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978-0-521-88881-3 - Environmental Policy Convergence in Europe: The Impact of International Institutions and Trade

Edited by Katharina Holzinger, Christoph Knill and Bas Arts

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I Introduction

KATHARINA HOLZINGER, CHRISTOPH KNILL
AND BAS ARTS

One of the key issues of globalisation research in the social sciences is the question of whether globalisation leads to the convergence of political institutions, policies, the legal order and societal structures (Guillén 2001: 235). Is the world becoming ever more similar as a result of globalisation and Europeanisation as the ‘world society approach’ (Meyer *et al.* 1997) implies? Does the strong growth of economic and institutional interlinkages between nation states lead to increasingly similar policy measures across countries? Or is the search for convergence emerging from the domestic impact of globalisation and European integration ‘an impossible quest’ (Dimitrova and Steunenberg 2000: 201), because domestic responses to global or European challenges are strongly influenced by existing domestic structures and institutions (see, for example, Cowles, Caporaso and Risse 2001; Héritier *et al.* 2001; Knill 2001)?

Although there has been an intensified and renewed debate on the convergence and divergence of national policies in recent years, we still have a limited understanding of the phenomenon of policy convergence. What explains the adoption of similar policies across countries over time? If it exists, is convergence of policies driven by economic processes or by emerging structures of global governance, that is, the rise of regional and global political institutions? Under which conditions can we expect domestic policies to converge or to diverge further apart? Why do countries converge on some policy measures, but not on others? In the literature, many factors have been suggested in order to account for the mixed empirical evidence of both convergence and divergence. However, there is still a lack of systematic theoretical and empirical investigations about their actual explanatory relevance. There are few quantitative studies

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which investigate the convergence of policies in a certain domain over a large number of countries and an extended period of time and which combine this approach with causal analysis.

Against this background, the purpose of this book is twofold. In empirical terms, we address two important research questions for which the existing literature so far provides no systematic answers: (1) To what extent can we observe a convergence of environmental policies across countries? (2) In which direction do environmental protection levels develop; that is, does convergence coincide with an environmental race to the top or a race to the bottom? In theoretical terms, our central focus is on the role that international factors play in this development. More specifically, we investigate if and to what extent the observed patterns can be traced to growing institutional and economic interlinkages among nation states. What role is played by international cooperation, transnational communication and regulatory competition between states with regard to the convergence and direction of environmental policies and standards?

We chose environmental policy as the empirical subject for several reasons. First, there is a large amount of – partly conflicting – theoretical literature for this policy domain, analysing policy diffusion or policy convergence and predicting races to the bottom or, alternatively, to the top of the regulatory level. Second, there is some empirical evidence of a global spread of certain policies. However, we still lack systematic investigations on a larger scale. Third, environmental policy is, on the one hand, an important, complex and interesting policy field that deserves thorough analysis; on the other hand, environmental policies are measurable and thus amenable to systematic and quantitative comparison.

In view of the theoretical questions addressed, the focus of this study is far from being restricted to environmental policy, but has important implications and linkages to many areas which in recent years have become booming research industries. This holds first and foremost for research on the domestic impact of globalisation and Europeanisation. In both areas the question of whether growing

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institutional and economic interlinkages at the global and supranational level make a difference for the formulation and implementation of domestic policies is at the centre of many studies. Notwithstanding an ever growing number of studies in this field, we still have a limited understanding with regard to the causal driving forces behind global and European influences as well as the conditions and consequences of their effects. The underlying study contributes to this debate in varying ways. On the one hand, we investigate and compare systematically the specific impact of three potential causes of global and European impacts on national policy-making, namely the role of regulatory cooperation at the level of international organisations and the European Union (EU), the integration of states into transnational communication networks, and regulatory competition as a consequence of the growing integration of global and supranational economies. On the other hand, we provide a thorough analysis of the consequences of these developments. Do they lead to the convergence of policies and, if yes, at which regulatory level?

The focus of this book, however, goes beyond issues of globalisation and Europeanisation. It is analytically and theoretically closely linked to the research literature on policy diffusion, policy transfer and policy convergence. The starting point of studies in these fields is the question of which factors are most crucial in driving the cross-national spread of policies or their growing similarity across countries. To what extent are such developments caused by international or domestic factors? To what extent are such developments simply the result of independent but parallel problem pressures with which states are confronted? On the basis of the underlying study, we are able to make important contributions to these questions. This holds true not only with regard to the relative impact of different international driving forces, but also their relative impact in comparison to potential domestic factors (which we also include in our explanatory models).

In order to achieve these objectives the underlying study employs a comprehensive and detailed macro-quantitative methodology. This is a precondition not only for giving a broad descriptive view of the development in this field, but also for doing causal analysis.

