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Rationales for public participation in environmental policy and governance: practitioners' perspectives

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Anna Wesselink[1]*, Jouni Paavola[1], and Oliver Fritsch[2], Ortwin Renn[3]

[1]Sustainability Research Institute
School of Earth and Environment
University of Leeds
Leeds LS2 9JT, UK
a.wesselink@leeds.ac.uk
j.paavola@leeds.ac.uk

[2]University of Aarhus
National Environmental Research Institute
Kalø
Grenåvej 14
8410 Rønde
Denmark
oliverfritsch@gmx.de

[3]Universität Stuttgart
Institut für Sozialwissenschaften
Abteilung für Technik- und Umweltsoziologie
Seidenstr. 36
D-70174 Stuttgart
Germany
ortwin.renn@sowi.uni-stuttgart.de

Abstract

Participation has become a mantra in environmental governance. However, there are signs that the participatory agenda has started to lose its momentum and justification because of disappointments about actual achievements. Rather than focussing on improving participatory processes or articulating best practices, in this paper we seek to understand the more fundamental reasons why difficulties are encountered. In our interviews with professionals involved in participation in environmental governance we found varying and potentially conflicting rationales for participation, with instrumental and legalistic rationales dominating. We contend that the institutional and political context in which this participation takes place is an important explanation of this prevalence. This includes the provisions for participation in EU directives, failing policy integration, institutional and political barriers, and failing political uptake of results from participation. We conclude there is a need for more reflexive awareness of the different ways in which participation is defined and practiced in contemporary environmental policy making and for a more realistic assessment of possibilities for changes towards more participatory and deliberative decision making.

Keywords: public participation, stakeholder involvement, rationales, environmental governance, deliberative democracy

1 Introduction

Participation has become a mantra in environmental governance. Reinforced by the Aarhus Convention and the U.S. Negotiated Rulemaking Act, public or stakeholder involvement is now part of environmental policy making in the United States, in most European countries and at EU level (e.g. Webler and Renn 1995; National Research Council 2008). This paper aims to understand the sometimes sobering achievements of public participation through an assessment of what key policy-makers and stakeholders expect from participation.

According to Bishop and Davis (2002 p.14), 'it is rarely clear what counts as participation, and how the many practices loosely bundled under the label should be understood'. Much of the literature uses a priori criteria to describe and classify types of participation. Best known are variants of Arnstein's ladder of participation (1969), but other typologies have been discussed e.g. by Bishop and Davies (2002) and Abelson and Gauvin (2006). In view of these multiple definitions, we understand 'participation' to mean any type of inclusion of non-state actors, as member of the public or as organised stakeholders, in any stage of governmental policy making including implementation. The fact that many practitioners refer to inclusion of representatives from other government departments also as 'participation' illustrates that terminology is unclear outside academia, too.

The demand for increased involvement of non-state actors in policy making can be traced to the 1970s critical movements that questioned hierarchical authority and demanded 'direct democracy', with support from political theorists (e.g. Pateman 1970). In environmental scholarship, participatory and post-normal research practices were tried out, and policy makers started to integrate participation into regulatory texts. Generally, practitioners and scholars alike expect the inclusion of non-state actors in governmental decision making to contribute to the quality and implementation of decisions as well as to their legitimacy (e.g. Fischer 1993; Lafferty and Meadowcroft 1996). However, critical assessments question these 'sometimes wildly over-optimistic claims' (Burgess and Clark 226 p.228, also Irvin and Stansbury 2004) and there are signs that the participatory agenda has started to lose its

momentum because of disappointments about actual achievements (e.g. Coglianese 2003; Hoppe 2010). It has even been suggested that participation can be counterproductive in achieving the democratic goals often ascribed to it (e.g. Tewdwr-Jones and Allmendinger 1998) and the material changes aimed for (e.g. Newig and Fritsch 2009).

A lot of the participation literature deals with improving participatory processes through new tools and methods (Pahl-Wostl et al. 2005, Ridder et al. 2006). Problems and dilemmas in the design and conduct of participatory processes indeed cause significant difficulties and contribute to 'participation fatigue'. However, the significance of methods selection may be overrated in explaining the discrepancy between expectation and reality. Beierle and Konisky (2000) were able to demonstrate that the design and the structuring of participatory processes had little effect on the quality of the output and the relative satisfaction of the participants. Therefore, we believe that the origin of frustrations, misunderstandings and failures is located at more fundamental levels: in conflicting values, expectations and attitudes about participation, and in the limited incorporation of results in the wider policy making process.

In this paper our principal aim is to understand how civil servants and other professional actors that are involved in agenda setting, decision making and implementation view the rationale for participation. In contrast to Chilvers (2008), we are not focussing on the participation experts who organise involvement processes on behalf of others or perform academic research on participation. Many of the authors quoted so far would be included in the latter community. We suggest that some of the 'participation fatigue' can be explained by the differences in expectations regarding participation these two groups have.

