# 1 Introduction

How do global and regional climate targets, rules, policies, and standards emerge and under which conditions are they effectively enabled within domestic political systems? When and how do national policy innovations diffuse and who are the principal actors involved? Climate governance under the United Nations Framework Convention on Climate Change (UNFCCC) is not a linear process of global-to-local policy transmission. Rather, it is a product of dynamic, multilevel interactions, with a broad range of diverse actors jostling to upload, download, resist, impose, shape, and evade or enforce compliance with rules, standards, and norms. This Element combines insights from the literatures on multilevel governance (MLG) and policy entrepreneurship to address the question: what explains the ability of climate policy entrepreneurs to achieve transformative policy change at the regional level, with a focus on the European Union (EU) and the Association of Southeast Asian Nations (ASEAN).

While much climate governance scholarship focuses on the dysfunctions of the intergovernmental level, this Element identifies regional organizations as an instructive domain of analysis because they sit neither at the "top" nor at the "bottom" of the global climate change regime, providing vital governance (regulatory) as well as metagovernance (steering) functions (Sørensen and Torfing 2009). We break new ground empirically by comparing governance arrangements in the European Union (EU), where supranational climate policy-making is most advanced, to those in the Association of Southeast Asian Nations (ASEAN), where regional cooperation on climate change remains limited. Although there are significant differences between the EU and ASEAN, both case studies point to the potential importance of linkages across global, regional, and national climate governance domains, with the nonbinding Paris Agreement premised upon setting boundary conditions for enabling decentralized action by a cast of actors, from regional organizations to firms, municipalities, and individuals (Harrison and Geyer 2019).

However, while cross-MLG linkages have, at several points in time, accelerated policymaking processes in the EU, they have struggled to advance transformative climate policy action within ASEAN. To shed light on the factors that have facilitated or impeded more ambitious, multilevel policymaking across these two regimes, the Element supplements an MLG lens with John Kingdon's (1984, 1995, 2003) influential multiple streams framework (MSF). While MLG accounts for the increasingly interdependent and nested nature of climate policymaking across levels of governance, innovative uses of MSF have provided powerful insight into the role of policy entrepreneurs and the structural conditions (problem perception, availability of policy tools, and political will)

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which will often determine their ability to secure transformative policy change (Herweg et al. 2017). While much of the climate scholarship has rightly focused on the UNFCCC regime and coordination among member states, we employ the MLG-MSF framework to illuminate the conditions under which climate policy goals are actually implemented within domestic jurisdictions and the scope for action by a wide variety of actors at all levels.

Through an original paired case comparison across the ASEAN and EU climate policy regimes, we focus on an underexplored but central intervening variable: cross-level interactions and their combined impact upon regional climate policy outcomes, which is the dependent variable for this study. More specifically, we are interested in exploring the conditions under which multi-level interactions facilitate higher aggregate ambition and step changes in policymaking. In so doing, we build upon cutting-edge research by Bernstein and Hoffmann (2019: 921), among others, who direct our attention to the complex multilevel and interdependent nature of carbon lock-in and the important observation that the threshold for change will often be determined by "local" characteristics of the "carbon lock-in trap." Our approach also resonates with Green (2020: 153) who argues that it is crucial that climate scholars pay more attention to climate obstructionists and the political con-flicts embedded in the task of diversifying away from carbon-intensive indus-trial growth models. Finally, our focus on non-incremental policy changes reflects concerns, shared by critical scholars and others, that the scale and urgency of the climate challenge requires interventions that are "transforma-tive and not merely ameliorative" (Eckersley 2020: 2). Our findings not only contribute to advancing insights in this field of scholarship, but will also be of interest to policymakers seeking to better understand and reform policy processes with a view to making existing governance arrangements more effective.

We find that the EU's uniquely advanced MLG structures provide multiple entry points for diverse policy entrepreneurs and windows of opportunity from "above" and "below." However, importantly, the diffusion of policymaking authority in the EU does not necessarily favor progressive climate agendas and interactions with EU member states do not necessarily translate into high ambition climate policies. To bring about transformative policy change, policy entrepreneurs must be able to couple the problem, policy, and politics streams. The European Commission – assisted by supportive governments and non-state actors – emerges as the key policy entrepreneur in this arena. A closer look at the MSF dynamics of the European Emissions Trading System (ETS), European climate policymaking after the global financial crisis, and the European Green Deal (EGD) serves to illustrate this claim.

