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"Good" governance and policy analysis : what of institutions?

Citation for published version (APA):

Parto, S. (2005). "Good" governance and policy analysis : what of institutions? (MERIT Research Memoranda; No. 001). Maastricht: MERIT, Maastricht Economic Research Institute on Innovation and Technology.

Document status and date:
Published: 01/01/2005

Document Version:
Publisher's PDF, also known as Version of record

Please check the document version of this publication:

• A submitted manuscript is the version of the article upon submission and before peer-review. There can be important differences between the submitted version and the official published version of record. People interested in the research are advised to contact the author for the final version of the publication, or visit the DOI to the publisher's website.
• The final author version and the galley proof are versions of the publication after peer review.
• The final published version features the final layout of the paper including the volume, issue and page numbers.

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MERIT-Infonomics Research Memorandum series

«Good » Governance and Policy Analysis :
What of Institutions ?

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2005-001

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“Good” Governance and Policy Analysis: What of Institutions?

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Abstract
Policy formation is only one the three main components in the continuum of policy formation – policy implementation – policy evaluation – policy formation. To fully understand why policy outcomes often fall significantly short of policy intentions we need to examine the structuring factors, i.e., the institutions of governance, that shape the policy process. This paper focuses on the interplay between the policy process, governance, and institutions to articulate a framework for conducting institutionally sensitive policy analysis. A comparative study of the waste subsystems in the Netherlands and the United Kingdom reveals that each subsystem is the product of its “own” institutional landscape, and not directly and immediately subject to the whims of policy making at the EU scale of governance. Although there are signs of “Europeanization” in both cases, national problems, policies, and politics as manifest through the full spectrum of formal and informal institutions continue to play a major role in facilitating and curtailing change in each of the two waste subsystems. The paper concludes with a discussion of the implications of institutionally sensitive policy analysis for the current discourse on governance for sustainable development at the European scale.

Key words: Governance, Policy Analysis, EU, Sustainable Development

Introduction

It has long been recognized that in the majority of cases there is significant discrepancy between policy objectives and policy outcomes. Typically, the information on success and failure of policy on sustainable development is gathered through a host of economic indicators (e.g., GDP/capita, total factor productivity, net investment), social indicators (e.g., UNDP Human Poverty Index, education expenditure/capita, unemployment rate), and environmental indicators (e.g., land use intensity/capita, energy use/capita). These indicators have been used to assess performance against policy targets and objectives of sustainable development and the performance thus far has not been promising.

The discrepancy between policy objectives and outcomes is especially the case when the same policy intentions are tried out in heterogeneous and highly diversified contexts such as that represented by the EU as it was (EU 15), as it is now (EU 25), and as it is likely to be (EU 25+). The diversity that is the European Union in its current state is the product of differences among cultures, modes of governance, institutional landscapes, and economic positioning of the Member States. This diversity is a major source of conflicting perspectives and competing agendas of the actors involved in the governance of the EU. Thus far the EU's approach to governance has been firmly based on a belief in minimal government, reliance on networks, and "self-organization" (Schout and Jordan 2003). With the recent addition of ten new Members and increased diversity and complexity, it is necessary to review and reassess some of the underlying assumptions about the role of governments, networks, and institutions in EU governance. There is renewed urgency and a significant degree of "ripeness" for an institutionally-sensitive take on policy analysis, one that complements and extends the pioneering works of Sabatier (combined Mazmanian in the late 1970s and the 1980s), Sabatier and Jenkins-Smith (in the 1990s), Eleanor Ostrom (late 1980s and 1990s), and John Kingdon (1980s).[1] The central argument of this paper is that one cannot do meaningful policy analysis without addressing issues of governance and accounting for the role of institutions.

To make this argument the next section provides a brief overview of policy analysis to establish the linkages between policy making, governance, and institutions of governance. The remainder of this paper is organized as follows. Governance is discussed retrospectively and prospectively, with particular attention to the current discourse on "good governance". After establishing the link between governance and institutions, a separate section on institutions outlines how institutionally sensitive policy analysis may be conducted in a governance context. Case study material on waste management from the Netherlands and the United Kingdome is used to illustrate the role of institutions of governance in determining the course of events and fate of policy formation and implementation in the management of waste in each country.

Policy Analysis

Policy is the outcome of a series of decisions on what constitutes a problem, what are the possible solutions, and how to implement the preferred solutions (Adger et al. 2002).[2] In its most complete form, policy making requires issue definition and the identification of the issue context, options or solutions, assessment of options, selection of the most suitable option(s), monitoring and assessment of implementation, (hopefully) learning for future policy making endeavours, and (hopefully) attaining increased efficiency, effectiveness and legitimacy. Having said that, it is at best difficult to come up with a precise definition of policy analysis for two reasons. First, varying emphases have been placed on the different elements of policy making depending on the practitioners and the context (Tait and Lyall 2004). Second, the context of policy making in general has changed (Hajer 2003a, Tait and Lyall 2004). It is

[1] See Parto (2003) for a review.
[2] See Hajer (2003a:181) for a concise overview of various definitions for policy analysis.

certain, however, that in the modern context policy analysis has to be concerned with at least three sets of dynamics. These are:

Problem Identification: How did the problem arise in the first place for which policy is required? This should reveal the main factors and actors, or the problem-policy-politics mix according to Kingdon (1984).
Policy Development: Based on problem identification, who should be involved and what should be considered in addressing the problem? This determines the policy-making style, the arena (Ostrom 1999), or the “coalition” (Sabatier and Jenkins-Smith 1993, 1999), and therefore the mode of governance (Kooiman 1993, 2003).
Policy Implementation: How well are the policy objectives met in practice and what can be learned from the experience? Traditionally, policy effectiveness has been assessed through implementation analysis (Sabatier and Mazmanian 1981, 1983) while policy learning is typically based on information provided through indicators and case studies.

As should be apparent, there is a significant element of learning, knowledge accumulation, and knowledge diffusion in the modern policy process. The central questions for the policy analyst then is “what and who structure the policy discourse?” and “on the basis of what type of information can better policy decisions be made?” Answering the second question requires a discussion on the adequacy and appropriate use of the currently in-use social, economic, and environmental indicators. While a full discussion of indicators is beyond the scope and purpose of this paper, it will be argued that informing policy on sustainable development requires a set of institutional indicators to supplement the currently in-use social, economic, and environmental indicators. The accuracy of the answers to the first question is directly related to how well the mode of governance is understood.

In modern industrial societies Hajer (2003a:175) observes that “solutions for pressing problems cannot be found within the boundaries of sovereign polities” because power is dispersed in “transnational, polycentric networks of governance”. Hajer (2003a) thus argues that there has been a weakening of the state through diffused authority accompanied with “international growth of civil society, the emergence of new citizen-actors and new forms of mobilization”. The weakening of the state has rendered the classical-modernist (national) institutions of government inadequate or insufficient in providing the rules of the game for dealing with complex and multi-faceted societal issues in rapidly changing environments. The new approach to policy analysis, particularly in a European context, needs to have a better understanding of “the game of ‘scale jumping’: the art of putting each intervention at the appropriate level”, which may include formal, informal, government, and non-government stakeholders (Hajer 2003a:176-9). An operational consideration for the modern policy analyst should be to determine which stakeholders to involve in the policy process and through what mechanisms.

Hajer (2003a:181-8) offers three defining elements for the political context of policy analysis: polity, knowledge, and intervention. Interpreted as a stable political order, polity or the political setting of policy making has changed considerably since the Second World War. Whereas before one attempted to speak truth to power concentrated in the government of the nation state, there are now numerous other contenders of power in addition to the state that need to be reckoned with. These include transnational or multinational corporations, non-government and civil society organizations, and the media which while used extensively and strategically by all contenders are themselves sometimes contenders in matters of policy making. The new landscape of governance as it has evolved is marked by a departure from territorially defined spaces of the post war nation states and the emergence of a network society (Castells 1996) that transcends the nation state. Governance in this new landscape is increasingly having to rely on formal and informal, supra- and sub-national institutions of the nation states if it is to attain a similar degree of legitimacy as governance at the national territorial scale.

Trust and legitimacy were sustained by the post war national governments through what Hajer (2003a) describes as “an array of rituals and myths”. In the knowledge-based, network society the combined pressures of simultaneous globalization and individualization processes along with a dominant role of media have significantly eroded the basis for trust and legitimacy, making the job of problem identification, solution finding, and maintaining legitimacy less dependent on technical expertise and more dependent on the ability to engage multiple stakeholders (Tait and Lyall 2004). Policy making under these new conditions has become “a matter of defining an agreed upon package of actions to be taken by a variety of stakeholders, often supported by ‘soft law’ such as covenants or agreements that are perhaps backed up by regulatory frameworks” (Hajer 2003a:187). In Hajer’s (2003a, 2003b) words, these conditions demand “deliberative policy analysis”, defined as “a varied search for understandings of society to facilitate meaningful and legitimate political actions, agreed upon in mutual interaction, to improve our collective quality of life” (Hajer 2003a:191). But legitimate political actions and the nature of the agreed upon “rules of the game” are products of the mode of governance in a given arena. Since governance modes are key to all policy contexts, I turn to the notion of governance in the next section.