We conceptualise participation rationales following Fiorino (1990) and Stirling (2006, 2008) as systems of justification for participation leading to choices for specific structures and procedures. In spite of the importance of recognising and understanding participation rationales, few case studies have been analysed from this viewpoint. Work done by Bickerstaff and Walker (2001) and Blackstock and Richards (2007) is a notable exception, while Tuler et al. (2005), Webler and Tuler (2006) and Tuler and Webler (2010) pursue a similar aim but without using the same rationales to frame different viewpoints. We show how these rationales can be identified amongst environmental professionals involved in the implementation of three EU policy initiatives: the Water Framework Directive (WFD), the Birds Directive, and the Habitats Directive. While previous studies were confined to one country, our material extends across several EU member states who are nevertheless bound by the same EU legislation or are aspiring to be. The diversity of our sample thus enables us to study new dimensions of participation rationales. We then discuss the findings in the context of current environmental policy making and a wider context of democratic governance. This provides insights into the reasons why theoretical expectations of participation do not always materialise in practice. We conclude by formulating research themes that take these findings into account.

2 Rationales for public participation

The usual arguments for participation include its positive contribution to the legitimacy and public acceptance of governance arrangements and outcomes; harnessing of local knowledge for substantive improvement of decisions and plans; resolution of political and societal conflicts by means of alternative mechanisms; and empowerment of marginalised groups who have been left out of environmental governance (e.g. Adger et al, 2003).

Our understanding of participation rationales is derived from Fiorino (1990) and subsequent work by Stirling (2006, 2008) and Blackstock and Richards (2007). Summarizing this work we define the following rationales:

- *instrumental*: effective participation makes decisions more legitimate and improves results. It aims to restore public credibility, diffuse conflicts, justify decisions and limit future challenges to implementation by 'creating ownership'. Policy goals are not open for discussion, only the details are (to a lesser or greater extent). It hereby supports incumbent interests.
- *substantive*: non-experts see problems, issues and solutions that experts miss. It aims to increase the breadth and depth of information and thereby improve the quality of decisions; it ignores power issues e.g. related to problem framing. Unlike in the instrumental rationale, policy goals can be changed in a substantive rationale.
- *normative*: democratic ideals call for maximum participation. It aims to counter the power of incumbent interests and allows all who are affected by a decision to have influence.

These three rationales have been widely used by proponents of participation to advocate inclusion of non-state actors in decision making. Typically, they are presented as if a participatory process can or should simultaneously yield benefits in all three, without consideration of potential contradictions between the arguments of each rationale. For example, someone who advocates deliberative democracy (e.g. Bohman 1997) advances all three arguments. However, a normative stance to involve everybody does not necessarily co-exist with instrumental rationale where actors are invited because of the contributions they are thought to be able to make, though it is often assumed that enhanced participation will lead to improved quality of decisions (e.g. Beierle 2002). Similarly, a substantive rationale would include a possibility to reframe the problem if new information became available, while an instrumental rationale excludes this possibility as the overall goal has been set beforehand. Indeed, a content-oriented instrumental or substantive rationale is often construed as the opposite of a process-oriented normative rationale (e.g. Edelenbos et al. 2003) although this can also be contested (e.g. Stirling 2006).

Our starting point is that these three rationales are distinct and to some extent incommensurable. With Stirling (2008, p.268), we believe that '[o]ne crucial, common feature of participation [..] lies in the importance of intentionality. Here, attention focuses on the rationales and motivations'. Examining participation rationales is, then, asking the questions 'why do participation'. Together with other factors such as social and political context, capacities, time and finance, participation rationales guide the choices made in a participatory process. Renn and Schweitzer (2009) suggest that these choices address two major issues: what and whom to include (inclusion) and how to select (closure). Renn and Schweitzer (2009, p.180) also recognise the existence of several 'background concepts' which are a regular source of conflicts about the best structure of a participatory process. The implications for the choices made in participatory processes are presented in a summary fashion in Table 1; they are discussed more fully in Stirling (2006, 2008).

In spite of the importance of recognising and understanding participation rationales in propositions for and practices of participation, few case studies have been analysed from this viewpoint. The research undertaken by Bickerstaff and Walker (2001) is one notable exception and the most explicit application of the participation rationales to empirical material. Like us, Bickerstaff and Walker (2001, p.433) consider Fiorino's (1990) three arguments as distinct 'approaches' to participation. In their survey of local authority perspectives on public involvement in English transport planning they asked an open question

about the purpose of organising participation. The survey yielded responses from 71% of the 150 English highway authorities; it therefore covered public sector employees only. They conclude that the prime drivers for public involvement are instrumental in nature, such as increasing awareness and improving delivery. They found some references to substantive motives such as generating new ideas and developing a shared vision. The normative rationale was mostly absent (Bickerstaff and Walker 2001, p.437-438).

