental Pollution (RCEP)¹² urge for the adoption of more transparent environmental information and reporting practices in Britain (RCEP 1976, 1984) but was ignored in a

¹² The RCEP is an independent standing body advising Queen, Parliament and the public on environmental protection matters, which was established in 1970.

national context still characterised by a secretive regulatory style. Similar resistance we would have expected had a EU Directive required more open practices. Administrative change became possible due to the reduced adaptation pressure perceived in the context of a dynamic regulatory core in Britain, moving toward accountability and opening-up government. As a first step, these general dynamics created a more favourable institutional framework for domestic environmental policy entrepreneurs to voice their demands. As already indicated, in particular the RCEP pushed for more transparency and in its tenth report in 1984 recommended "a presumption in favour of unrestricted access" (Haigh 1996, 11.5-3). Furthermore, the persistent and growing activities of environmental organisations and the Campaign for the Freedom of Information (CFI) gradually modified the government's receptiveness for action (Knill 1997a). In other words, policy context factors began to operate in a modified institutional frame and served to change the perception of the EU adaptation challenge positively.

It should be noted, however, that national dynamic developments reduced the perception of pressure to adapt to EU requirements not only by moving toward more administrative openness, but also through - unintended - side-effects restricting the Directive's application. As a consequence of privatisation, both the privatised water companies and electricity generators could classified themselves as not falling within the scope of the Directive, although they would have had this status as former publicly owned utilities¹³ (House of Lords 1996, para. 57). The scope of the Directive is also reduced by the increasing fragmentation and separation of regulatory functions, which is a consequence of agencification (Rhodes 1996). This situation means that demand for co-ordination between different bodies significantly increased. In many cases, communications between different regulatory bodies have been declared as internal and therefore falling under the exemptions of disclosure (House of Lords 1996, para. 63). Besides these problems, however, the implementation of the Directive can generally be characterised as being rather effective.

In sum, the implementation of the three policies under study resonated with national reform dynamics. These developments, whose high scope and pace can be traced to the strong position of the government within the British political system, affected core patterns of the general institutional context, in which sectoral arrangements were embedded. Especially in the presence of an also favourable policy context, European requirements were no longer perceived as

¹³ The claim by the water service companies not to be within the scope of the Directive is currently subject of a formal complaint by CFI and FoE to the EU Commission, which has been pursuing them with the government under Article 169 of the Treaty (Knill 1997a).

contradicting administrative core arrangements, since this core — at least those parts which were defined by the general institutional context — was already subject to transformation. European provisions therefore were perceived as changes within a changing core and played an important role in guiding and reinforcing national reform dynamics.

Conclusion: Four Implementation Paths

Our case studies suggest that the impact of national administrative arrangements on the implementation of European policies depends on the perception of adaptation pressure on the national level. The extent to which such pressure is perceived is affected not only by the "objective" conflict between of national traditions and the requirements implied in supranational policies, but also by the operation of institutional and policy-specific "perception filters". These play an important role in defining whether factual adaptation requirements are perceived as more or less fundamental.

To classify our findings, we will now distinguish between three levels of adaptation pressure depending on the degree of institutional embeddedness of sectoral administrative arrangements. We call the pressure *high*, if EU policy is perceived as contradicting core - that is, highly embedded - elements of administrative arrangements. Policy actors perceive *moderate* adaptation requirements if EU legislation is interpreted as demanding only changes "within the core" of national administrative traditions rather than challenging these core factors themselves. The addition of new regulatory elements that do not call for the replacement of existing arrangements signifies such change within the core. Furthermore, national dynamic processes resulting in a core shift may create a situation where adaptation requirements that would have been previously considered a core challenges are now perceived as acceptable reforms "within a moved core". In contrast to instances of moderate and high adaptation pressure which both imply substantial administrative changes, member states perceive *low* pressure for adaptation if they assume that they can rely on already existing administrative provisions to implement European legislation.

In a second step of our analysis, we argue that the institutional constellation, defined by the degree of embeddedness of existing administrative arrangements, determines the framework within which the policy context affects the implementation process. While the policy context provides little additional explanatory value in cases of either high or low institutional embeddedness, our empirical analysis suggests that moderate adaptation pressure - as perceived through the institutional "filter" - may move up or down depending on the level

of political salience and the consensual or conflictual attitude linked to the legislation in question. The institutional and contextual perception filters open the doors to four different "implementation paths" that will be described in the following concluding sections of this working paper.