Governance

If government is about the arbitration of how scarce societal resources are allocated, governance is about the contestations around how resources are actually allocated. Kooiman (2003:4) distinguishes between “governing” as “the totality of interactions, in which public and private actors participate, aimed at solving societal problems or creating societal opportunities” and governance as “the totality of theoretical conceptions of governing”. Thus governing may be defined as the process through which the contestations and interactions among the competing actors are settled.[3]

Under the umbrella of governance there have been numerous discussions since the early 1980s among policy makers and social scientists alike on collaboration, cooperation, and coordination on the account of increased interdependencies among actors in markets, networks, and hierarchies. The discussions on the changing mode of governance may be grouped into two main camps. First, there are those who view the emphasis on collaboration, cooperation, private-public partnerships, and so forth as a product of an ideological shift toward neo-liberalism and a move away from the conception of the state as the provider of welfare and the convener responsible for social cohesion. Second, there is a view that the informalization of formal state functions signifies a move toward a mode of "co-governance" wherein actors in civil society are able to engage more in matters of public policy than they did during the period immediately following the Second World War until the early 1980s. The first camp views the change in governance characteristics as a move toward less democracy while the second camp sees at least a potential for increased democracy and civil engagement in matters of policy and social development.

The proponents of the first camp are a number of mainly British scholars who since the late 1980s have pointed to a move from formal govern*ment* to the less formal gover*nance* (Jessop 1997, 1999, Macleod 1996, 1999, Jones 1997a, 1997b, 1999). Though at first specific to Britain under Thatcherism, this conception of governance has been generalized by others including Amin (1999), Amin and Thrift (1994), Cox (2001, 2002), Eden and Hampson (1997), Goodwin and Painter (1997), Hajer (1995, 2003a, 2003b), Kooiman (1993, 2003), Storper (1997), Swyngedouw (2000), Swyngedouw et al. (2002), and a host of others to capture the significant changes that have been taking place in the socio-political and economic landscape of the post-Fordist era. Whether the influence of the national state has

[3] While govern*ance* denotes a significant degree of self-organizing neutrality, govern*ing* denotes intention, preference, and agenda(s). Despite this important distinction between governance and governing, the remainder of this paper will use governance to mean mainly governing, as this seems to be the commonly accepted interpretation of governance. See also Kooiman (2003) for a full discussion of the differences between the two terms.

shrunk due to these changes is of course a matter of debate among economic geographers, sociologists and political scientists. Jessop (1999) and Pierre and Peters (2000) refer to a "hollowing out" of the national state through the delegation of functions upwards to supra-national bodies, downwards to regional or local states, and outwards to relatively autonomous cross-national alliances among local metropolitan or regional states with complementary interests. This description certainly fits an industrial European nation state in the context of the European Union. Jessop (1999) also makes clear that the delegation of government functions to quasi- or non-governmental bodies does not equate surrender of political power by the state to non-state agents.

In contrast to the first camp and focusing on a European scale, the proponents of the second camp, exemplified by Hajer (2003b), interpret the shift from government to governance as a move from liberal democracy to "expansive democracy" characterized by "increased participation, either by means of small-scale direct democracy or through strong linkages between citizens and broad-scale institutions, by pushing democracy beyond traditional political spheres, and by relating decision-making to the persons who are affected" (Hajer 2003b:3). Hajer (2003a, 2003b) and Kooiman (1993, 2003) point out that classical-modernist institutions, characterized and maintained by codified, well-established patterns of behaviour are no longer sufficient for governing effectively in the changed context of governance. These formal institutions of governance are increasingly having to compete with "open-ended, often unusual, ad hoc arrangements that demonstrate remarkable problem-solving capacity and open up opportunities for learning and change in exactly those circumstances where classical-modernist institutions have failed to deliver" (Hajer 2003b:3). The optimism of the perspective on governance shared by Hajer and Kooiman is remarkable in its contrast to the view of the British economic geographers and political scientists whose main observation about the move to governance is how *anti*-democratic it has been, at least in the UK.[4] Governance thus appears to be highly scale- and context-specific.

Table 1. Common and Significant Features in Definitions of "Governance"

- Leadership; Exercise of Authority and Control, Power, Coordination
- Managing; Decision Making
- Influence; Behaviour; Conduct,
- Interdependence; Transaction; Interaction
- Social, Ecological, and Political Systems
- Social, Political, and Economic Actors
- Society; Hierarchy; Private, Public, and Civic Organizations
- Traditions; Rules; Formal and Informal Institutions
- Structures; Culture; Processes
- Conflicts; Negotiation; Dispute Resolution; Coercion; Influencing; Constituting;
- Knowledge; Devices; Policies
- Networks, Associations, and Alliances
- Issues tackled through governance include: Stability

In the policy making domain governance is often described as the exercise of authority and control by a multiplicity of private and public interests. This view of governance seems prevalent in most official definitions of the term. For example, a cursory look at the more formal definitions of governance yields a series of key words (Table 1) that point to governance as how actors organize themselves. The keywords in Table 1 are taken from official statements by the European Commission, government ministries and agencies, foreign development agencies, academic institutions, international agencies, and works by numerous scholars including Stoker (1998), Kooiman (1993, 1999, 2003), Weimer and Vining (1999), DiMaggio and Powell (1983), Hollingsworth and Boyer (1997), and a host of

[4] See MacLeod (1996, 1999), Jones (1997a, 1997b, 1999), and Lovering (1999) for specific examples and case studies.

others. As will be argued below, these keywords are all stuff of the policy process, institutional analysis, and most certainly governance.

The European Commission uses the term "Good Governance" to refer to a system of governing whose intentions are consistent with the common good of the Member States and the European Community as a whole. The Commission's vision is based on the five political principles of openness, participation, accountability, effectiveness, and coherence. Furthermore, these principles are to be maintained through the "institutions" of the European Union's governance system (Table 2).

Table 2. European Commission's Principles of "Good Governance"

Openness: The *Institutions* should work in a more open manner…
Participation: …Improved participation is likely to create more confidence in the end result and in the *Institutions* that deliver policies. ….
Accountability: … Each of the EU *Institutions* must explain and take responsibility for what it does in Europe. …
Effectiveness: Policies must be effective and timely, delivering what is needed on the basis of clear objectives, an evaluation of future impact and, where available, of past experience. …
Coherence: … Coherence requires political leadership and a strong responsibility on the part of the *Institutions* to ensure a consistent approach within a complex system.

Source: CEC (2001:10), emphasis added.

What is most striking in the Commission's definition of good governance is the emphasis on the role of institutions as entities that are largely viewed as being "up there" and, at least currently, insufficiently within the reach of ordinary citizens. As such, this view of governance seems concerned primarily with minimizing bureaucratization and hierarchy. Thus the intent of the White Paper on European Governance (CEC 2001) is to make these *formal* institutions – which are increasing in size and number – more accessible, accountable, and relevant to the general populace and to retain a higher degree of relevancy, credibility, and legitimacy in the average person's mind. The White Paper's necessary but exclusive focus on formal institutions overlooks the important role played by other, less formal, institutions in European governance, particularly in policy formation and implementation. To fully appreciate the role of institutions, they should not be viewed as synonymous with bureaucracy.

Table 3. Common and Significant Features in Definitions of Good Governance

- Serving the Common Good
- Monitoring of authority
- Democratically elected, Representative, and Participatory governments
- Accountability; Responsiveness; Transparency; Efficiency
- Rule of Law and Equal Justice under the law
- Government Capacity to manage resources and implement sound policies
- Government Ability to maintain social peace, law and order, economic growth, and a minimum level of social security
- Government Ability to reform structures and processes
- Government Ability to implement policy effectively
- Respect of Citizens and the state for the institutions that govern economic and social interactions
- Interaction between academics and policy makers
- Learning; Problem Reformulation
- Actors include but are not limited to the Private Sector, Civil Society, and the state

Source: Multiple (2004)

There are other definitions of good, or democratic, governance that implicitly point to the importance of informal institutions. Table 3 highlights the keywords and summarizes some of the key characteristics of such definitions of good governance. An illustrative example is provided by the UNDP, which defines governance as "the exercise of economic, political and

administrative authority to manage a country's affairs at all levels. It comprises the mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences”.[5] Other international organizations, e.g., the World Bank, USAID, offer similar definitions of governance for the common good.

If we simplify the notion of governance to mean ‘the way human communities (i.e., organizations, polities, and cross-polity regions) *organize* themselves’, it follows that studies of governance need to include all kinds of actors who have to relate to one another (due to interdependency), and who all contend for (or defend) a piece of the proverbial pie, action, or power. We can say, therefore, that there has been governance as long as there has been human society – it is the form that has changed over time. The way a human community organizes itself is through formal and informal institutions that collectively act as structuring phenomena. But, this begs the question: what are these institutions and where are they manifest? The next section offers a perspective for answering this fundamental question.

Institutions

While the interest in institutions of governance by economists and political scientists somewhat faded in the mid-20th Century, it remained continuously present in Sociology and is reflected in works by Cooley, Durkheim, Spencer and Sumner around the turn of the 19th Century, to Weber (1924), Hughes (1939), Davis (1949), Parsons (1990), DiMaggio and Powell (1983), Jessop (2001), and Scott (2001) among numerous others. Most of these writers have been influenced by, or fought against, the ideas put forward by Marx (around 1844) who is credited with significant contributions to the three disciplines of Sociology, Political Science and Economics. The diversity of conceptualizations of institutions originating from these three disciplines has generated a literature on institutions that is rich and extensive but difficult to operationalize.

To illustrate, a close examination of some of the key definitions of institutions reveals that institutions are viewed as informal (e.g., norms, habits, and customs), semi-formal (e.g., mental constructs and models, rules of the game, conventions), and formal (e.g., family, prescriptions, proscriptions, corporation, trade unions, the state) phenomena (Table 4).