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	normative rationale	*substantive rationale*	*instrumental rationale*
who included	those who have a stake	those who have additional knowledge	those who have blocking power & those who are needed for implementation
what included	participants' concerns and views	policy makers' concerns; all knowledge and views	policy makers' concerns; selected knowledge and views
how included	in all stages and issues	only when it adds value substantively	only when it ensures smooth implementation

Table 1 Participation rationales and design choices for participation

A significant proportion of respondents 'identified the dictates of central government as a major reason for embarking on a public involvement programme' (Bickerstaff and Walker 2001 p.437). Bickerstaff and Walker classify these answers as 'instrumental'. We found the same motivation in our material but we argue that this is a fourth, separate rationale which we call 'legalistic rationale': participation is only organised to meet formal requirements. Compliance with rules is necessary to get things done and therefore this position could be called 'instrumental' as Bickerstaff and Walker do. However, in the legalistic rationale none of the other instrumental drivers for participation remain so the organised process is likely to be a formality without any uptake of results. In our view this makes it a separate rationale.

Blackstock and Richards (2007) also examined participation rationales. They asked participants in the planning process in one river basin in Scotland open questions to evaluate their involvement and classified the answers using the participation rationales. The majority of the 58 respondents in Blackstock and Richards (2007) worked in the public sector (60%), a further 29% represented economic interests, 7% worked for NGOs and 3% in academia. Instrumental points of view were dominant, with some substantive criteria being used. They found little evidence of a normative rationale. Unlike our interpretation of the rationales as potentially incommensurate, Blackstock and Richards (2007 p.505) assume that all three can

be satisfied in the same participatory process when they conclude that 'the [..] process did not totally fulfil the three rationales'.

Finally, Webler and Tuler have studies the motivations of local officials regarding participating in or organising participatory processes (Tuler et al. 2002; Webler et al. 2003; Tuler et al. 2005; Webler and Tuler 2006; Tuler and Webler 2010). They used primarily Q-methodology, which starts with pre-determined statements that do not allow respondents to formulate their own perspective; the resulting categories (clusters in Q-terminology) therefore depend to a large extent degree on the preconceptions of the researchers. In Webler et al. (2002) and Webler et al. (2003) the statements and the resulting clusters describe characteristics of process conduct, in Tuler et al. (2005), Webler and Tuler (2006) and Tuler and Webler (2010) the statements to be sorted were formulated using 'a conceptualization of public participation based on prior theoretical and empirical work in policy areas of forest and watershed management' which yielded 'a number of concepts or categories important to understanding and describing public participation' (Webler and Tuler 2006 p.700). This conceptualisation distinguishes four 'social perspectives' or 'social narratives' (Webler and Tuler 2006 p.703): science-centred stakeholder consultation, egalitarian deliberation, efficient cooperation, informed collaboration. These perspectives again mainly describe views on how to conduct a process, but it is possible to infer the reasons for a preference, i.e. the rationales, from the descriptions. With the exception of the egalitarian deliberation which matches the normative rationale, there is no immediate relation with the three participation rationales. They are a mixture of instrumental and substantive rationales, with an emphasis on the instrumental rationale.

Summarising this discussion, there is a sound theoretical basis for distinguishing the three participation rationales developed principally by Stirling (2006, 2008) from Fiorino's (1990) arguments for participation. There are also a few examples of their utilisation to analyse participants' discourses on participation (Bickerstaff and Walker 2001; Blackstock and Richards 2007). However, these studies were limited to the UK, with similar work on the USA by Webler and Tuler. Our study extends across several nations who are nevertheless bound by the same EU regulations. The diversity of our sample enables us to add new dimensions to the study of participation rationales.

3 Materials and method

Our material consists of 43 semi-structured interviews with environmental professionals who have been involved in participation organised by or on behalf of the administration in the policy areas of water or biodiversity governance. Their involvement took place in the implementation stages of policy making, as state actor or as stakeholder. They are not participation experts but professionals who usually have a background in environmental science and management who encounter participation in the course of their professional duties. They organise participation, represent their department or NGO, or inform policy making as experts in water or biodiversity conservation. Some have switched sectors in the course of their career (c.f. Hoppe 2008). The respondents were civil servants, academics, employees of NGOs and consultants in the Czech Republic, Denmark, Finland, Germany, the Netherlands, Portugal, Serbia, Slovak Republic, Slovenia, Spain and the United Kingdom (Annex 1). The interviews were translated into English by the interviewers.

The interview questions were deliberately broad to shed light on the interactions between actors in general so we would get an impression of the context in which participation is

organised. Our questions asked for their overall view and were not related to a specific participatory process. The questions included:

- What are respondents' positive and negative personal experiences from multi-level environmental governance?
- What are respondents' views on the role of participation in their field: who has participated (e.g. what stakeholders, was the general public involved) and to which degree (e.g. interview, actual planning), was participation useful or not?
- What are respondents' views on the current and future priorities and challenges with regard to the governance of biodiversity and/or water?