Whereas supranational climate policymaking is well established in the EU, regional cooperation in the ASEAN region remains comparatively limited and interaction with the UNFCCC regime is only loosely coordinated. UNFCCC policy initiatives have often not accelerated climate action within ASEAN or its member states, with the ASEAN regional climate mechanism endowed with few institutional prerogatives and ASEAN member states (AMS) beset by politico-business blockages, low state technical capacity, and elite preferences to progress premised on a carbon-intensive growth model. We argue that variation in policy outcomes is rooted not only in historically different international obligations, economic development levels or a distinct "ASEAN Way" of regional integration, but must also be understood in terms of domestic policy processes. Unlike the EU, where policy equilibria are constantly shifting, policy innovation at the ASEAN level has been stymied by resistance from powerful domestic politico-business coalitions, leaving few access points for non-elite policy entrepreneurs. We substantiate this argument through the examples of the ASEAN Agreement on Transboundary Haze Pollution (AATHP) and the ASEAN Power Grid (APG).

Data for this comparative study was largely collected from secondary and gray sources including government, industry, media, think tank, and NGO reports. A total of twenty-three targeted interviews were conducted with key actors within the ASEAN and EU, as well as industry bodies, think tanks, and NGOs in order to fill in key data gaps. For the EU case study, this included one from the UNFCCC Secretariat, one from EU Commission, one from the European Environment and Sustainable Development Advisory Councils, six EU government representatives (United Kingdom, Denmark, Finland), and six stakeholders (environmental INGOs, academics). The authors interviewed eight key actors for the ASEAN case study: two from industry bodies, and six stakeholders (environmental NGOs, think tanks, and academics). While the original project design envisaged a greater number of interviews with key stakeholders, the COVID-19 pandemic severely curtailed fieldwork plans. In some cases, interviews have been anonymized to protect the identity of the respondent.

This Element begins by introducing MLG and the MSF, which provide the theoretical framework for our case studies. We then identify the mechanisms by which transformative policy change occurs and the policy entrepreneurs driving that change, locating regional policy processes within their MLG context. This is followed by our two case studies of climate policy outcomes in the EU and ASEAN. The study concludes by reflecting on the implications of this analysis for the future of global, regional, and national climate policy-making and governance more broadly.

## 2 Understanding Multilevel Governance Dynamics: Problems, Policies, and Politics

The reallocation of authority and functions upward, downward, and sideways to domains of governance outside the traditional policy space over recent decades is usefully captured by the concept of MLG (Hooghe and Marks 2003). For our purposes, MLG configurations present a far more dynamic, strategic governance environment than unitary government systems, creating novel opportunities for multilevel actor coalitions to shape policy in ways favorable to their own interests and agendas. However, we cannot assume that MLG environments will advance ambitious policy agendas. To shed light on the conditions under which transformative policy change is more or less likely within MLG systems we draw on an extensive scholarship using John Kingdon's (1984, 1995, 2003) MSF to inquire into when policy entrepreneurs matter and under what conditions they can effectuate ambitious climate policies.

### 2.1 Multilevel Governance of Climate Change

As a useful point of departure, global climate change governance can be defined generally as, "all purposeful mechanisms and measures aimed at steering social systems toward preventing, mitigating, or adapting to the risks posed by climate change, established and implemented by states or other authorities" (Jagers and Stripple 2003: 385). A focus on "all purposeful mechanisms and measures," as well as the implementation prerogatives of "states or other authorities," invites reflection on the actor interactions across levels of governance, and the MLG lens provides a clear view into how state and non-state actors are embedded within wider intergovernmental and/or transnational governance regimes and how these regimes are, in turn, shaped by their constituent actors.

While a first generation of MLG researchers focused primarily on the diffusion of authority upward, with the EU offering the most advanced example of states ceding power to supranational institutions (Marks 1993; Scharpf 1994), more recent applications of MLG look beyond European integration, seeking to understand the complex and dynamic relationships between governmental and nongovernmental actors within and across territorially bounded spaces (Rietig 2014; Jänicke 2017). This new generation of MLG scholarship is more attuned to the realities of climate change governance, challenging rigid distinctions between local, national, international, and transnational politics. Within this broader understanding of MLG, authority is not necessarily explicitly delegated through legalized intergovernmental forums, but rather is dispersed and is often the emergent consequence of catalyzing action through informal intergovernmental networks, as

well as transnational public-private governance initiatives (Roger 2020; Westerwinter et al. 2021).