Contradiction of the Core

(1) Resistant Persistence

In cases where contradictions of the administrative core and hence high adaptation pressure are perceived, ineffective implementation results are likely. As neo-institutionalist approaches suggest, well-established institutions and traditions not easily adapt to exogenous pressures. Apart from the rare cases of external shocks or fundamental performance crises, institutions remain stable even in a changing environment (cf. Krasner 1988; DiMaggio/Powell 1991; March/Olsen 1996). Such persistence is particularly apparent with respect to core elements, which are deeply rooted in the institutional framework. Adaptation pressure by European legislation targeted at such core elements can be expected to be resisted. Incomplete, incorrect, or symbolic implementation may barely result in formal compliance, but practical implementation is expected to follow the pre-existing approach, failing to meet EU standards (cf. Brunsson/Olsen 1993).

The pattern of resistant persistence became particularly evident with respect to the implementation of Directives on EIA and Access to Information in Germany. Implementation turned out to be rather ineffective as a result of refused or incomplete adaptation of institutionally strongly embedded administrative arrangements contradicting European requirements.

Change Within a (Changing) Core

Moderate adaptation pressure implies that the changes required are interpreted as remaining within the institutional framework not challenging its core. Actual adaptation may require substantial but no "fundamental" reforms. If the "institutional filter" results in such relatively open situation for the implementation actors, we find that adaptability depends on the given policy context which may change the perception of the challenge. Depending on the impact of the policy context, we distinguish two paths:

(2) Accepted Adaptation

If the institutionally defined perception of adaptation requirements is moderate and supported by a “favourable” policy context we expect accepted adaptation. A favourable policy context implies that there is some degree of political salience regarding the problem tackled by the respective EU legislation and a political commitment at the national level pointing in the same direction as the EU legislation, i.e. a consensual political climate.

We observed such positive impact by the policy context with respect to both a static and a dynamic core. The former case is illustrated by the implementation of the EMAS Regulation in Germany where the new regulatory elements were quite enthusiastically added to existing arrangements as they corresponded with a political commitment to experiment with deregulatory measures. In Britain the changing general institutional core reduced the initially high adaptation pressure felt with respect to the Directives on LCP, Drinking Water and Access to Information. A favourable policy context facilitated that general national dynamics were applied to policy specific administrative reforms and allowed for the fact that supranational policies were used to drive these changes further than they would have otherwise gone.

(3) Neglected Adaptation: Missing Contradiction or Missing Capacity

Within a less favourable policy context, moderate adaptation requirements indicated by the institutional „perception filter“ may be (mis)perceived as low, leading to ineffective implementation results. For instance, the implementation of the EIA Directive in Britain suffered from low political salience and the consequent shift from moderate to low pressure perception. In other words, the combination of the two perception filters led to a situation where the “objective” adaptation pressure implied in the Directive were either underestimated or intentionally ignored.

Empirical research conducted in Spain and Italy, that was not systematically included in the analysis of this working paper, suggests that a shift from moderate to low perception of adaptation pressure such situations is most likely in countries with low administrative capacity in environmental policy. In the absence of an elaborated and systematic regulatory and administrative framework and hence of a strongly embedded sectoral core, the institutional filter will rarely produce high adaptation pressure as EU requirement are likely to demand expansion rather than reform. Considering that such “low capacity” countries often suffer from low environmental issue salience and a lacking political commitment, as policy priorities lie elsewhere and additional costs are

feared, the factually existing adaptation pressure is not adequately perceived or ignored, implying ineffective implementation (cf. Knill 1997).

Theoretically, one could also think of cases where the policy context results in a perception shift from moderate to high. Under such circumstances, implementation performance corresponds to the first path of resistant persistence. The implementation of the Drinking Water Directive in France illustrates this case. Although only moderate changes were required from an institutional perspective (the definition of uniform limit values rather than regional standards given in France), the Directive was actually perceived as contradicting core arrangements. A highly conflictual policy context, pitting water companies against the French authorities, was responsible for this perception movement (cf. Bailey 1997, Knill 1997).