We used open-ended interviews because non-standardised questions allow for deeper exploration of the experiences of the local government officials than would be possible using quantitative survey techniques. Given the relatively limited number of respondents and the high proportion of German respondents, we do not claim to have a representative sample. Rather, the profile of sampled participants conforms to a strategy of maximum variation, covering as many countries and sectors as we could. Our analysis was inductive, i.e. we allowed important concepts and patterns to emerge during the data analysis rather than in advance of the investigation. The inductive method is particularly well-suited to exploratory studies. Data collection and analysis in such grounded theory approach requires a great deal of judgment and the ability of researchers to remain true to the meanings that emerge from the data (Glaser 1992). Subsequently we explored existing literature to confirm and explain the patterns we recognised in the data; this literature is described above in 'participation rationales'.

4 Practitioners' perspectives on participation

Using this grounded approach, we grouped the types of problems and challenges respondents mentioned as well as explicit comments about the usefulness (or the contrary) of participation into four categories. We are therefore not categorising respondents but the statements they made, and some respondents show a combination of rationales (Annex 1). When a respondent presented a combination of rationales these were counted separately, so the total score is higher than the number of interviews. We subsequently found that these categories correspond to the participation rationales described above.

In the first category participation is a good thing of its own accord, independent of the purpose and scope of decisions. This normative rationale was expressed by a few interviewees only who felt that 'participation is a right that public and stakeholders have [..] participation increases democracy and legitimacy, it is a moral obligation [..]' (Spain, government). To achieve this, 'public participation should be methodologically correct, that is: everybody must have a say' (Spain, NGO). Furthering democracy was presented as the justification for this position by one interviewee: 'public participation rhetoric creates political space for democratisation' (United Kingdom, academia).

In the second category participation is needed to implement a policy: 'participation is essential for plans to work: they need to integrate information and viewpoints of a range of people so cooperation results' (Portugal, government), or to improve the quality of a pre-determined policy outcome: 'stakeholders bring in new elements to assessment and preferences' (Germany, government). This represents the instrumental rationale. . The main challenge for the administration is to reach agreement with other state organisations, and non-

state bodies are invited to participate if they are necessary to achieve the predetermined goals: 'NGO participation is taken seriously when a credible threat of legal action exists' (Germany, consultant), 'participation is a way to get political support and to raise awareness, so who is invited depends on situation' (Netherlands, government)..

There was scant evidence of a substantive rationale. When the benefits of additional information are discussed, this is usually within a context of 'getting things done' and therefore part of an instrumental rationale: 'It is not just a matter of weighing or assessing the value given to a measure by a certain constituency: there can also be substantial elements and aspects which are not known to the administration and were previously not considered. In the end, it's all about additional information: it makes sense to include it early in the process. It also creates acceptance and safety' (Germany, government). However there is some reference to the usefulness of additional knowledge: 'Participation can provide agencies with valuable information and feedbacks [..] those who actually see and interact with the water body on a regular basis may eventually not have technical expertise, but they surely know the water body best' (Germany, government).

In the fourth category participation is undertaken only because it is required, e.g. by EU legislation. The interpretation of roles underlies this rationale: it is the responsibility of the politicians and the administration to solve environmental problems, not of the public or stakeholders: 'the public is involved through elective process which put local authorities in place' (United Kingdom, academia). We argued above that this should be recognised as a separate legalistic rationale. A lack of interest is also given as justification for this rationale: '[t]he general public does not need to know about the WFD, they only need to know when something affects them [..] in any case, the public is only interested when issues affects their lives (United Kingdom, government); 'people are not interested in environmental issues because they are not properly informed' (Portugal, government). In the legalistic rationale procedural pressure is the only reason that participation is organised: 'participation is just formality: people can have their say and then they are forgotten' (Germany, government); 'we have no tradition of public participation but the WFD obliges this [..] lack of participatory culture means decisions are often already taken beforehand and public participation is used to legitimise them' (Spain, NGO).

To explore whether the occurrence of rationales might be related to sector, country or area of work, we counted the scores for respondents' rationales (Annex 1) for the whole dataset and split out by country, sector and area of work (Table 2). While the sample is obviously biased towards Germany, the pattern found there is replicated amongst the other respondents combined with a slightly higher occurrence of legalistic rationales. Apart from this, the low number of respondents per country only allows for tentative conclusions. Most noticeably, normative rationales were only found in Southern Europe. This may be a coincidence but it may also be related to participatory cultures. Our interviews suggest differences in participatory cultures between countries and regions, with shared 'country discourses' (see also Wesselink 2008). This is in line with the literature on 'policy styles' which discusses the role of the national political context and institutions in shaping policy making (Van Waarden 1995).

For example, we found that in the Czech and Slovak Republics and Serbia multi-level governance of biodiversity is characterised by conflicts between different government bodies and there is very little non-state involvement. Public participation is viewed as information transfer, and stakeholder participation is viewed as NGOs helping to implement government policies, where the state's capacity to act is much reduced since 1989 (c.f. Kluvánková-

Oravská et al. 2009). In Germany, the role of NGOs is well established, possibly to the detriment of public participation. This can be explained in part by the legal right of affected individuals to be consulted and to file complaints; in this context, state actors as well as the NGOs themselves view NGOs as representatives of the public. In Portugal a predominantly technocratic view was apparent from the fact that much emphasis was put on sufficient education and information as a prerequisite for participation. It could be that finding normative rationales in Southern Europe is related to the fact that participation is traditionally less embedded in policy practices here, so arguments for participation need to be put forward more strongly than elsewhere. However, this remains to be corroborated by further work.