Although states remain "the key players in the MLG system" (Jänicke 2017: 113), and the best resourced and most legitimate actors in the formulation and enforcement of climate policies (Jordan and Huitema 2014), regional governance arrangements have emerged as important intermediation arenas for enabling global policy implementation in local settings, enjoying three potential advantages: smaller number of actors, opportunities for issue-linkages, and formal interfacing with both national and international governance systems (Betsill 2007). We build upon this MLG scholarship to assess whether MLG configurations can raise policy ambition and enhance delivery effectiveness across diverse regional settings. More specifically, we bring into focus the role of agency in advancing or impeding policy goals across levels of governance, with particular focus on questions of location, focality, authority, and resources.

As a theoretical point of departure, it is helpful to distinguish between functionalist and post-functionalist MLG scholarship. The latter has emphasized the potential for actor coalitions to engage in positive "multilevel reinforcement" of best practices, taking advantage of efficiency gains through coordination and functional differentiation (Schreurs and Tibhergien 2007; Jänicke and Wurzel 2018). Progressive policy leaders may therefore find that they can promote their policy preferences across policy venues, attracting broader coalitions, and exploiting opportunities to causally induce policy spillover above or below (Rietig 2020). However, other contributions have challenged the functionalist optimism of much MLG literature, with criticism focusing primarily on questions of democratic legitimacy, transparency, and accountability (Pierre and Peters 2004; Papadopoulos 2010).

In a rapidly warming world, while policy innovation is vital, there is no reason to believe that MLG automatically generates incentives and opportunities for progressive policy entrepreneurship and "multilevel reinforcement," especially when it comes to implementation of policy agendas marked by new ideological cleavages, including environmentalism (Hooghe and Marks 2018). Complex MLG arrangements may further obscure accountability within domestic political systems, allowing powerful interests to capture the policymaking process (Curry 2015). In turn, the costs and benefits of climate action are not distributed equally, and disenfranchised groups may contest decarbonization policies if they are not socially inclusive (McCauley and Heffron 2018). As such, MLG arrangements must also contend with "policy obstructors" at the domestic level who are motivated to undermine or contest policies that threaten their interests (Hameiri and Jones 2017). Notably, in the case of climate change, potential policy obstructors are often able to mobilize significant resources, as

exemplified by the average annual spending of €28 million (2010–2018) on EU lobbying activities by just five large fossil fuel companies and their industry groups (Laville 2019).

The hard reality of policymaking is, as Cairney and Zahariadis (2016: 87) observe, that policy change is reliant upon a "window of opportunity" during which "people pay attention to a problem, a viable solutions exists, and policy-makers have the motive and opportunity to select it." Such opportunities are often vanishingly rare. If positive multilevel reinforcement cannot be assumed, then under what conditions are policy entrepreneurs more or less likely to enable transformative climate action within MLG systems?

## 2.2 Mobilizing for Policy Change: The Multiple Streams Framework

To answer the above question, this Element builds on an extensive scholarship drawing on John Kingdon's (1984, 1995, 2003) MSF to inquire into when policy entrepreneurs matter and under what conditions they can effectuate action on ambitious climate standards and bring about policy change. A revision of the "garbage can model" of organizational decision-making (Cohen et al. 1972), Kingdon identifies three independent but frequently overlapping "streams" that inform policymaking processes:

1) *Problem stream:* issues arise that are deemed to require policy action (such as inequality, crime or poverty) because new evidence, crises, or public mobilization draw the attention of policymakers to the issue and convince them that they "should do something about" it (Kingdon 1995: 109).
2) *Policy stream:* potential policy solutions to these issues are developed, with ideas floating around in a "policy primeval soup," where they evolve as various actors seek to imprint their preferences guided by questions of technical feasibility, anticipation of future constraints, and normative acceptability (Kingdon 1995: 140–141).
3) *Politics stream:* changes in national mood, election outcomes, administrative turnover, or pressure group campaigns may all influence how receptive decision-makers are to proposed solutions, taking into account changing societal demands over time.

Policy change occurs if and when these three streams converge, thus creating a "window of opportunity." It is at this moment, that policy entrepreneurs have an opportunity to push forward their respective ideas, "coupling solutions to problems" and "both problems and solutions to politics" (Kingdon 1984: 21). Policy entrepreneurs assume a central causal function in the MSF as "advocates who are willing to invest their resources – time, energy, reputation, money – to

promote a position in return for anticipated future gains in the form of material, purposive or solidary benefits" (Kingdon 1995: 179). More precisely, policy entrepreneurs work to couple these three relatively independent "streams" to achieve their desired ends. Alternatively, as "power brokers and manipulators" policy entrepreneurs may equally apply themselves to preventing such coupling from taking place (Zahariadis 2007: 74). Importantly, individual policy entrepreneurs are rarely able to achieve this on their own and they frequently engage in collaborative efforts and resource pooling to promote policy innovations in and around government (Mintrom 2019).