Confirmation of the Core

(4) Compliant Persistence

If the constellation of European requirements and national administrative traditions imply no or only negligible adaptations of administrative arrangements EU policy is perceived as a confirmation of national core arrangements and implemented effectively. This holds especially true for constellations where national arrangements exactly reflect or even go beyond the supranational provisions, as it is the case with respect to the implementation of the LCP in Germany and the EMAS Regulation in Britain. Here, national administrative traditions allow for a rather effective implementation of European legislation, since compliance is unproblematic.

References

Alder, John (1993) "Environmental Impact Assessment - The Inadequacy of English Law", *Journal of Environmental Law*, Vol. 5, No. 2, pp. 203-220.

Bailey, Patricia (1997) "The Implementation of EU Environmental Policy in France" in Christoph Knill (ed.), *The Impact of National Administrative Traditions on the Implementation of EU Environmental Policy*, Interim Research Report. Florence: European University Institute, April 1997.

BMU (Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit) (1994) *Umweltpolitik. Probleme der Umsetzung und des Vollzugs von Richtlinien der Europäischen Union im Bereich der Genehmigung von Industrieanlagen*, Bonn: BMU.

Boehmer-Christiansen, Sonja and Jim Skea (1991) *Acid Politics. Environmental and Energy Policies in Britain and Germany*, London: Belhaven Press.

Bouma, Jan Jaap (1996) *Management Accounting and Environmental Management: A Survey among Dutch and German Companies*, Manuscript. Erasmus University Rotterdam: Erasmus Centre for Environmental Studies.

Commission (1993) *Report from the Commission of the Implementation of Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment*, Brussels: Commission of the European Communities.

Commission (1996) *Implementing Community Environmental Law*. Communication to the Council of the European Union and the European Parliament. Brussels: Commission of the European Union.

Dehousse, R. et al. (1992) *Europe after 1992. New Regulatory Strategies*. Florence: European University Institute, EUI Working Paper no. 92/31.

DiMaggio, Paul J., Walter W. Powell (1991) "The Iron Cage Revisited. Institutionalised Isomorphism and Collective Rationality in Organizational Fields" in Walter W. Powell and Paul J. DiMaggio (eds), *The New Institutionalism in Organizational Analysis*, Chicago: Chicago University Press.

Dobbin, Frank (1994) *Forging Industrial Policy. The United States, Britain, and France in the Railway Age*, Cambridge: Cambridge University Press.

Dunleavy, Patrick (1993) "Introduction: Stability, Crisis or Decline?" in: Patrick Dunleavy/Andrew Gamble/Ian Holliday/Gillian Peele, (eds) *Developments in British Politics*, London: Macmillan, pp. 1-18.

Ehlermann, Claus Dieter (1996) *Enforcement of Community Law: How to Improve the Existing Structures*. United Kingdom Association for European Law — Annual Address, London, 7 November 1996.

Erichsen, Hans-Uwe (1992) "Das Recht auf freien Zugang zu Informationen über die Umwelt", *NVwZ*, No. 5, pp. 409-419.

Haigh, Nigel (1996) *The Manual of Environmental Policy: the EC and Britain*, London: Catermill Publishing.

Hall, Peter (1986) *Governing the Economy. The Politics of State Intervention in Britain and France*, Cambridge: Cambridge University Press.

Hall, Peter A. (1993) "Policy Paradigms, Social Learning and the State. The Case of Economic Policymaking in Britain", *Comparative Politics*, Vol. 25, pp. 275-296.

Héritier, Adrienne, Christoph Knill and Susanne Mingers (1996) *Ringling the Changes in Europe. Regulatory Competition and the Transformation of the State*, Berlin: de Gruyter.

Hood, Christopher (1991) "A Public Management for all Seasons?" *Public Administration*, Vol. 69, pp. 3-19.

House of Lords (1996) *Freedom of Access to Information on the Environment*. Select Committee on the European Communities. Session 1996-97, 1st Report. London: HMSO

Immergut, Ellen M. (1992) *Health Politics: Interests and Institutions in Western Europe*. Cambridge: Cambridge University Press.

Jordan, Andrew (1993) "Integrated Pollution Control and the Evolving Style and Structure of Environmental Regulation in the UK", *Environmental Politics*, Vol. 2, No. 3, S. 405-428.

Knill, Christoph (1995). *Staatlichkeit im Wandel. Großbritannien im Spannungsfeld innenpolitischer Reformen und europäischer Integration*. Opladen: Deutscher Universitätsverlag.