	I	S	N	L
overall	40	3	2	7
country				
Czech Republic	2			
Denmark				1
Finland	2			
Germany	19	2		2
Netherlands	4			
Portugal	4		1	1
Serbia	2			
Slovakia	2			1
Spain	2	1	1	
United Kingdom	2			1
sector				
government	19	3	1	4
consultant	4			1
NGO	12			
academia	5		1	1
area of work				
water	19	1	1	3
biodiversity	21	1	2	3

Table 2 Distribution of rationales overall and over countries, sectors and area of work
Rationales: I= instrumental, L = legalistic, S=substantive, N=normative

Scores are similar for each sector. The exclusively instrumental rationale amongst NGO employees stands out: it could be expected that they support normative arguments because they would benefit from increased participation. This finding may be in part an artifice of the data since 7 out of 12 are from Germany, where, as discussed above, NGOs have an established position in policy making. Their position on participation is instrumental and subject to the achievement of their substantive environmental goals, as explained by this respondent: 'Environmental NGOs as well as other lobbies behave strategically on this: in those fields in which they have a high impact and visibility, participation is not promoted as this would basically let competitors and opponents in. On those fields, instead, where one doesn't have visibility, pressure is made for more participation – preference is nonetheless for group participation in the first place, rather than direct democracy. Alternatively, request is made for more transparency.' (Germany, NGO). It could be hypothesised that employees from NGOs in countries with a less developed participatory culture would advance normative arguments for participation to advocate their own inclusion in decision making.

The provisions for participation in the WFD are more extensive compared with the EU directives related to biodiversity, the Birds Directive and the Habitats Directive (but see details in the next Section). In spite of this, we found no difference between those working on water issues and those working on biodiversity issues: both groups show a dominance of instrumental rationales with a notable occurrence of a legalistic rationale. This could be explained by the relatively recent introduction of requirements for participation and the long time it takes for practices to change. Several respondents indeed mentioned unfamiliarity with participatory methods and unwillingness to change working practices as barriers to implementing participation. However, the predominance of the instrumental rationale may also be explained from the fact that the EU directives themselves are instrumental, and from other characteristics of the policy context.

5 Participation in the wider context of the politics of policy processes

We found the dominant rationale amongst the respondents to be instrumental, with a notable occurrence of a legalistic rationale. While our study on its own does not provide firm enough evidence to conclude that this is a recurring pattern, previous work yields comparable results (Bickerstaff and Walker 2001; Blackstock and Richards 2007; Webler and Tuler 2006). In the Rhine basin civil servants identified reluctance to change their working practices as the most important factor explaining the lack of success in participatory water resource management (Medema et al. 2008). However, it is easy to blame individuals and we believe that there are good reasons why so many of our respondents reason from an instrumental or legalistic rationale. Tewdwr-Jones and Allmendinger (1998 p.1987) already noted that ‘these moves [towards more participation] are welcome attempts to encourage more people to become involved in the day-to-day decision making processes of local planning authorities [..] they are nevertheless undertaken within an institutional, political, and legal framework that remains 'top-down'. There is a degree of flexibility apparent, but when planners attempt to transpose stakeholders' desires into practical policy outcomes, experience has shown that it is the hierarchical regulatory and institutionalised planning context that wins the day’.

The policy making environment itself imposes barriers to participation in terms of laws and regulations, internal contradictions, the need for coordination and integration between policy areas, and institutional and political barriers to integrating participatory processes in policy making. Often enough public participation does not fit into the routines of policy making and planning and there is no common ground for mutual understanding. Participation acts like a disturbance to an otherwise smooth process (Luhmann 1983). We discuss each of these aspects briefly.

Participation in European environmental regulations

By ratifying the Aarhus Convention in 1998 the EU and its member states committed to including its provisions on access to information and justice and participation into future directives. Having been signed before 1998 the Birds Directive (1979/409/EEC) and Habitats Directive (1992/43/EEC) do not include formal provisions for participation, although the Directives on Access to Environmental Information (2003/4/EC) and Public Participation (2003/35/EC) still apply. In the WFD (2000/60/EC) provisions for participation are more extensive than stipulated by Directives 2003/4/EC and 2003/35/EC, as new and separate provisions regarding ‘stakeholders’ are added. WFD key Article 14 distinguishes between two types of involvement (it does not use ‘participation’):

- involvement of all 'interested parties', who should be encouraged to be actively involved in the implementation, in particular in the production, review and updating of river basin management plans;
- involvement of 'the public, including users', who should be provided with information and an opportunity to comment.

While more extensive, these provisions still provide stakeholders or public very little influence on political decisions, since the overall objectives are determined before they are invited to participate, which then concerns only the detailed plans for implementation.