Table 4. What are Institutions?

1. ***Habits*** of a group or the ***customs*** of a people (Hamilton 1932)
2. ***Conventions**, **rules of action***, embedded in social structure*,* ***locally specific*** (Krätke 1999)
3. Settled ***habits*** of thought ***common*** to the generality of men (Veblen 1919)
4. ***Collective action*** exercised by different types of organization (***family, corporation, trade union, state*** in control of individual action (Commons 1924)
5. Convenient term for the more important among the widely prevalent, highly ***standardized social habits*** (Mitchell 1950)
6. ***Sets of rules of the game*** or ***codes of conduct*** defining ***social practices*** (Young 1994)
7. ***Formal organizations**, **patterns of behaviour***, negative ***norms*** and constraints (Coriat and Dosi 1998)
8. ***Mental constructs*** (Neale 1987)
9. ***Rules of the game*** (North 1990)
10. ***How the game is played*** (Nelson and Sampat 2001)
11. A set of socially ***prescribed*** patterns of correlated ***behaviour*** (Bush 1986)
12. ***Prescribed or proscribed*** patterns of correlated ***behaviour*** (Tool 1993)
13. ***Constitutional rule systems*** for society, ***collective choice rules*** governing different kinds of organization, ***operational rules*** of organizations (Ostrom 1999)
14. ***Norms*** that ***regulate*** relations among individuals (Parsons 1990)

Source: Parto (2005)

[5] Taken from a definition of governance by UNDP, available at: http://magnet.undp.org/policy/default.htm , accessed December 7, 2004

In addition to providing a sample of definitions for institutions, Table 4 also illustrates the difficulty of conducting institutional analysis. To make coherent sense of these definitions we may attempt to very roughly group them based on the type of institutions to which they refer:

- Definitions 1, 3, 5, 10 and 14 suggest relative permanency and point to informal institutions (norms, habits and customs, how the game is played)
- Definitions 2, 6, 8, and 9 allude to semi-formal institutions (rules of the game, conventions, mental constructs) and informal institutions (rules of action, codes of conduct, social practices)
- Definition 4 refers to mainly formal institutions (family, corporation, trade unions, the state)
- Definition 7 refers to both formal and informal (norms) institutions
- Definition 10 refers to informal institutions (how the game is played)
- Definitions 11 and 12 refer to more formal institutions (prescriptions, proscriptions)
- Definition 13 refers to formal institutions (constitutional rule systems, collective choice rules, operational rules)

The grouping of definitions in the above manner reveals three important distinguishing features of institutions. First, some definitions underline the territorial scale of governance (Krätke 1999, Ostrom 1999, Young 1994, 2002). Second, a number of these definitions refer to institutions as being manifest in individual behaviour in the society at large (Hamilton 1932, Parsons 1990, Krätke 1999, Veblen 1919), within organizations (Commons 1924, March and Olsen 1984, Coriat and Dosi 1998), among organizations (Ostrom 1999), and among nations (Young 1994, 2002). Finally, one can detect varying emphases on the social, economic, political, or environmental aspects of institutions. What should come through this grouping of the definitions of institutions is that institutions can be more or less formal phenomena that structure different levels of inter-relation, territorial scales of governance, and systems (or "spheres", to paraphrase Max Weber). Viewed in this multi-layered fashion, the task of unpacking the complexity that the diverse definitions of institutions attempt to capture becomes more manageable. A summary of the working definitions for levels, scales, and systems is provided in Table 5.

Table 5. Levels, Scales, and Systems

Levels of inter-relation	**Individual:** Among individuals at large based on interpersonal interdependence where many actors are involved. **Organizational:** Within organizations to secure internal cohesion and among organizations to maximize adaptability of individual organizations so as to make compatible respective operational unities and independence with *de facto* material and social interdependence on other organizations. **Societal:** Among operationally autonomous (or closed) functional systems each with its own autopoietic codes, programmes, institutional logics and interests in self-reproduction.
(Territorial) Scales of Governance	Local (subnational), national, international (between nationally constituted, functionally differentiated institutional orders), transnational (passing through national boundaries), and global (covering the globe as a whole).
Systems	Society may be defined in terms of its social, economic, political, and ecological spheres or systems. A subsystem contains parts of all systems.

Source: Parto (2005)

"Levels of inter-relation" is borrowed from Sociology and refers to inter-relations at the individual, organizational, and societal levels. "Scales of governance" is borrowed from Sociology, Political Science, and Administrative Studies and captures the territorial dimension of governance. "Systems" is a notion borrowed from studies of Systems Dynamics (and of course, Weber's notion of "spheres") and is used interconnectedness into perspectives governance. The notion of Systems is particularly useful in dealing with complex and multi-faceted notions such as sustainable development, which require concerted efforts to integrate and address social, economic, and environmental (ecological) policy issues simultaneously.

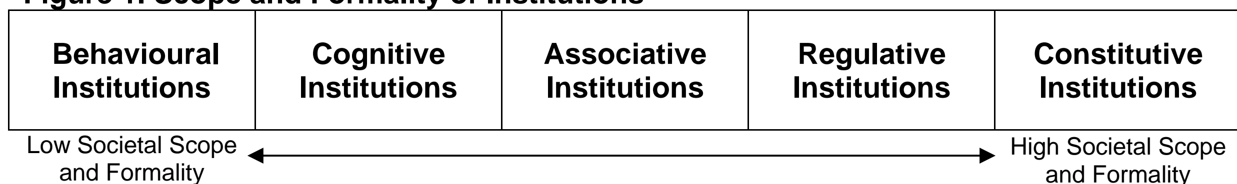
Like all categorizations the terms levels, scales, and systems are constructed and employed to come to terms with the complexity of the fundamental question: how do we account for institutions in analyses of policy aimed at societal change? Answering this question has important implications for further research and policy. In research, careful categorization of institutions based on levels, scales, and systems enables us to investigate the same problem or research question in different contexts, expect different findings due to context-specific institutional landscapes, and identify the most relevant factors or variables in a given context. In policy making and implementation, an in-depth appreciation of the collective role of context-specific institutions is likely to minimize the possibility of setting unrealistic policy objectives and generate better understanding of why in some contexts some policies succeed more than others in meeting their objectives. These research and policy implications are particularly relevant to EU policy making.

The categorization in Table 5 provides a useful basis for operationalization of the notion of "institutions". Applying the levels-scales-systems perspective to institutions yields a loose but necessary typology of institutions as follows:

Behavioural: Institutions as standardized (recognizable) social habits – manifest in activities of individuals and groups as reflections of social norms
Cognitive: Institutions as mental models and constructs or definitions – based on values and embedded in culture
Associative: Institutions as mechanisms facilitating prescribed or privileged interaction among different private and public interests
Reuglative: Institutions as prescriptions and proscriptions
Constitutive: Institutions setting the bounds of social relations

As important as this disaggregation of institutions is in identifying them, more important is the range of formality and scope that it depicts, particularly when we view institutions as phenomena that bind together and stabilize inter-relations at different levels, governance at different scales, and systems (Figure 1).[6]

Figure 1. Scope and Formality of Institutions



Institutional analysis to inform policy in a system of governance committed to fundamental societal change, e.g., sustainable development,[7] should begin with the specification of the

[6] See Parto (2005) for a more elaborate discussion of institutions at different levels, scales, and systems.
[7] Although the focus of this paper is sustainable development, this conception of the interplay between policy, governance, and institutions can be extended to other arenas such as the commitment by the European

context in which the institutions are to be studied. Further, it requires differentiating between formal and informal institutions since different levels of formality (tangibility and scope) require different methods, or mixes of methods, of analysis and policy approach. The next section sketches out how the typology in Figure 1 may be applied to study governance for sustainable development.

Institutions and Governance for Sustainable Development

Without a doubt the political will at the EU scale of governance is beginning to show signs of institutionalization at the formal policy level[8], at least in so far as the environmental aspect of sustainable development is concerned. However, the information available through conventional social, economic, and environmental indicators suggests that in practice the Community as a whole is less sustainable now than two or three decades ago (OECD 2002). This mismatch between policy objectives and policy outcomes is in part a product of the interplay between the policy process, the mode of governance, and the institutions through which governance for sustainable development is exercised. Insufficient attention to institutions, particularly the less formal institutions, is likely to result in setting unrealistic or ambitious policy objectives.