By highlighting opportunity structures, as well as the importance of agency, the MSF usefully emphasizes the interactive, strategic, and contingent nature of policymaking and its effect across venues. It also flags the importance of seizing the moment, given that "[t]he window in the first area opens up windows in adjacent areas, but they close rapidly as well" (Kingdon 2003: 192). In our analysis, we suggest that regional intermediation mechanisms can alter the duration of the policy reform window, impacting policymaking at other levels. However, this will depend upon the ability of those agencies which populate the regional mechanism being in a position to assume the role of an – at least partially – autonomous policy entrepreneur. While this is clearly the case for EU institutions such as the Commission, which enjoys special initiative rights, the remit of ASEAN's supranational institutional structures is carefully constrained.

"Coupling" is the central mechanism in the MSF, connecting the three streams to achieve policy change, stasis, or reversal. In an influential study, Zahariadis (2008: 520–525) advances four conditions to explain successful coupling within the EU regime: (1) entrepreneurial effectiveness, (2) framing the policy proposal to fit the preferred solution of policymakers, (3) strategic venue-shopping on agenda-setting and decision-coupling, and (4) the policymaking mode which may induce more or less agreement and conflict. Refining this argument further, Rietig (2020: 59) argues that EU-level policy coupling is more likely where the conditions "multi-level reinforcing dynamics" are present, including:

1. Interdependence between governance levels,
2. recognition that problems attached to one or more levels require policy solutions from a different level (or predetermined policies require problematizing from another level to gain political momentum), and
3. sufficient ambiguity to allow for venue shopping by policy entrepreneurs to seize opportunities of joining streams across levels and making use of open policy windows regardless of on which level they currently occur.

For our purposes, both Zahariadis and Rietig provide useful coordinates for our study with the former introducing the important distinction between

"agenda-setting" and "decision-coupling" as consequential for successful coupling. However, it is important to flag that while such policy windows may be necessary, they are not sufficient to produce successful coupling. However skilled and dedicated the policy entrepreneur, policy outcomes will ultimately be determined by the politics stream (Kingdon 1995: 173). As Palmer (2015: 284) observes "events and conditions in the politics stream … [are] essential in enabling observed policy outcomes." As such, how these actors interact with other variables in the policy process is likely to be key to placing their preferred outcome high on the decision-makers agenda (Palmer 2015: 272). In particular, success will hinge not only on the location of the entrepreneur across streams, but also the situational context and institutional environment that they encounter (Mukherjee and Howlett 2015). As the next section details, such considerations take on additional salience in MLG settings.

## 2.3 Understanding Policy Processes in Multilevel Governance

Employing an MSF approach helps advance the study of MLG in several ways. First, it shifts attention beyond intergovernmental multilateralism, broadening the scope of processes to be studied. Second, it makes visible the policy linkages across levels of governance, which supplement and overlay formal institutional structures. Third, it also brings to the fore questions of agency, providing a framework through which to assess when, how and why opportunities for successful policy entrepreneurship arise. Despite the analytical challenge posed by multilevel polities, scholars continue to refine the framework's application to globalized, ambiguous, and contested policy environments, leading Zohlnhöfer et al. (2015: 412) to conclude that "the MSF seems to have become more relevant and suitable than ever before."

Methodologically, for our purposes, the MSF focus on the interplay of the three independent streams provides a valuable organizing device to help frame a historical policy narrative (Zahariadis 2007: 81–82). Becker (2019: 149) concurs, arguing that the MSF provides "a comprehensible structure of these simultaneous processes," making possible tractable analysis of the interaction between agenda-setting and decision-making within MLG settings. However, as Ackrill and Kay (2011: 2) emphasize, it also identifies the key explanatory factor underlying policy outcomes, namely the "temporal conjunction of separate sub-policy processes." Simply put, when the three streams converge, this greatly increases the probability of policy agreement. Conversely, active efforts to prevent such convergence will likely have the opposite effect.