The provisions of the WFD were elaborated in an implementation guideline (EC 2002). The guidance notes that 'the fundamental rationale for undertaking public participation [is to] ensure the effective implementation and achievement of the environmental objectives of water management' (EC 2002, p.21). This does not necessarily mean a limited view of participation as 'it can be wise to look further than minimum requirements' (EC 2002, p.17) because 'more may be useful to reach the objective of the Directive' (EC 2002, p.19). These explanations clearly derive from an instrumental rationale, while there is a hint of a legalistic rationale in the remark that participation is carried out 'to comply with the Directive' (EC 2002, p.21). The guidance explicitly rules out a normative rationale by stating that 'public participation is not an objective in itself' (EC 2002, p.21). In addition, normative justifications for participation such as democracy or legitimacy are not found in either document.

Our analysis suggests that many of our respondents reason from the same instrumental rationale. From their point of view their task is to implement policy: they have to get things done. Participation is instrumental to advancing the goal of the directives of maintaining and improving the environment in the EU. Working from an instrumental rationale is then a logical choice. However, our analysis also suggests that not all respondents are convinced of the validity of an instrumental rationale. The more tokenistic legalistic rationale, where participation is implemented as a formality to comply with rules, was prevalent in our interviews. To understand the existence of this rationale, personal factors such as the interpretation of professional roles probably play a part (Petts and Brooks 2006), but other aspects of the policy making context could also contribute as discussed below.

Policy integration and institutional and political barriers

A second impediment to participation is the fact that environmental policies are often not aligned with other policies or have a low priority (e.g. Petts 2004). Several of our respondents reported that economic interests usually prevail over environmental issues. Pure power politics may also be at play, with one respondent describing how the establishment of regional water bodies was blocked by national and local governments who did not want to lose their authority in this field (Portugal, government). The fact that many respondents understood 'participation' to mean 'involvement of other government departments' suggests that power struggles and conflicts between governmental organizations and between levels of government are central aspects of policy implementation, and civil servants spend a lot of time internally defending, lobbying and coordinating. In this context a legalistic rationale to participation is a realistic choice, as it detracts from other major tasks: 'participation represents disturbance of administrative work' (Germany, government).

Another factor encouraging such a legalistic rationale is the sheer complexity of rules and regulations. A study of the Dutch implementation of EU directives found that 'the implementation of [..] EU environmental directives has led to a Gordian knot of legal and administrative procedures, especially when looking at the implementation at the local or

regional level. [..] Most actors focus on formal compliance with the EU directives and, as a result, the environmental objectives are fading into the background' (Beunen et al. 2009 p.66).

Uptake of results

A third and major obstacle to participation is what Goodin and Dryzek (2006) call the 'macro-political up-take of mini-publics'. If results of participatory projects are to be take into account in the wider policy making processes, linkages need to be established between the existing bodies and procedures in a representative democracy and new forms of governance such as participation, in order to ensure the 'democratic anchorage of interactive governance' (Edelenbos et al 2008, p.1). However, this turns out to be a difficult task. Selfa and Endter-Wada (2008, p.962) assert that '[d]espite the prevalent discourse promoting increased community participation [..] our analysis shows that state agencies and multilateral institutions ultimately retain centralized decision-making authority'. This view is exemplified by one of our respondents who complained that 'once they are involved, participants develop the expectations to be fundamentally involved and decide upon crucial things rather than details of implementation' (United Kingdom, government).

Here, too, potentially incommensurate drivers lie at the heart of the problem. Deliberative participatory approaches to policy making obey a legitimising logic that differs from the broader political-institutional landscapes in which they are practised (Hoppe 2010 p.19): 'deliberation and negotiation between (sometimes collective) stakeholders in participatory procedures versus competition for authorization in the representative circuit' (Papadopoulos and Wiran 2007 p.460). Concerns about the gap between promises and results of participatory approaches can then be interpreted as resulting from 'understandable ambiguity and inevitable resistance among political powers with a vested interest in the established political order of representative democracy and emergent network governance' (Hoppe 2010 p.18). A legalistic rationale corresponds with maintaining these vested interests.

Supported by the evidence here we conclude that '[t]he authorities' dilemma is that they both need and fear people's participation. They need the agreement and support of diverse groups of people [..] but they tend to fear that greater involvement is less controllable, less predictable, likely to slow down decision making, and may challenge the existing distribution of wealth and power. Thus local participation has usually been sought without any meaningful reform of the power relations between government and local communities' (Dalal-Clayton & Bass 2002, p.180-181). Neef (2008, p.105) suggests that '[n]ot surprisingly, this trip has been turbulent, leading through territory that is largely unknown to technocratic experts in administrative agencies'.

The participation paradigm clearly has to go a long way from its conception at the international and national level to its translation and implementation at the local level. Experience of 'participation fatigue' can be understood as a failed embedding of the new participatory governance in a bureaucratic structure that is not receptive to input from external actors. This in turn can be understood as 'an inevitable tension between deliberation or collective 'puzzling' as a harmonious and peaceful mode of political interaction, and the exercise of power, 'powering', as a competitive and potentially violent mode of political interaction' (Hoppe 2010 p.19). While there is therefore scope for academic research to support these moves towards more participatory and deliberative policy making, new research on participation should take account of this reality if it wants to effectively contribute to the participatory agenda.