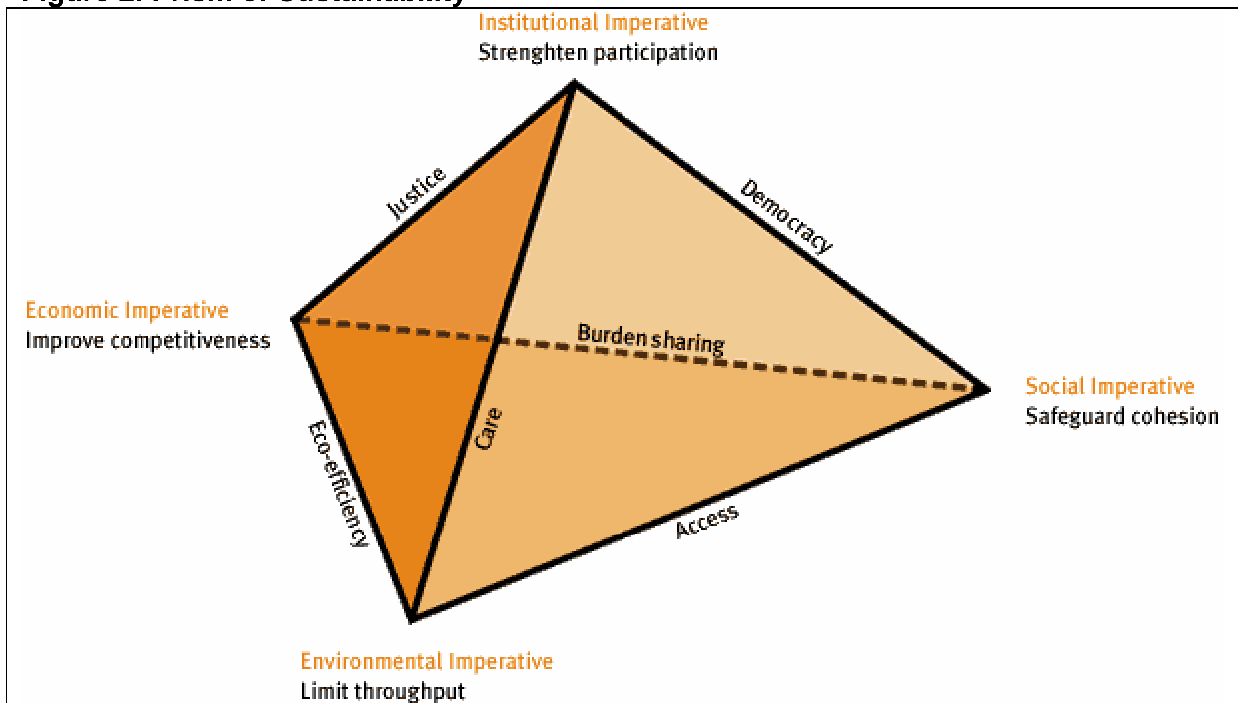
The most widely used schematic of sustainable development shows the society, economy, and environment as three overlapping circles (systems).[9] Sustainable development is depicted as occurring in the area where the three circles overlap. The choice of the pillars-based approach for this paper is based on the assumption that in the foreseeable future policy formation on sustainable development is likely to rely on information provided through currently in-use social, economic, and environmental indicators. A further assumption is that to a large extent a complementary set of institutional indicators can help explain the underlying reasons for poor performance in meeting sustainable development policy objectives. Acting on the basis of the second assumption, Spangenberg (2002, 2004) has made a case for the need to develop institutional indicators and integrating them with currently in-use social, economic, and environmental sustainability indicators. The relationship between institutions and the social, economic, and environmental systems is depicted as a "prism" of sustainability (Figure 2).

Commission to facilitate a move from an industrial to a knowledge-based society in Europe through pursuing an innovation policy.

[8] The formalization of EU policy on sustainable development and the steady increase in the amount of available funding for research into sustainability-related areas through successive European Framework Programmes are but two indications of this institutionalization process.

[9] Discussions on the multiple meanings of sustainable development may be grouped into the two categories of "principles-based" and "pillars-based" definitions. For a comprehensive review of definitions for sustainable development see Gibson (2001). For an official example, see UNDP, Available at: http://magnet.undp.org/policy/default.htm , accessed December 12, 2004

Figure 2. Prism of Sustainability



Source: Spangenberg (2004)

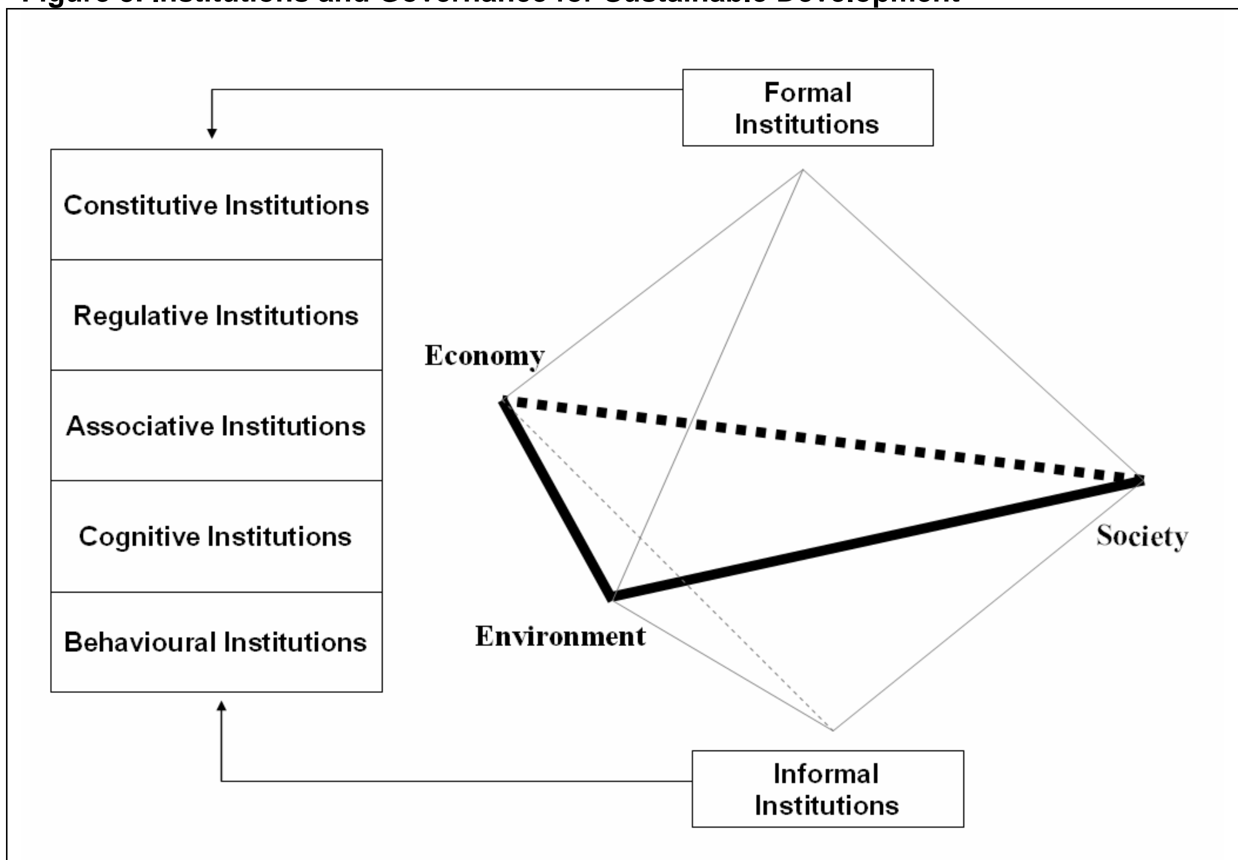
A key contribution of Spangenberg's conception is highlighting "institutions" as a fourth dimension of sustainable development, along with the widely recognized social, economic, and environmental dimensions. The institutional dimension "includes not only organisations, but also mechanisms and orientations" (Spangenberg 2004). The prism seems to suggest that there are plenty of social, economic, and environmental indicators to tell us how well, or badly, we are doing in meeting sustainable development objectives. The prism implicitly suggests that conventional indicators do not tell us "why" we are underperforming in meeting sustainable development objectives. Spangenberg's conceptualization also points to governance and the institutions through which governance for sustainable development is to be exercised. Having underlined the importance of institutions, an argument is made for developing a new set of institutional indicators as well as separate sets of composite indicators, i.e., environmental-institutional, social-institutional, and economic-institutional indicators. These singular and composite indicators are to ultimately serve the emerging European system of governance for sustainable development since there are political will, formal policy, regulations, and research and infrastructure funds.

Spanegenberg goes further than most in attempting to make useful sense of institutions. Using Agenda 21 as the base document, Spangenberg (2002) organizes the institutions directly mentioned or implied in Agenda 21 as fitting into specific "levels of governance". While attributing levels to institutions recognizes the layers of structures through which governance is exercised, it is not conducive to generating indicators to cover the whole spectrum of institutions, from formal to informal (Figure 1). This is mainly because institutions as depicted in Figure 2 are still viewed as very much "up there", similar to the view institutions as captured in the European Commission's definition of "Good Governance" (Table 2). This view of institutions overlooks the important role of informal institutions (routines, norms, cultural values, etc.) in facilitating *and* curtailing policy implementation. Additionally, while a primary focus on formal institutions can generate quantitative indicators, it is likely to overlook the rich and largely qualitative analyses of cultural, human and social capital where many of the informal institutions are identified.

To illustrate, how do we change unsustainable behaviour, such as not recycling or overconsuming? Somehow we need to capture why some people recycle while others do

not, and why some countries or regions are more sustainable than others, and so forth. To capture the institutions of governance for sustainable development in their entirety, the prism needs to be modified to accommodates the full range of institutions (Figure 3).

Figure 3. Institutions and Governance for Sustainable Development



The central feature of Figure 3 is that institutions are present as structuring phenomena at and through different levels of inter-relation and scales of governance, binding together the main pillars or spheres of sustainable development. By transposing the typology of institution (Figure 1) onto the prism (Figure 2) this schematic explicitly takes account of formal, semi-formal, and informal institutions. The degree of formality and the scope of institutions increase as we move from "Behavioural" upwards to "Constitutive" institutions. It has to be noted that this typology is very fluid and there is constant interplay and transformation between the different types of institution.