Of course, transferring the MSF approach to an MLG reality requires modification to take into account the implication for policy outcomes of processes

(problem, policy, and politics streams) playing out at different territorial levels, subject to multi-stream brokering and advocacy by a far more diverse set of policy entrepreneurs. In Kingdon's original MSF, policy entrepreneurs are individuals. Importantly, however, these individuals rarely act on their own and networked collaborative efforts are fundamental to goal achievement (Mintrom 2019). Indeed, recent applications of the MSF have demonstrated how collective entities also act as policy entrepreneurs, from corporations (He and Ma 2019), nongovernmental organizations (Carter and Childs 2018), to supranational bodies such as the European Commission (Copeland and James 2013). In MLG settings, national governments can also be conceptualized as policy entrepreneurs, pursuing policy change on the regional or global level (Harcourt 2016).

We build upon existing scholarship to bring into sharper focus not only the multilevel reinforcing dynamics between the regional and the international, but also between the regional and the local. We also qualify the largely rational functionalist orientation of much of the MSF scholarship, emphasizing other factors which explain when, how, and why opportunities for successful policy entrepreneurship arise. While much of the MSF scholarship follows Ackrill and Kay (2011) in emphasizing informational advantage, for example, with a particular focus on policy framing "so as to provide [others with] guideposts for knowing, analyzing, persuading and acting" (Palmer 2015: 273), our MSF account of policy outcomes across MLG settings places significant weight on political economy factors, especially the role of powerful coalitions who often exercise decisive influence over the politics stream at the local level, and therefore over the crucial site of decision-coupling. Our comparative case studies suggest that strong links between domestic political decision-makers and business elites in high-emission sectors have been a key factor in preventing transformative policy change in ASEAN. Similar obstacles also arise in the EU, although political economy structures in Europe are, in comparison, more open to challenges by non-elite actors. As such, we are less sanguine on the prospects for securing "more ambitious policy outcomes despite temporary setbacks on some governance levels" (Rietig 2020: 56).

## 3 Comparing the EU and ASEAN: Levels, Streams, and Climate Policy

Whereas in Europe, regionalism is often associated with the rise of a single regional organization, the EU, Asia presents more of a patchwork of regional organizations that exist within regional boundaries. Nevertheless, for some, ASEAN provides an incipient move toward a more integrated regional regime

complex (Yukawa 2018). As scholars have observed, the EU presents a "case of deep, supranational sovereignty-pooling" whereas ASEAN "is an example of distinctly sovereignty-friendly intergovernmental cooperation" (Larik 2019: 447). Normatively grounded in the principle of noninterference, ASEAN integration has not produced strong, independent institutions comparable to EU-level bodies such as the European Commission or the European Parliament.

The EU has long been a test bed for MLG application, with the concept serving to capture a uniquely complex multilevel political system which is governed by a multiplicity of actors and processes, beyond core intergovernmental venues. Compared to other regional organizations, the EU is uniquely autonomous as member states have delegated increasing executive, judicial, and legislative powers to European institutions (Pollack 2003). The high degree of regional integration has also allowed the EU to enhance its external "actorness" vis-à-vis multilateral venues such as the UNFCCC. However, while the EU is often lauded as highly pluralistic when it comes to EU policy networks, recent events lend credence to the claim that EU policy processes offer "more accountability, but less democracy" with little sign of broadscale societal participation within EU decision-making forums (Papadopoulos 2010: 1044). Indeed, as EU competencies have gradually expanded, so has political contestation, replacing the "permissive consensus" that initially allowed European integration to advance largely as a technocratic project with a "constraining dissensus" (Hooghe and Marks 2008).

Such considerations become acute when surveying other regional political systems. Yet, much of the MLG and MSF research agenda has principally focused on the United States or the EU, so it is important to carefully consider how to adapt these theories to our non-Western case study of ASEAN. Moreover, moving away from industrialized countries to more adverse political economy contexts, one could hypothesize that strong ties on the politics stream between policy entrepreneurs and the domestic executive might be paramount for effective policy change.

Regional governance in ASEAN is based on setting out rules and regulations that governments then have discretion to enact in domestic governance. However, ASEAN does not "pool sovereignty" to determine policy at the regional or domestic levels. Unlike in Europe, MLG has never been embraced by ASEAN governments as "truly modern governance" or as a "normative standard by which ... governance is presented as legitimate" (Jeffrey and Peterson 2020: 756). Rather, regional governance frameworks function minimally to (1) selectively "download" metagovernance norms from various global platforms; (2) set out regulatory guidelines and tasks for national governments to pursue their own objectives; and (3) provide support for knowledge-sharing and capacity-building