6 A future for participation research

It is clear that in view of the current institutional and political set-up an instrumental or legalistic rationale towards participation is a logical choice for those tasked with implementing environmental policies. These rationales are 'relatively neglected in academic commentary' (Stirling 2006 p.96) as they conflict with the normative rationale prevalent in scholarship on deliberative and participatory decision making (Chilvers 2008). Each rationale leads to different choices about the who, what and how of participation and to different criteria for success. We therefore concur with Stirling (2006 p.105) that '[g]iven the scope for contextual variation and legitimately divergent perspectives [..], it is difficult to see how any single scheme can justifiably be imposed, or any particular set of evaluative criteria or developmental trajectories uncontroversially prescribed.'

It would then seem necessary to make rationale(s) explicit when developing methods and tools for participation so they are fit for purpose. Yet, there is an abundance of academic work that ignores the 'why' question that explicates rationales, or it assumes that everyone agrees on the answer. Such research typically focuses on tools and procedures, assuming 'that certain participatory processes and analytical decision tools are particularly useful for improving multi-level environmental governance' (Rauschmayer et al. 2007 p.1). However, seemingly universal criteria proposed for assessment of tools and processes are in fact contextual in their definition (within a particular research paradigm and participation rationale) and in their application (to specific case studies, countries or areas of work). Although such research and innovation of processes and methods is important for progressing public and stakeholder involvement, it is not by itself sufficient to overcome the many barriers to participation. Worse, if contextual and motivational factors are not taken into account then the outcomes may be inappropriate or even detrimental, which undermines the long term prospects of the participatory agenda.

The questions have to be more general than to improve participatory processes *per se.* What are we trying to achieve? Is this legitimacy, effectiveness, efficiency or representation? Do all relevant actors agree? Is participation necessarily the best way to realise these goals? What if actors have different purposes and resources? Conversely, while participation is considered a solution by many, the existence of separate participation rationales indicates that the problems they are trying to solve are very different. New research into participation should take account of this pluralism and also of the policy context in which participation takes place if we are 'not to lose sight of the ironies of real power politics, and thereby safeguard realism and reflexivity in our strivings for more participatory and deliberative democracy' (Hoppe 2010 p.19). The need for realism and reflexivity identifies two related research themes that deserve more attention.

First, there is a need for reflexivity about assumptions and understandings in research on participation. Reflexivity asks of researchers to face 'the difficulties and complexities associated with studying themselves, ourselves, and each other (rather than the common tendency to project questions of reflexivity onto others, be they scientists, policy makers, or publics)' (Chilvers 2008 p.1005). We believe that this is essential for understanding and dealing with 'the perplexities and dilemmas that crop up time and again in the set-up, running and uptake of results of deliberative and participatory policy analyses' (Hoppe 2010 p.3). Like other social actors, academics act and reflect from a particular participation rationale also when doing research and designing interventions. In his work on conceptions of the division of labour between science and politics, Hoppe (2008) found that in sustainability-related policy domains (such as agriculture, environment, water management) the prevalent

rhetoric insists on extensive participation to bring about desired changes, because those involved realise that they depend on politics to make the right decisions. This is typically an instrumental rationale but it is presented as a normative one, which in itself points at need to call for more reflexivity.

The promotion of participation in environmental policy making can then be conceived as a strategic move to advance environmental goals in a political arena where other priorities prevail. We noted the same strategic approach above in our discussion of instrumental rationales amongst employees of NGOs. It can be argued that scientists who advocate participation in order to further the environmental agenda enter the political arena through the back door of science to find themselves facing political contestation they did not anticipate, especially as this implies that political, economic and scientific elites ought to cede parts of their power and control to others (Wesselink and Hoppe 2010). Reflexivity would give an advance warning that simply implementing participation is not going to solve larger problems of political priories and preferences.

Second, realism implies that rather than to insist that participation should be aimed at achieving the unattainable ideal of deliberative democracy, academic work aimed at furthering the environmental agenda should accept that 'Habermasian conditions for an ideal participatory process are intended as a heuristic rather than an attainable set of conditions' (Pelletier et al. 1999 p.105). After all, we have seen above that the difficulties facing those who implement or advocate environmental policies result mostly from political power games around policy integration and institutional barriers, not primarily from a lack of participation. Research conducted with the aim to improve participatory processes in environmental governance should therefore include a realistic assessment of 'the enduring tension between shared and divergent values and interests in society' (Pelletier et al. 1999 p.104). More than ten years ago, Tewdwr-Jones and Allmendinger (1998 p.1988) concluded that '[t]he problem with communicative planning is its idealism and utopianism; what does it have to say about resources and the ability to speak (the traditional problems of participation)? How does it deal with the complex configuration of power relations in which planners and participants are enmeshed? These questions seem to have been pushed into the background, possibly because they are too difficult to consider under present circumstances'.