Knill, Christoph (1997a) "The Implementation of EU Environmental Policy in the UK" in Christoph Knill (ed.), *The Impact of National Administrative Traditions on the Implementation of EU Environmental Policy*. Interim Research Report. Florence: European University Institute, April 1997.

Knill, Christoph (1997b) "The Europeanisation of Domestic Policies: The Development of EC Environmental Policy", *Environmental Policy and Law*, Vol. 27, No. 1, pp. 48-56.

Knill, Christoph (ed.) (1997) *The Impact of National Administrative Traditions on the Implementation of EU Environmental Policy*. Interim Research Report. Florence: European University Institute, April 1997.

Knill, Christoph, Adrienne Héritier (1996) "Neue Instrumente in der europäischen Umweltpolitik: Strategien für eine effektivere Implementation" in Gertrude Lübke-Wolff (ed.) *Der Vollzug des europäischen Umweltrechts*, Berlin: Erich Schmidt Verlag, pp. 209-234.

Knoepfel, Peter, Helmut Weidner (1983) "Implementing Air Quality Control Programs in Europe: Some Results of a Comparative Study" in Dowding, Paul and Kenneth Hanf (eds) *International Comparisons in Implementing Pollution Law*, Dordrecht: Kluwer-Nijhoff, pp. 191-211.

Krasner, Stephen D. (1988) "Sovereignty: An Institutional Perspective", *Comparative Political Studies*, Vol. 21, No. 1, pp. 66-94.

Lenschow, Andrea (1997) "The Implementation of EU Environmental Policy in Germany" in Christoph Knill (ed.), *The Impact of National Administrative Traditions on the Implementation of EU Environmental Policy*, Interim Research Report. Florence: European University Institute, April 1997.

Maloney, William A., Jeremy Richardson (1995), *Managing Policy Change in Britain: The Politics of Water*, Edinburgh: Edinburgh University Press.

March, James G., Johan P. Olsen (1996) "Institutional Perspectives on Political Institutions", *Governance*, Vol. 9, No. 3, pp. 247-264.

Massey, Andrew (1992) "Managing Change. Politicians and Experts in the Age of Privatization", *Government and Opposition*, Vol. 27, pp. 486-501.

Mayntz, Renate, Fritz W. Scharpf (1995) "Der Ansatz des akteurzentrierten Institutionalismus" in Renate Mayntz, Fritz W. Scharpf (eds), *Gesellschaftliche Selbstregelung und politische Steuerung*, Frankfurt/Main: Campus.

Metcalf, Les (1994) "International Policy Co-ordination and Public Management Reform", *International Review of Administrative Science*, 60, pp. 271-290.

Pfeiffer, R. (1991) *Probleme bei der Umsetzung der EG-Richtlinie 85/337 über die Umweltverträglichkeitsprüfung in das deutsche Recht*. Trostberg.

Pollitt, Christopher (1993) *Managerialism and the Public Services*, Oxford: Blackwell.

RCEP (Royal Commission on Environmental Pollution) (1976) *5th Report. Air Pollution Control. An Integrated Approach*. London: HMSO.

RCEP (Royal Commission on Environmental Pollution) (1984) *10th Report. Tackling Pollution - Experience and Prospects*, London: HMSO.

Rhodes, Rod A.W. (1996) *The New European Agencies. Agencies in British Government: Revolution or Evolution?* EUI Working Papers RSC No. 96/51, Florence: European University Institute.

Scherzberg, Arno (1994) "Freedom of Information — deutsch gewendet: Das neue Umweltinformationsgesetz", *Deutsches Verwaltungsblatt*, July 1994, pp. 733-745.

Siedentopf, H., C. Hauschild (1990) "Europäische Integration und die öffentlichen Verwaltungen der Mitgliedstaaten", *Die öffentliche Verwaltung*, 43, 11, 445-455.

Siedentopf, H., J. Ziller (eds) (1988) *Making European Policies Work. L'Europe des Administrations?* Vol. 2, National Reports, Rapports Nationaux. London.

SRU (Sachverständigenrat für Umweltfragen) (1996) *Umweltgutachten 1996*, Stuttgart: Verlag Metzler-Poeschel.

Steel, D.R. (1979). "Britain" in F.F. Ridley, (ed.), *Government and Administration in Western Europe*, Oxford: Oxford University Press.