If we are to explore the relationship between governance modes and sustainable development objectives with a view to establish the policy-making styles and institutions that can best foster sustainable development within the European Community, we need rather more the currently in-use social, economic, environmental, and (formal) institutional indicators or their composites. Certainly, much policy-relevant information can be gathered through these indicators or their composites when combined with "softer" indicators. For example, Kaufmann et al. (2003) define governance as "the traditions and institutions by which authority in a country is exercised" and offer six composite indicators to "measure" governance in 199 countries at four time periods between 1996 and 2002. The indicators are: Voice and Accountability, Political Stability and Lack of Violence, Government Effectiveness, Regulatory Quality, Rule of Law, and Control of Corruption. To develop these indicators the authors used 25 separate data sources from 18 different organizations, including the World Bank, Gallup International, the Economist Intelligence Unit, IMD, DRI/McGraw-Hill, Columbia University, Freedom House, Afrobarometer, Latinobarometro, the World Economic Forum, and Reporters Without Borders.

According to the World Bank these indicators create a unique source of benchmarks for policy makers, donor agencies, civil society and development experts (DevNews 2003). Without a doubt there is value to such benchmarks, particularly if they are developed as meticulously as by Kaufmann et al. (2003) or as proposed by Spangenberg (2002, 2004). The main point is, however, no matter how inclusive or carefully developed composite indicators or indices are, they only reveal statically the state of affairs at given points in time and after considerable time lapse. Indicators only tell us 'how' things are, leaving us to speculate as to 'why'. Indicators may prompt policy makers to intervene in attempts to steer development along a preconceived trajectory. However, steering without full knowledge of the institutional landscape and changing governance conditions leaves much to chance and can lead to uneven development as will be illustrated through the case studies discussed in a later section of this paper.

Governance for sustainable development requires conscious and conscientious effort to steer development by intervention through government action along preconceived trajectories based, to a large extent, on learning by doing in the institutional context. Kaufmann et al.'s (2003) indicators will be of far more value to policy makers if accompanied with context-specific narratives to explain why there has been a deterioration or improvement in governance conditions.

In light of the foregoing, the notions of governance and institutions can be revisited to make the following statements:

- Governance is intimately related to "institutions", most broadly defined, through which it is exercised
- Governance for sustainable development (or change in general) has to pay particular attention to formal and informal institutions and their roles in facilitating and curtailing change
- To account for the role of institutions we need to:
    - Identify the problems, events, actors, and other factors that collectively act as catalysts of institutionalization processes that precede the emergence of institutions in their current forms (Ostrom 1999, Kingdon 1984, and Sabatier and Jenkins-Smith 1993, 1999)
    - Establish the controllability of these catalysts
    - Identify what complementary catalysts may be initiated through policy or other intervention to steer change, and
    - Set in motion institutionalization processes that neutralize undesirable / unsustainable processes and reinforce desirable / sustainable processes already underway

A major policy implication of the above perspective is that managing societal change requires Govern*ment* intervention as a main catalyst of instituting change. Since government intervention does not occur in a vacuum and is often shaped by other institutions, we are led to ask: how do we identify the institutions and their catalysts in their entirety in a given area of study? Or, more specifically, what methodology can be employed for this purpose?

To be sure the methodology has to be "post disciplinary" (Sayer 2001), "eclectic" (Nelson and Winter 1982), and "ad hoc" (Hodgson 1988) since the study of institutions of governance spans at least 3 disciplines. Therefore, we need to draw on as many disciplines and fields of study as necessary to provide a narrative that captures what no one discipline can. The methodology will need to include the following components:

- Historical review of secondary data to document the evolution of the arena[10] or subsystem under study, e.g., how the Transportation or the Energy subsystems and their contexts developed, and why. This requires mapping different types of institutions, their inter-relations, and evolution over time.
- Re-interpretation of work already carried out on cultural, social, and human capital to gather contextual details and identify informal institutions
- Interviews with key informants to supplement readily available data from secondary sources. The interviews also serve to validate findings and intuitions derived from secondary data reviews and mapping exercises
- Re-interviews to verify the findings with the interviewees. This is consistent with the dialectical method of social research

The suggested methodology can identify the variables that may have played a key role in effecting a transition from one "stable" state to another in the subsystem under study. By weighing and ranking the identified variables we can identify the most important variables of the subsystem and track changes in the properties of these variables over time. The next step is to make educated guesses about the mix of variables likely to facilitate transition to a more desirable stable state, e.g., from industrial to knowledge society or from unsustainable to sustainable livelihoods. The final step is to develop and play out policy scenarios while making allowances that some of the historical causalities may not hold due to changed conditions. Thus from a policy maker's perspective, caution has to be taken to deal with the potential consequences of policy experimentation failures.

Policy analysis along the above lines may appear as a daunting task. However, most of the data required for this type of analysis are already being collected and the methodology proposed here is being refined continually thanks mainly to work on Community innovation surveys and surveys on social capital in Europe and elsewhere. A major difference between the proposed methodology and conventional survey work is the emphasis of the former on qualitative analysis of qualitative data while recognizing the value of quantitative analysis. An important point to bear in mind is that to apply the proposed methodology usefully and concretely, the arena / subsystem needs to be manageable in size, i.e., we need to focus on specific issues rather than large, all-encompassing questions like sustainable development or governance without losing sight of the "bigger picture". The following section is based on recent work on the Dutch waste subsystem and a preliminary comparison with the waste subsystem in the United Kingdom. While the focus is the waste subsystem, the analysis is carried out from a perspective of governance for sustainable development.

Governance of Waste Subsystems in the Netherlands and the United Kingdom

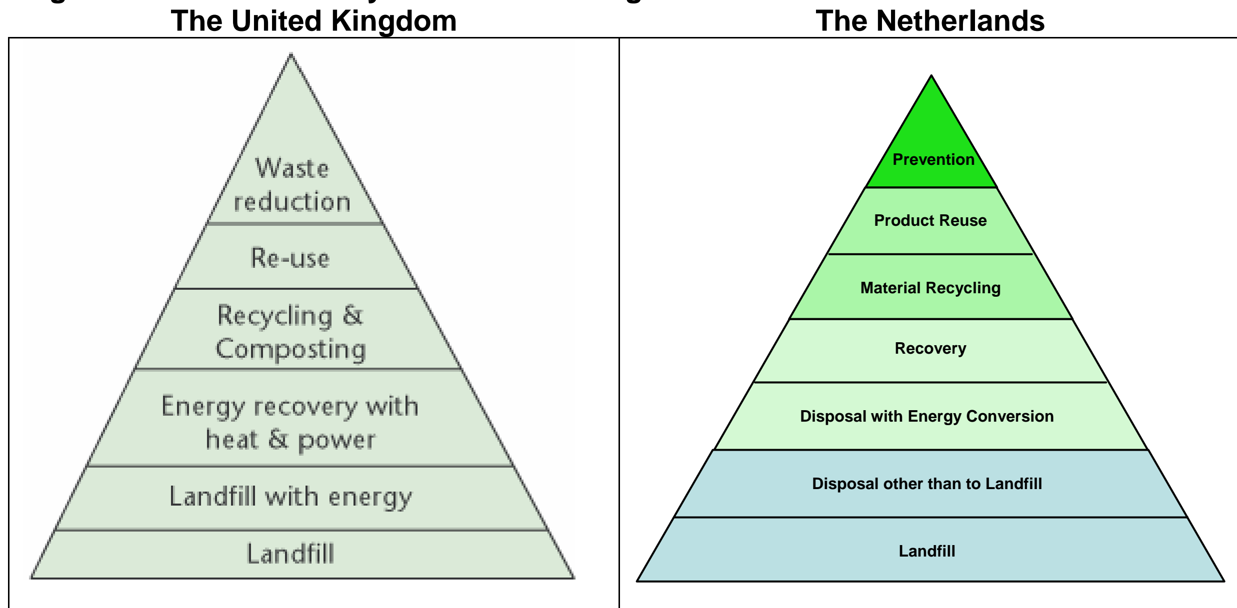
Beaumont (2003) characterizes the modes of governance in the Netherlands and the UK as follows. In the UK, political control is maintained, by and large, by state organizations through curbing power at the municipal scale of governance. Partnerships between actors at different levels are mediated through financial and resource dependency. "Partnership" is closely related to a process of "hollowing out" and "contracting-out" of state functions to a plethora of non-state and civil society organizations. In the UK non-state and civil society organizations are poorly funded and have to compete for funds from government and non-government sources. This competitive system generates a significant degree of vibrancy but has resulted in loss of coherence in the governance system over time (Fairbrass 2003). The general conditions of governance may be described as limited social-democratic resources and entrenched neo-liberalism.

In the Netherlands the Municipalities are seen as the governor of social activities and the strategic leader at the local scale of governance. Some activities are delivered by the non-

[10] Arenas or subsystems are used here to refer to "the social space where individuals interact, exchange goods and services, solve problems, dominate one another, or fight" (Ostrom 1999:42) and what Kingdon (1984) has called "policy streams".

state sector but these are highly regulated. The Dutch government is very much present in local affairs through Municipal governments and through national regulatory measures. Municipal autonomy applies to implementation, not defining policy objectives. Non-state organizations enjoy guaranteed government funding.[11] Critics of the Dutch system point out NGOs run the risk of being co-opted by the system that funds them. The general conditions of governance may be described as abundant social-democratic resources and regulated neo-liberalism.