Realism in research on participation should also recognise, study and accept that institutional, historical and cultural contexts vary greatly between nation states. 'Culture and place are very important in understanding why [..] institutions are the way they are and the extent to which there are opportunities for change. Institutions may be path dependent, set in motion long ago, and still operating even though they no longer fit existing values and circumstances' (Ingram 2008, p.13). Values, goals, and other elements of policy designs and processes depend upon context and those concrete settings determine what is feasible (e.g. Brunner 2007). Rather than depending upon the adoption of one or another of the universal remedies, this approach suggests that mixed strategies that appeal to multiple values and fit into local circumstances are more appropriate than universal remedies.

With our appeal for realism we do not support an instrumental or legalistic agenda, nor do we suggest that policy making could and should not be more participatory or deliberative. Rather, we believe that it has been proven that proposals for participation that do not align with the usual administrative and political procedures will stand little chance of being integrated in policy making. It is naive to expect governments to redefine their roles, and genuine participation will only come about with the emergence of a strong and representative civil society. Ultimately, '[w]hether and how it is possible to achieve any of the

recommendations in a given situation ultimately remains a matter of advocacy, convincing, context-sensitive political judgment and political struggle. Even if it is therefore impossible to present universally applicable recommendations, it is important that the political nature of these issues is clear. There is no use for lists of wishful 'ought to' recommendations if reality does not comply all by itself: creating space for deliberative experiments, persuading policy makers to listen to scientific findings, and transitions to a fairer and more sustainable world all require political commitment and action.' (Wesselink and Hoppe 2010 p.20)

Maintaining the participatory agenda means a realistic assessment of what is possible, to suggest small changes rather than radical ideas: lessons from academic analyses are much more likely to be incorporated in policy practice if practitioners recognise them as being relevant. An incremental strategy is likely to have more success in the long run (Woodhouse and Collingridge 1993); in any case, '[e]ven when policy designs fit and work well in a particular context, continual readjustments are likely to be necessary to deal with both emerging problems of a changing and increasingly variable climate and shifts among contending values' (Ingram 2008 p.14). More philosophically, the political preference for deliberation is not shared by all, and many politicians, political scientists and citizens believe that representative democracy is superior to deliberative democracy. It would not be democratic to change this without being clear under what conditions deliberation can or should take preference over representation, or there is a real danger that participation will actually decrease inclusiveness (Watson et al. 2009).

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Annex 1 Overview of GoverNat scoping study respondents

no.	*sector*	*job level*	*country*	*area of work*	*rationale(s)*
AW1	consultant	regional	Netherlands	water	I
AW2	government	national	Netherlands	water	I
AW3	government	regional	Netherlands	water	I
CE1	government	regional	Portugal	water	I
CE2	academia	general	Portugal	water	n.a.
CE3	government	national	Portugal	water	L, I
CE4	government	national	Portugal	water	L, I
CE5	NGO	national	Portugal	water	I
FR1	NGO	national	Germany	water	I
FR2	government	national	Finland	biodiversity	I
MP1	government	regional	Spain	biodiversity	S
MP2	government	regional	Spain	biodiversity	N, I
MP3	NGO	national	Spain	biodiversity	I
MR1	NGO	federal/state	Germany	water	I
MR2	NGO	federal	Germany	water	I
MR3	NGO	local	Germany	biodiversity	I
MR4	government	regional	Germany	water	I
MR5	consultant	local	Germany	biodiversity	I
MR6	government	state	Germany	biodiversity	I
MR7	NGO	local	Germany	biodiversity	I
MR8	government	state	Germany	water	S, I
MR9	consultant	local	Germany	both	I
MR10	government	state	Germany	both	I
MR11	government	national	Netherlands	water	I
MR12	NGO	state	Germany	biodiversity	I
MS1	academia	general	Germany	biodiversity	I
MS3	NGO	general	Finland	biodiversity	I
MS4	academia	general	Germany	biodiversity	I
MS5	academia	state	Germany	biodiversity	L, I
MS6	government	state	Germany	biodiversity	S, I
MS7	NGO	state	Germany	biodiversity	I
OF1	academia	general	Germany	water	I
OF2	academia	national	Denmark	biodiversity	L
OF3	consultant	local	Germany	water	L, I
RT1	government	regional	UK	water	I
RT3	government	local	UK	water	L, I
ST1	government	local	Czech Republic	biodiversity	I
ST2	NGO	local	Czech Republic	biodiversity	I
ST3	government	local	Slovak Republic	biodiversity	I
ST4	government	local	Slovak Republic	biodiversity	L
ST5	government	national	Slovak Republic	biodiversity	I
ST6	government	regional	Serbia	biodiversity	I
ST7	government	local	Serbia	biodiversity	I

Note: In Germany, environmental policy-making involves two levels: federal and state level. While the federal level has ultimate responsibility for the transposition of EU policies and is authorised to adopt domestic framework legislation, there is considerable discretion for the states during the implementation of EU and domestic legislation.
Legend for rationales: I= instrumental, L = legalistic, S=substantive, N=normative, n.a.= could not be determined from the text