Thelen, Kathleen, Sven Steinmo (1992) "Historical Institutionalism in Comparative Politics" in Kathleen Thelen, Sven Steinmo, and Frank Longstreth (eds), *Structuring Politics. Historical Institutionalism in Comparative Analysis*, Cambridge: Cambridge University Press, pp. 1-32.

Vogel, David (1986) *National Styles of Regulation. Environmental Policy in Great Britain and the United States*, Ithaca: Cornell University Press.

Waarden, Frans van (1995) "National Regulatory Styles. A Conceptual Scheme and the Institutional Foundations of Styles" in Brigitte Unger and Frans van Waarden (eds), *Convergence or Diversity? Internationalization and Economic Policy Response*, Aldershot: Avebury.

Wallace, Helen (1996) "Relations between the European Union and the British Administration" in Yves Mény, Pierre Muller, Jean-Louis Quermonne (eds), *Adjusting to Europe. The Impact of the European Union on National Institutions and Policies*, London: Routledge, pp. 61-72.

Weale, Albert (1992) *The New Politics of Pollution*, Manchester: Manchester University Press.

Weale, Albert (1996) "Environmental Regulation and Administrative Reform in Britain" in Giandomenico Majone (ed.) *Regulating Europe*, London: Routledge, pp. 106-130.

Wegener, Bernd (1993) "Die unmittelbare Geltung der EG-Richtlinie über den freien Zugang zu Umweltinformationen", *Zeitschrift für Umweltrecht*, No. 1, pp. 17-21.

Wessels, Wolfgang, Dietrich Rometsch (1996) "German Administrative Interaction and European Union: the Fusion of Public Policies" in Yves Mény, Pierre Muller, Jean-Louis Quermonne (eds) *Adjusting to Europe. The Impact of the European Union on National Institutions and Policies*. London: Routledge, pp. 73-109.

White-Grove, Robin (1992) "Länderbericht Großbritannien" in C. Hey, U. Brendle, (eds), *Umweltverbände und EG. Handlungsmöglichkeiten der Umweltverbände für die Verbesserung des Umweltbewußtseins und der Umweltpolitik in der Europäischen Gemeinschaft*. Freiburg, pp. 101-129.

Winter, Gerd (1996) "Freedom of Environmental Information" in Gerd Winter (ed.) *European Environmental Law. A Comparative Perspective*, Aldershot: Dartmouth, pp. 81-94.



EUI WORKING PAPERS

EUI Working Papers are published and distributed by the
European University Institute, Florence

Copies can be obtained free of charge
– depending on the availability of stocks – from:

The Publications Officer
European University Institute
Badia Fiesolana
I-50016 San Domenico di Fiesole (FI)
Italy

Please use order form overleaf

Publications of the European University Institute

To The Publications Officer
European University Institute
Badia Fiesolana
I-50016 San Domenico di Fiesole (FI) – Italy
Telefax No: +39/55/4685 636
e-mail: publish@datacomm.iue.it
<http://www.iue.it>

From Name

Address

.....

.....

.....

.....

- Please send me a complete list of EUI Working Papers
- Please send me a complete list of EUI book publications
- Please send me the EUI brochure Academic Year 1998/99

Please send me the following EUI Working Paper(s):

No, Author

Title:

No, Author

Title:

No, Author

Title:

No, Author

Title:

Date

Signature



Working Papers of the Robert Schuman Centre

Published since 1996

RSC No. 97/1

Donatella della PORTA/Herbert REITER
The Policing of Mass Demonstration in
Contemporary Democracies
*The Policing of Protest in Contemporary
Democracies*

RSC No. 97/2

Robert REINER
The Policing of Mass Demonstration in
Contemporary Democracies
Policing, Protest and Disorder in Britain

RSC No. 97/3

Clark McPHAIL/John McCARTHY/David
SCHWEINGRUBER
The Policing of Mass Demonstration in
Contemporary Democracies
*Policing Protest in the United States: From
the 1960s to the 1990s*

RSC No. 97/4

Olivier FILLIEULE/Fabien JOBARD
The Policing of Mass Demonstration in
Contemporary Democracies
*The Policing of Protest in France: Towards
a Model of Protest Policing*

RSC No. 97/5

Dominique WISLER/Hanspeter KRIESI
The Policing of Mass Demonstration in
Contemporary Democracies
*Public Order, Protest Cycles and Political
Process: Two Swiss Cities Compared*