Figure 4. Waste Hierarchy in the United Kingdom and the Netherlands

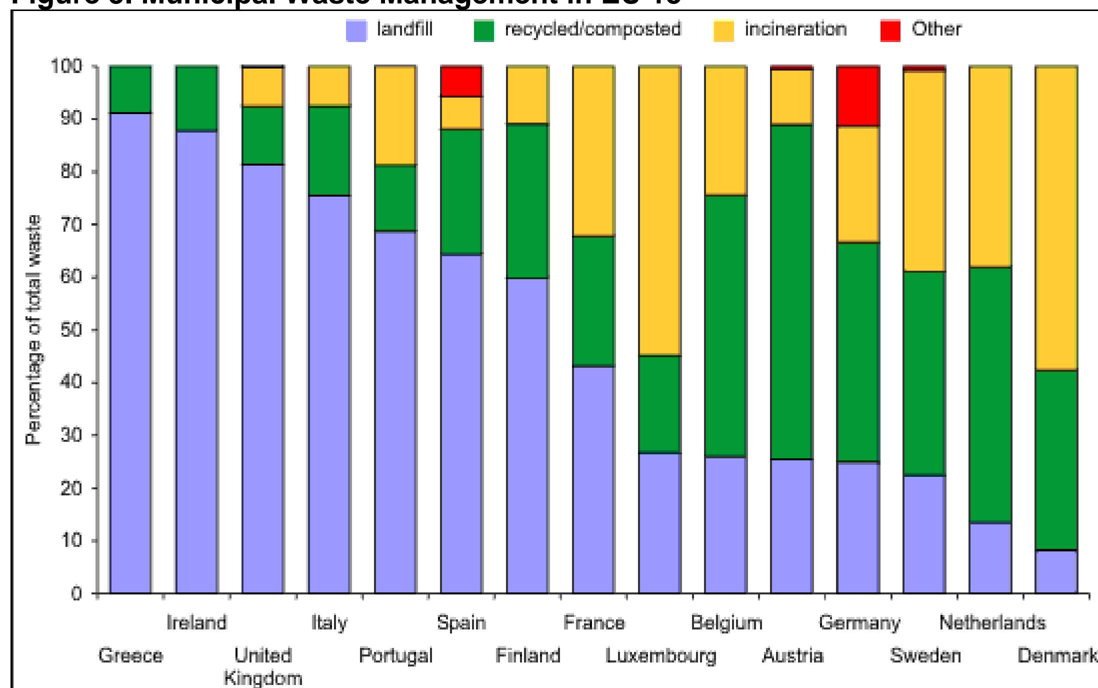


The implications of the differences in the modes of governance for policy implementation can be illustrated through a comparison of how the two subsystems have evolved. Waste in both countries is managed based on a waste hierarchy (Figure 4). The two waste hierarchies are comparable at a conceptual level. However, there are numerous differences between the two countries in terms of meeting policy objectives in waste management. The institutionalization of incineration as a method of minimizing waste and the overall performance in waste management are discussed in this section to underline these differences.

The waste hierarchy in each country has energy recovery through incineration as a method of waste minimization. In the Netherlands incineration is largely institutionalized and represents a significant method of minimizing waste. Although incineration is present in the UK's waste hierarchy, the stakeholders have not as yet reached consensus on the environmental and health impacts of incineration as a means to minimize waste. From a policy perspective at the EU scale of governance we need to ask, "Why is incineration so widely used in the Netherlands but not in the UK?" A close examination of how the question of incineration has been approached in the two waste subsystems reveals important clues to answering this question.

[11] There are concerns, however, that under the current right-of-centre Dutch government this guarantee may be threatened.

Figure 5. Municipal Waste Management in EU 15



Source: Department for Environment Food and Rural Affairs (DEFRA 2004)

Since the introduction of the first incinerator in 1874 in England, and their subsequent spread to other countries including the Netherlands, serious concerns have been raised about the impact of incineration emissions on health.[12] The latest round of opposition began in the late 1960s. Similar problems were being experienced in the UK and the Netherlands with the environmental non-government organizations strongly opposing incineration because of the release of dioxin through emissions. In the UK the process of addressing the problem became highly charged possibly because the government adopted a denial / confrontational approach and was seen as siding with the incinerator / power generating interests. In the Netherlands, in contrast, the government managed to contain discontent by inclusion of the adversaries in the process of finding a solution to the dioxin problem. Currently, incineration is firmly established as a crucial component in waste management in the Netherlands, possibly due to the government's conciliatory approach. In the UK tempers still flare in discussions about the safety of burning municipal waste.

Most western European countries have developed alternatives to landfilling, though landfills remain the largest recipient of municipal and industrial waste in these countries. Alternatives to landfilling have been instituted through legislation and incentives, mainly enacted by governments. There are significant differences among the most industrialized European countries in terms of success in waste management (Figure 5). In the UK almost 80% of municipal waste is landfilled. This compares with 15-20% in the Netherlands. The UK's under-performance in diverting waste from landfills has been attributed to several factors including:[13]

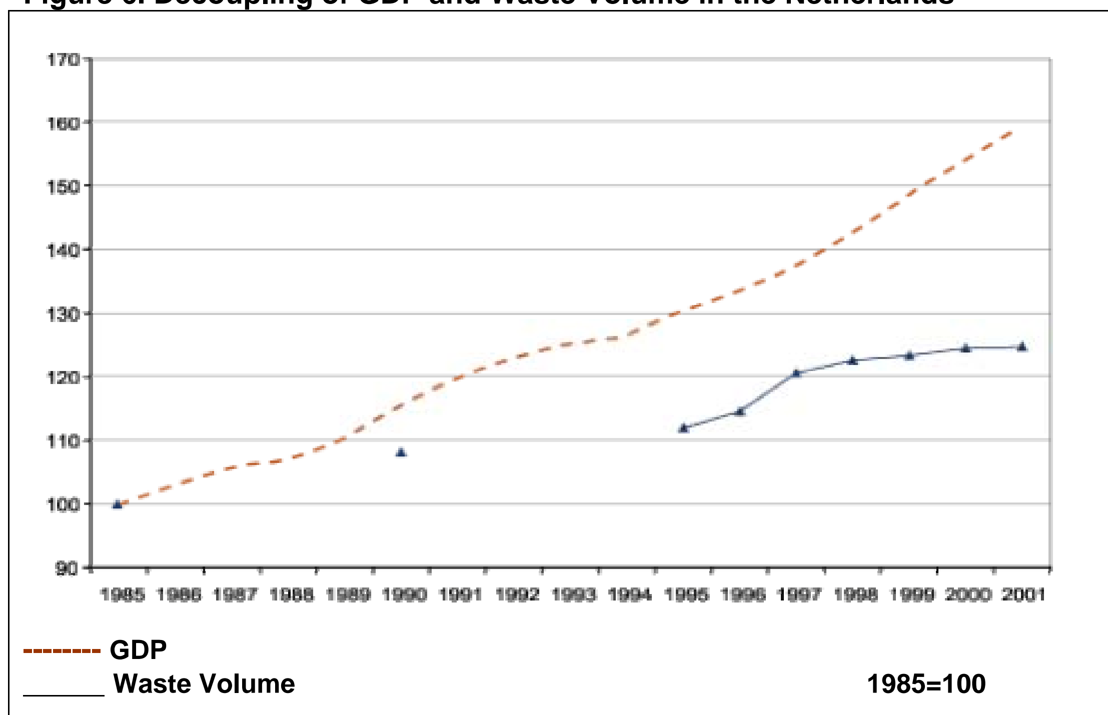
- The UK has traditionally relied on landfills because of the country's abundance of holes from extractive industries and other activities. This has made landfilling relatively cheap and discouraged investment in alternatives;

[12] See, for example, Connett and Connett (1994)
[13] Cited mainly from "Waste not, Want not – A strategy for tacking the waste problem in England", Strategy Unit (2002). Crown copyright © 2002; Published November 2002, available at: http://www.number-10.gov.uk/su/waste/report/00-2-es.html , accessed December 16, 2004.

- there are few financial incentives in place for either industry or householders to develop or seek alternatives to landfilling. Landfill tax in the UK is currently 18 Euro per ton, compared with, for example, 64 Euro per ton in the Netherlands and 48 Euro per ton in Denmark.[14] As a result there is much less economic incentive to innovate or invest in alternatives to landfilling in the UK;
- public awareness of the growing waste problem, the benefits of managing waste effectively, and the steps everyone can take to reduce waste is far lower in the UK than in other EU countries;
- there are rising household incomes, changing lifestyles, advertising and the growth in sales of pre-packaged goods;
- responsibility for waste management is split between a number of different government departments, making coherent policy-making difficult; and between tiers of local government, causing inefficiency between collection and disposal authorities; and
- obtaining planning permission for waste facilities can be difficult and time-consuming. Such facilities are often opposed by local people concerned about noise, pollution, traffic and effect on house prices.

A net product of the UK's failure to systematically address waste problems is a sometimes higher than GDP growth rate in waste generation. In the Netherlands the total volume of waste is also rising but at a slower rate than the GDP. In the 1980s a decoupling seems to have occurred between waste generation rates and production and consumption rates (figure 6).