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We therefore analyse the policy development for forty different environmental policy measures in twenty-four member countries of the Organisation for Economic Cooperation and Development (OECD) (including the EU-15 [except Luxembourg], Bulgaria, Hungary, Norway, Poland, Romania, Slovakia and Switzerland as well as Japan, Mexico and the United States) over a period of thirty years (from 1970 to 2000). This way, we are able to make rather precise statements both on the extent to which the environmental policy similarity of the countries under study has increased, and on the extent to which this development coincided with races to the top or races to the bottom.

As the required data were not available from existing sources we collected them by means of an expert survey in all twenty-four countries. On this basis we are able to give a full account of the development of this policy field, that is, to describe and explain the degree of convergence and to describe and explain the direction of convergence.

The analysis is based on two innovative methodological concepts for the measurement of policy convergence. First, we depart from existing approaches which assess the degree of convergence by merely relying on aggregate measures, such as the variation coefficient. Instead, and complementary to existing measurement concepts, we base our assessment of convergence on the systematic comparison of country pairs (pair approach). This way, we are able to make insightful statements for the development of a country pair compared to the whole sample, a possibility that is not available when solely relying on conventional approaches. Second, for the measurement of the direction of convergence, we developed a new concept, namely, the gap approach. It measures the changes of a country's distance from an exemplary model (such as, for instance, the country with the strictest environmental standard during the observation period). As we will show, both the pair and the gap approach offer important departures for advancing our understanding and knowledge of processes of convergence and diffusion.

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In our analysis, we find an impressive degree of environmental policy convergence between the countries under investigation. Between 1970 and 2000, the policy similarity of the average country pair increased from 3.5 per cent to 5.6 per cent. At the same time, there is no evidence for often-feared scenarios of races to the bottom. On the contrary, levels of environmental protection steadily became stricter over the years.

When looking at the different effects of international factors on the degree and direction of policy convergence, several findings have to be emphasised. First, it is rather obvious that regulatory cooperation both at the level of international organisations as well as the EU has an important explanatory potential in accounting for the increases in policy similarity and protection levels. Second, and this is probably much less obvious, the mere fact that nation states communicate and exchange information with each other in transnational networks plays an almost equally important role in explaining the observed developments. Finally, while both cooperative and communicative institutional interlinkages between states are of very high explanatory relevance, we find no support for effects of regulatory competition, neither with regard to the degree nor the direction of convergence. This implies that there is no evidence for races to the bottom as a result of economic integration.

In the following chapters, we develop these findings. Chapter 2 clarifies the underlying concepts of convergence and the links to theoretical discussions on convergence in the broader research context of international relations and comparative politics. The theoretical background of the study is elaborated in chapter 3. Based on the analysis of varying causal factors, we develop hypotheses on the extent to which the main independent variables under study – international harmonisation, transnational communication and regulatory competition – affect the degree and direction of cross-national policy convergence. At the same time, corresponding hypotheses for the impact of varying domestic factors are deduced

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from existing theories. In chapter 4, we present our research design, the operationalisation of dependent and independent variables and the methods of data collection in closer detail.

On the basis of these theoretical and methodological considerations, the following chapters are dedicated to the presentation of our empirical results. For this purpose, we proceed in three steps. In chapter 5, we provide an aggregate analysis of our empirical findings by relying on conventional approaches to measuring convergence. As we will show, these approaches only allow for the description rather than a thorough causal explanation of our results. We therefore complement this analysis by investigating and explaining the degree of convergence on the basis of the pair approach (chapter 6). In the final step, we account for the observed direction of convergence on the basis of the gap approach (chapter 7). In chapter 8, we summarise our theoretical and empirical findings and discuss the broader research implications of our study.

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2 State of the art – conceptualising environmental policy convergence

KATHARINA HOLZINGER, HELGE JÖRGENS
AND CHRISTOPH KNILL

2.1 INTRODUCTION

The study of policy convergence has received considerable attention both in comparative politics and in the field of international studies. Interestingly, both disciplines have approached the subject from opposite starting points and with differing methodologies. Whereas in the field of international studies theoretically derived expectations of an increasing *similarity* of states and political systems driven by economic or ideational forces constituted a dominant thread in the early convergence literature (for a comprehensive overview see Drezner 2001), comparative studies initially focused more on the explanation of empirically observed *differences* between national political systems and programmes (Lundqvist 1974, 1980). Only recently have the two research strands effectively merged into an integrated study of policy convergence that increasingly challenges the traditional boundaries between comparative politics and international relations.