RSC No. 97/6

P.A.J. WADDINGTON
The Policing of Mass Demonstration in
Contemporary Democracies
*Controlling Protest in Contemporary,
Historical and Comparative Perspective*

RSC No. 97/7

Herbert REITER
The Policing of Mass Demonstration in
Contemporary Democracies
*Police and Public Order in Italy, 1944-1948.
The Case of Florence*

RSC No. 97/8

Oscar JAIME-JIMENEZ
The Policing of Mass Demonstration in
Contemporary Democracies
*The Policing of Social Protest in Spain:
From Dictatorship to Democracy*

RSC No. 97/9

Martin WINTER
The Policing of Mass Demonstration in
Contemporary Democracies
*Police Philosophy and Protest Policing in
the Federal Republic of Germany, 1960-
1990*

RSC No. 97/10

Rocco DE BIASI
The Policing of Mass Demonstration in
Contemporary Democracies
The Policing of Hooliganism in Italy

RSC No. 97/11

Donatella della PORTA
The Policing of Mass Demonstration in
Contemporary Democracies
*Police Knowledge and Public Order:
Some Reflections on the Italian Case*

RSC No. 97/12

Patrick A. McCARTHY
Positionality, Tension and Instability in the
UN Security Council

RSC No. 97/13

Andrea LENSCHOW
Greening the EC Regional and Cohesion
Funds. Explaining Variation Across Similar
Policy Areas

RSC No. 97/14

Richard SINNOTT/Nessa WINSTON
Farmers, the CAP and Support for
European Integration

RSC No. 97/15

Kees van KERSBERGEN
Double Allegiance in European Integration:
Publics, Nation-States, and Social Policy

*out of print

RSC No. 97/16

Michael J. ARTIS/Wenda ZHANG
The Linkage of Interest Rates Within the EMU

RSC No. 97/17

Dimitri G. DEMEKAS/
Zenon G. KONTOLEMIS
Unemployment in Greece:
A Survey of the Issues

RSC No. 97/18

Olivier FILLIEULE
«Plus ça change, moins ça change» -
Demonstrations in France During the
Nineteen-Eighties

RSC No. 97/19

Tanja A. BÖRZEL
Policy Networks - A New Paradigm for
European Governance?

RSC No. 97/20

Vladimir MIKHALEV
Poverty Alleviation in the Course of
Transition: Policy Options for Russia

RSC No. 97/21

Susan SENIOR NELLO
Applying the New Political Economy
Approach to Agricultural Policy Formation
in the European Union

RSC No. 97/22

Repatriation. Legal and Policy Issues
Concerning Refugees from the Former
Yugoslavia
*Proceedings of a Roundtable Discussion,
organised by the Working Group on
Refugees (RSC)*

RSC No. 97/23

Simon BAGSHAW
Benchmarks or Deutschmarks? Determining
the Criteria for the Repatriation of Refugees
to Bosnia and Herzegovina

RSC No. 97/24

Sven BISLEV
European Welfare States: Mechanisms of
Convergence and Divergence

RSC No. 97/25

Pascal SCIARINI/Ola LISTHAUG
Single Cases or a Unique Pair?
The Swiss and Norwegian No to Europe

RSC No. 97/26

D. LESLIE/D. BLACKABY/S.
DRINKWATER/P. MURPHY
Unemployment, Ethnic Minorities and
Discrimination

RSC No. 97/27

Bernhard WINKLER
Maastricht Games and Maastricht Contracts

RSC No. 97/28

Horst SIEBERT
Labor Market Rigidities and Unemployment
in Europe

RSC No. 97/29

Ute COLLIER
Prospects for a Sustainable Energy Policy in
the European Union

RSC No. 97/30

John MYLES/Paul PIERSON
Friedman's Revenge: The Reform of
'Liberal' Welfare States in Canada and the
United States

RSC No. 97/31

Liesbet HOOGHE/Gary MARKS
The Making of a Polity: The Struggle over
European Integration

RSC No. 97/32

Pascal SCIARINI/Simon HUG/
Cédric DUPONT
Example, Exception or Both? Swiss
National Identity in Perspective

RSC No. 97/33

Dolores O'REILLY
From State-Control to EC Competence.
Air Transport Liberalisation

RSC No. 97/34

Giuliana GEMELLI
From Imitation to Competitive-Cooperation.
Ford Foundation and Management
Education in Western Europe
(1950's-1970's)
Vol. I

RSC No. 97/35

Giuliana GEMELLI
From Imitation to Competitive-Cooperation.
Ford Foundation and Management
Education in Western Europe
(1950's-1970's)
Vol. II

RSC No. 97/36

Martin RHODES
Globalisation, Labour Markets and Welfare
States: A Future of 'Competitive
Corporatism'?