Figure 6. Decoupling of GDP and Waste Volume in the Netherlands



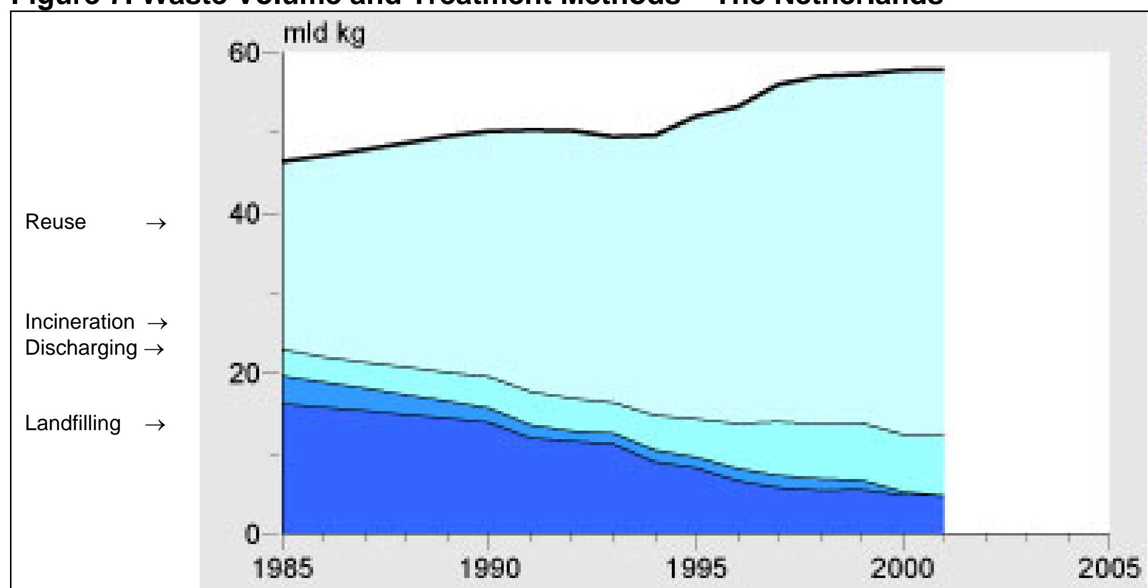
Source: RIVM (2001)

Despite a general increase in the total volume of waste generated, by 2001 disposal of production wastes through effluent discharge had been fully eliminated, the rate of growth for landfilled waste had slowed down, and incineration and re-use / recycling rates had increased (Figure 7). Figures 6 and 7 clearly illustrate that in the Netherlands policies to steer waste away from landfill sites have been highly successful. This outcome is in part

[14] All amounts are converted based on: 1 GBP = 1.41937 Eur.

attributable to a realization at the end of the 1980s that systematic management of waste required long-term, integrated policies. One key outcome of these developments was the emergence and subsequent institutionalization of the “Lansink’s Ladder”, a waste management hierarchy that included incineration as a key step in managing waste (Figure 4). This change of perception among the policy makers underpins the development of NMP1 (the first Dutch National Environmental Policy) which formulated long term (15+ years) environmental targets on waste. Other factors contributing to the formalization of waste management in the Netherlands included the dioxin scandal of Lickebaert when dioxin residues (by-products of incineration) contaminated water sources resulting in serious illness among people and farm animals. The perception of incineration as an environmentally sound method of waste disposal began to change dramatically.[15]

Figure 7. Waste Volume and Treatment Methods – The Netherlands



Source: RIVM (2004)

In response to the dioxin problem the government devised ambitious plans, besides NMP1, on pollution prevention and re-use to minimize waste. “Producer responsibility” was introduced to minimize consumer generated waste, Afval Overleg Orgaan (AOO) was founded to effect public-private partnerships and centralize the management of waste at the national scale. The Covenant Verpakkingen (packaging agreement) was devised to minimize packaging by suppliers of packaged goods. In short, environmental protection became more institutionalized, as did practices such as separating organic from non-organic waste and recycling glass and paper.

Institutions of Governance in Waste Subsystems

To a large extent the differences between the two waste subsystems can be explained through the differences between the institutions of governance. As a main institution of governance, the parliament in the UK operates based on a system of majority voting. This means that even though a political party may have a large number of votes, it may be under- or unrepresented in the parliament because of failure to win a majority in local elections. For a party to win a seat in the parliament, it has to produce a local candidate that wins the majority of the votes in that locale. In contrast, the Dutch system works on the basis of proportional voting and usually has a coalition government with a large number of participating parties. Because of proportional representation the Dutch parliament tends to reflect the political mood of the populace more closely than the more rigid parliamentary system of the UK.

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[15] In retrospect, the dioxin scandal could have been prevented had there been proper regulation or policy on emissions.

Beaumont (2003) has observed that two key features of the British mode of governance are depoliticization and central control by the national government. In a study of poverty elimination strategies in the UK and the Netherlands, Beaumont (2003) finds that "partnership" arrangements promoted by the UK government agencies to resolve governance issues often operate based on diminished trust. In contrast, the Dutch mode of governance operates on the basis of trust among the stakeholders, politicization of differing views, and central control by the national government. The incineration case discussed in the previous section is perhaps a good example of a mode of governance that actively engages its citizens (the Netherlands) to resolve a contentious issue, and succeeds, versus a mode of governance that fails to engage citizens effectively and becomes entrenched (the UK).

The Dutch waste policy is based on a covenant (voluntary agreement by a group of signatories) rather than binding ordinance. The covenant approach is rather reflective of the context within which it was devised. As with most industrialized countries, the concern for the environment reached new and significant heights in the Netherlands during the late1960s and early 1970s. The concern for the environment was coupled with the broader radicalization of the Dutch youth who viewed the growth oriented capitalist regime of accumulation responsible for environmental degradation. Cramer (1989:31, cited in Haverland 1999) observed that more than half of the copies of the book *The Limits to Growth* (Meadows et al. 1972) were sold in the Netherlands. The late 1960s and the early 1970s witnessed the emergence of some 600 environmental groups. Three main factors are said to be responsible for the advanced interest in the environment by a significant portion of the Dutch society. First, the Netherlands had a reputation for being one of the most polluted countries in the world. This was due to a combination of high population density, intensive industrialized agriculture, and chemicals production. There was also added residual impact from an extensive transportation network / industry. The Netherlands had the highest level of pollution per square meter of area than other OECD countries (RIVM 1991:41, RIVM 1993:29).

Second, there is long corporatist tradition in the Dutch system of government. As with other corporatist states, the Dutch system provided for collaborative arrangements between organized labour and owners of capital. The resultant relative peace and mutual trust between these historical adversaries facilitated discourse on environmental concerns. Third, the issue of the environment became highly politicized in the 1960s when there was also a move away from the traditional "pillarized" Dutch system.[16] New political parties, notably the left-liberal *Democraten' 66* (D66) and the left of centre *Politieke Partij Radikalen* (PPR), included environmental well-being in their political agendas. The added feature in the Dutch political system of strict proportional voting[17] provided for parliamentary representation of the new environmentally oriented political parties, posing a threat to the positioning of the mainstream political parties which quickly had to learn to accommodate the wishes of the environmental movement.

The differences in the modes of governance between the Netherlands and the UK can be interpreted through the typology of institutions introduced earlier. ***Behavioural institutions*** were defined as "standardized (recognizable) social habits – manifest in activities of individuals and groups as reflections of social norms". For example, in the Netherlands recycling rate is 47%, compared to 12% in the UK (Strategy Unit 2002). In the Netherlands recycling is less "what ought to be done" (a mental model) and more what is done as a matter of routine by a multiplicity of waste generators ranging from households to industrial firms. Recycling is thus "institutionalized" to a higher degree in the Netherlands than in the

[16] The "pillars" consisted of the Catholics, Protestants, Socialists, and according to some, Liberals. Each pillar had its own political party, newspaper, educational institutions, employer organizations, and trade unions.
[17] A party needs only 60,000 votes to enter parliament (Haverland 1999:102).

UK where recycling remains very much a mental model and an ideal far removed from everyday behaviour of individuals. How can certain mental models become instituted through policy as behavioural institutions?

Cognitive institutions are "mental models and constructs or definitions – based on values and embedded in culture". In certain languages the word waste has a sinful connotation. In the Dutch language the word "zonde" means wasting which by implication is also sinful. In Farsi and Turkish the word "gonah" is used to refer to sinful wasting of valuable things like water and food. If the Dutch have gained a reputation as being thrifty and frugal relative to other nations such as the UK, zonde is a linguistic reflection of thriftiness and frugality. There is no equivalent word for zonde in the English language. At an individual level zonde translates into "it is not right to waste" without meaning that the individual in question would not waste. However, from a policy perspective it is much easier to work with zonde in matters of waste minimization and resource conservation than not. Such mental models as zonde can be nurtured and steered toward minimizing waste through careful policy intervention. Without an equivalent mental model in the English language for zonde it is difficult to imagine what is available as a mental model that could be fruitfully utilized to minimize waste since guilt tripping alone has little resonance with the consumerism and individualism that plagues modern industrial societies. How should policy relate to context- and culturally-specific phenomena? More specifically, how does policy effect value change? Which values should be nurtured and which values should be neutralized through institutionalization processes set in motion by policy measures? At which level of inter-relation, scale of governance and system should such measures be directed?

Associative institutions refer to "Mechanisms facilitating prescribed or privileged interaction among different private and public interests". The best examples are networks and associations that pursue public, private, and public-private interests. In the Netherlands networks in the waste subsystem tend to be more collaborative than in the UK where networks with similar interests tend to be competitive toward one another. The telling difference between the Netherlands and the UK in this respect is that the Friends of the Earth, Green Peace, and a host of other NGOs are significantly funded by successive Dutch governments whereas in the UK many comparable NGOs are still fighting for legitimacy or are severely short of funds. In addition, NGOs in the UK often compete for the same scarce resources such as government funding. Another significant difference is that in the UK "partnerships" usually sway in favour of the private sector – this is less the case in the NL. Can cogovernance be attempted in the UK? If cogovernance is a key factor in the relative success of the Netherlands in waste management, can it be adopted or adapted to the UK to emulate a similar rate of success? What policy measures can be employed to initiate cogovernance for waste management, or more generally, sustainable development?