In this chapter we first introduce the concept of policy convergence and explain how it relates to similar concepts like policy transfer, policy diffusion or isomorphism. In a second step we review the existing empirical research on environmental policy convergence both in comparative politics and in international relations. Based on this overview, and drawing more broadly on the general convergence literature, we systematise the major causes of policy convergence that have been identified in these studies. We distinguish between causal mechanisms which translate pressures at the international level into domestic policy change and, possibly, into convergence of domestic policies,

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and facilitating factors which operate at the level of individual countries or specific policies. By including not only processes at the international level which have been stressed mainly by scholars of international relations, but also country-specific factors which lie at the core of most studies in the field of comparative politics, we attempt to cross the borders of these two disciplines. In the end we develop a heuristic typology which illustrates how the different causal factors and mechanisms may relate to the phenomenon of policy convergence. This typology provides a useful analytical and heuristic tool both for quantitative studies on policy convergence as they are presented in this book and for qualitative case studies which ideally should complement quantitative approaches.

2.2 POLICY CONVERGENCE AND RELATED CONCEPTS

While there is a broad consensus on the definition of policy convergence as ‘the tendency of policies to grow more alike, in the form of increasing similarity in structures, processes, and performances’ (Drezner 2001: 53; see also Kerr 1983: 3), the empirical and theoretical assessment of policy convergence is generally hampered by the use of different, partially overlapping concepts (Tews 2005a). Policy convergence is often used interchangeably with related notions, such as isomorphism, policy diffusion or policy transfer, a practice that often leads to terminological and eventually even to analytical confusion. Thus, in spite of the general proximity of these concepts, a thorough analysis needs to acknowledge that these concepts stand for analytically distinct fields of study. In the following we will point out the differences between the concepts of policy diffusion, transfer and isomorphism according to four important dimensions: their analytical focus, their empirical focus, their dependent variable and their level of analysis (for an overview, see table 2.1). In doing so, we will demonstrate how they relate to the idea of policy convergence, which stands at the centre of our own analysis in this book.

The study of *policy transfer* emerged in the early 1990s as a sub-field of comparative politics (Dolowitz and Marsh 1996, 2000;

Table 2.1 *Policy convergence and related concepts*

	Policy convergence	Isomorphism	Policy transfer	Policy diffusion
Analytical focus	effects	effects	process	process
Empirical focus	policy characteristics	organisational structures	policy characteristics	policy characteristics
Dependent variable	similarity change	similarity change	transfer content transfer process	adoption pattern

Source: adapted from Knill 2005: 768.

Radaelli 2000; Rose 1991, 1993). Dolowitz and Marsh (2000: 5) define policy transfer as ‘the process by which knowledge about policies, administrative arrangements, institutions and ideas in one political system (past or present) is used in the development of policies, administrative arrangements, institutions and ideas in another political system’. The analytical focus of studies of policy transfer therefore is on processes rather than results. Their level of analysis is the individual country – or any other political system – which applies information about the policies of other political units. As policy transfer is not restricted to merely imitating policies of other countries, but can include profound changes in the content of the exchanged policies (Kern, Jörgens and Jänicke 2000; Rose 1991), policy transfer studies, more than the other types of study, place a strong empirical focus on the characteristics of policies and how they change during the transfer process.

Due to its micro-level perspective and due to its concern with the modification of policies during the transfer process, the relation of policy transfer to policy convergence is only an indirect one: policy transfer may, but need not, lead to cross-national policy convergence. Methodologically, the micro-perspective inherent in the concept of policy transfer is mirrored in the predominance of case studies within this field of study. Generally, these case studies concentrate on one

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or a few countries, describing and analysing in depth the process by which foreign policy experiences are used or even imitated domestically. They focus on the actors and institutions that promote or constrain the adoption of external policies and ask how the specific features of the policy at hand affect its transferability. Their major dependent variables, therefore, are the process and content of individual instances of policy transfer.

Similar to transfer, *policy diffusion* typically refers to processes rather than outcomes (Elkins and Simmons 2005). Essentially, diffusion studies explore how policies, programmes and ideas travel among a large number of political systems. However, while some studies equate diffusion with the more general notion of spread (Eyestone 1977; for a recent example see Marcussen 2005), there is a growing scholarly consensus to restrict the concept of diffusion to those cases where different national adoptions of one and the same policy or programme are directly connected to one another. Diffusion then occurs when a policy decision taken by one government leads other governments to take a similar decision (Simmons and Elkins 2004: 171–2). Policy diffusion, in other words, is the result of multilateral interdependence. This narrower usage is supported by Everett Rogers' (Rogers 2003: 5) seminal definition of diffusion as 'the process by which an innovation is communicated through certain channels over time'. The main focus of policy diffusion studies thus lies on the mechanisms by which policy innovations are communicated among a larger number of countries.

There is, however, a still ongoing dispute among diffusion scholars as to the interpretation of 'communication' and 'interdependence'. For one group of scholars, diffusion includes all conceivable channels of influence between countries, for example (1) the voluntary adoption of policy models that have been communicated in the international system, (2) diffusion processes triggered by legally binding harmonisation requirements defined in international agreements or in supranational regulations and (3) the imposition of policies on other countries through external actors (for recent