RSC No. 97/37

Jacques MÉLITZ/Axel A. WEBER
The Costs/Benefits of a Common Monetary
Policy in France and Germany and Possible
Lessons for Monetary Union

RSC No. 97/38

Jürgen R. GROTE
Interorganizational Networks and Social
Capital Formation in the
South of the South

RSC No. 97/39

Jean-Paul FITOUSSI
European Unemployment: Macroeconomic
Aspects. *Substitutabilities vs Complementarities
Between Structural and Macroeconomic Policies*

RSC No. 97/40

Ray BARRELL/James SEFTON
European Unemployment: Macroeconomic
Aspects. *Fiscal Policy, Real Exchange Rates
and Monetary Union*

RSC No. 97/41

Peter SINCLAIR/Nicholas HORSEWOOD
European Unemployment: Macroeconomic
Aspects. *Has the Phillips Curve Been
Reborn?*

RSC No. 97/42

Riccardo FAINI/Giampaolo GALLI/Pietro
GENNARI/Fulvio ROSSI
European Unemployment: Macroeconomic
Aspects. *An Empirical Puzzle: Falling
Migrations and Growing Unemployment
Differentials among Italian Regions*

RSC No. 97/43

Peter WESTAWAY
European Unemployment: Macroeconomic
Aspects. *What Determines the Natural Rate
of Unemployment? And What Does Not?*

RSC No. 97/44

Neale O. KENNEDY
European Unemployment: Macroeconomic
Aspects. *Unemployment in the EU and the
US: A Macroeconomic Perspective*

RSC No. 97/45

Bruno CHIARINI/Paolo PISELLI
European Unemployment: Macroeconomic
Aspects. *Wage Setting, Wage Curve and
Phillips Curve: The Italian Evidence*

RSC No. 97/46

Rod CROSS/Julia DARBY/ Jonathan
IRELAND
European Unemployment: Macroeconomic
Aspects. *Hysteresis and Ranges or Intervals
for Equilibrium Unemployment*

RSC No. 97/47

Frank BARRY/John BRADLEY/ Joanne
McCARTAN
European Unemployment: Macroeconomic
Aspects. *Unemployment in the EU
Periphery: Problems and Prospects*

RSC No. 97/48

Winfried VOGT
European Unemployment: Macroeconomic
Aspects. *High Unemployment and
Stabilisation Policy*

RSC No. 97/49

Henrik HOFMAN
European Unemployment: Macroeconomic
Aspects. *Europe as an Entity. Possibilities
and Limits in Economic Policy*

RSC No. 97/50

Claude GIORNO/Alain DESERRES/
Peter STURM
European Unemployment: Macroeconomic
Aspects. *Macroeconomic Policy and the
NAIRU in European Economies*

RSC No. 97/51

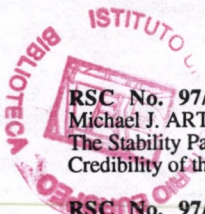
Susan SENIOR NELLO/
Karen E. SMITH
The Consequences of Eastern Enlargement
of the European Union in Stages

RSC No. 97/52

Michael J. ARTIS/Wenda ZHANG
On Identifying the Core of EMU: An
Exploration of Some Empirical Criteria

RSC No. 97/53

Gabriele TONDL
The Ups and Downs of Regional Income
Convergence in Europe.
Evidence from a Cross-Section and a Cross-
Section Time Series Analysis



RSC No. 97/54

Michael J. ARTIS/Bernhard WINKLER
The Stability Pact: Safeguarding the
Credibility of the European Central Bank

RSC No. 97/55

Paul McALEAVY/Stefaan
DE RYNCK
Regional or Local? The EU's Future
Partners in Cohesion Policy

RSC No. 97/56

Christoph KNILL
Implementing European Policies: The
Impact of National Administrative Traditions

RSC No. 97/57

Christoph KNILL/Andrea LENSCHOW
Coping with Europe: The Impact of British
and German Administrations on the
Implementation of EU Environmental Policy

*out of print