Regulative institutions refer to "prescriptions and proscriptions to constitute new forms of social relations". The best example is legislative regulation. Regulative institutions operate in a top-down manner but evolve in response to bottom-up actions by associative institutions, which are themselves born of cognitive Institutions. There is a marked difference between the Netherlands and the UK in terms of which networks and associations have the "ear" of the policy makers. The interviews conducted in the Netherlands indicated that there was a high and healthy degree of trust among government / non-government and private / public interests. The interviewees gave much credit to the Dutch consensus approach to regulating through formal regulation and coercing though Covenants, a uniquely Dutch concept. In the UK, much emphasis is placed on formal, but less consultative, regulations. Voluntary agreements are not common in the UK and tend to be non-binding and flexible (Jordan et al. 2003). What is the "right" mix of formal and voluntary agreements and covenants, given the significant differences between contexts? If the UK were to adopt / adapt the Covenants system, could it expect a similar degree of success as in the Netherlands? What other institutions could be worked through and what other institutionalization processes could be initiated through policy measures to ensure success of such an experiment?

Constitutive institutions "set the bounds of social relations through systems of coercion and sanction". A key structural difference between the Netherlands and the UK is the degree of centralization of environmental policy. Environmental policy-making is highly centralized in the Netherlands. In the UK, even before the current programme of constitutional reform to devolve decision-making powers from the Whitehall to bodies in Scotland, Wales, Northern Ireland, and the English Regions, environmental policy making was already highly decentralized (Fairbrass 2003). This difference is likely to have played a major role in policy formation, implementation, and evaluation in the fragmented waste subsystem. Devolution is also likely to at least complicate decision-making at the UK national scale of governance in response to EU policies on waste.

Apart from the structural difference between the two countries, there are waste subsystem specific constitutive institutions such as environmental and waste governmental agencies and policies that set the bounds for the waste subsystems in each country. Since the late 1970s the Netherlands has actively and systematically pursued and enhanced its successive national environmental policies (NMPs). There is also a very elaborate "National Waste Plan", the latest edition of which was published in 2003. At a formal, governmental level the UK too seems to have been attuned to the importance of addressing environmental issues. The UK was the first country to set up a Department of Environment (1970) with a rather broad mandate ranging from issues of pollution to housing and transportation. Yet, the emergence of this important formal institution did not catalyze institutionalization processes similar to those experienced in the Netherlands. This is partly due to the fragmentation of environmental policy (Fairbrass 2003) and partly due to the peculiarities of the UK legal system. The UK's system of common law relies on a process of induction whereby decisions are reached *ex post* from individual cases (Haverland 1999:128). Historically the courts' decisions on cases made by the environmentalists against polluters have not been based on widely established guiding principles, e.g., a national environmental policy, but based on the "merits" of the individual cases.

Over time, the UK has developed elaborate vision statements on sustainable development, environmental protection, and waste management. Nevertheless, the available data suggest a vast difference in performance between the two waste subsystems (Figure 5). This difference is attributable to the degree to which constitutive institutions, e.g., constitutional structure and policies on environment and waste, have catalyzed institutionalization processes to transform behavioural, cognitive, associative, and regulative institutions. The ongoing attempts to develop a European Constitution, harmonize public policy, and facilitate a higher degree of social cohesion within the EU is likely to have significant consequences for domestic policy in all Member states. Given the trajectory toward inevitable emergence and strengthening of constitutive institutions at the EU scale of governance, what measures can be taken domestically to maintain achievements in waste management in the Netherlands and "pull" the UK toward better performance? How does policy making at the EU scale of governance prevent a race to the bottom on waste management or other issues where some Members perform significantly better than others?

Policy Analysis and Governance for Sustainable Development

In governance for sustainable development the policy process needs to be geared toward addressing the questions raised in the preceding paragraphs in relation to the five types of institution. Addressing these questions is particularly important if the intent, at the EU scale of governance, is to work toward cohesion, harmonize policy in various domains, and strive for a sustainable European community. The generalized research framework that emerges from this institutionalist perspective could be applied to a multiplicity of policy domains in different countries. To apply this framework the following steps need to be followed:

- Select a sustainable development issue or issues:

    - Waste, Poverty Elimination, Health, Employment, Gender Equity, Housing, Energy, Transportation, and so forth
    - Ensure that there is a policy continuum through all scales of governance, from the EU down to the local (municipal) scales
- Make use of conventional social, economic, and environmental indicators as a means to assess competences of Member States
- Identify the "Good, the Bad, and the Ugly" Member States in terms of competences: Examples of the "Good" are Waste and Water Management in the NL, Ecosystem Management in Sweden, Green Energy Production in Germany, the UK, Denmark
- Identify the Catalysts: To which set of factors (institutions) can the high achiever status be attributed?

Much of the information required for applying this framework can be obtained from secondary sources including reports on the selected policy issue and re-interpretation of studies on cultural, social and human capital to identify the informal institutions of a given subsystem. In addition to re-utilization of secondary data, primary data also need to be collected through interviews with key informants to gather additional information on informal institutions and to establish "how the game is played", and why. The data collected in this manner form a substantive basis to generate a contextually rich narrative about the evolution of a given subsystem in multiple environments.

Conclusion

If we start from a premise that policy-making is value laden (Tait 1992, Tait and Lyall 2004) and, because of intensified interdependencies and interconnectedness, there is greater need for policy integration and deliberative policy analysis (Hajer 2003a, Tait and Lyall 2004), whither policy analysis of sustainable development in the EU governance context? The answer to this question is far from clear. There are those who emphasize the need for policy integration, e.g., Hertin and Berkhout (2003). Others recognize the need for integration but draw attention to, for example, the fact that the formal institutions of EU policy-making have to date functioned in a hierarchical and segmented fashion, e.g., Tait and Lyall (2004). Yet it can be argued that segmentation and lack of integration can provide room for much innovative activity insofar as informal policy initiatives serving societal objectives are concerned. Tait and Lyall (2004:17) suggest that from a political perspective lack of integration in some cases could be viewed as pragmatic, useful, and perhaps even essential since full clarification may clarify things that are best left as ambiguous. Policy making in the context of governance, according to Tait and Lyall (2004), needs to recognize that the concept of linking ideas of governance and integration may be useful or problematic, depending on how integration is used, "by whom, and in what policy context".

Work-in-progress on EU policy by Lyall and Tait (2005) in different arenas suggests that integration is desirable in some arenas, e.g., environmental policy, but perhaps not others, e.g., trade on genetically modified organisms (GMOs). Lyall and Tait (2004) distinguish between horizontal and vertical policy integration but perceptively maintain that the desirability of either type is dependent on the arena. Meeting policy objectives on a sustainable development issue, e.g., waste minimization, arguably requires effective communication and line of command across and through different scales of governance, with the highest scale defining the rules of the game. The case of waste management in the Netherlands provides a good illustration of how vertical policy integration might be desirable and work. However, in more complex arenas with considerably more significant societal risks, e.g., trade in GMOs, it may be just as well that there is fundamental disagreement preventing integration (and unanimity) at the national, EU or the international scales of governance.

But these general observations do not shed sufficient light on the role of institutions of governance in policy making in the EU context. It is only through a detailed comparison of the full range of institutions in comparable subsystems that we can get a sense of why

subsystems, subjected to comparable policies, evolve differently. For example, Jordan's (2000) in depth review of environmental policy development from a "departmental perspective" in the period 1970-2000 offers a range of formal institutional explanations as to why the UK has continuously underperformed in environmental protection when compared to the Netherlands. Implicit in Jordan's account are an account of the problems, policies, and perhaps most importantly for governance, the politics of environmental policy-making and performance in the UK. Applying the typology of institutions as suggested in this paper to Jordan's meticulous account of departmental evolution can decipher not only the policy streams a la Kingdon (1984) but also a large number of institutions through which governance of the environmental arena has been exercised. A key contribution of such an application will be the identification of the less formal institutions, and arguably those that are typically left out of most studies of governance or analyses of policies.

Elsewhere Jordan (together with Schout, in Schout and Jordan 2003) comes closer to underlining the importance of the less formal institutions in EU governance in relation to environmental policy. In their list of "complicating factors" Schout and Jordan (2003:20) include intra-Commission relations, the need to exert simultaneous horizontal and vertical pressure, the need to combine administrative capacities of Member States into a coordinated European network, the difficulties in gaining an overview of the capacities at Member State level, and the sensitive problem of how best to identify weaknesses at the national level. Schout and Jordan (2003:21) conclude by warning that "the Commission [should be] more aware of the dangers of assuming that EU networks will self-organise in responses to coordination challenges" and recommend that the Commission should take the lead in proposing alternative actions. If indeed this is the course of action to be followed, it is of utmost importance that policy makers at all scales of governance within the EU are aware of and sensitive to the role of institutions in the policy process. Deliberative policy analysis, while path-dependent at the national scale and difficult to adopt where it is not already practiced, has a higher probability of success at a supra-national scale such as that represented by the EU if it is practiced in full recognition of and respect for the full range of institutions.

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