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Working Paper

WP1: Analysing multilevel water and biodiversity governance in their context. Analysis and synthesis of consultations

UFZ Discussion Paper, No. 6/2008

Provided in Cooperation with:

Helmholtz Centre for Environmental Research (UFZ)

Suggested Citation: Wesselink, Anna (2008) : WP1: Analysing multilevel water and biodiversity governance in their context. Analysis and synthesis of consultations, UFZ Discussion Paper, No. 6/2008, Helmholtz-Zentrum für Umweltforschung (UFZ), Leipzig

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**Marie-Curie Research-Training Network GoverNat:
Multi-level Governance of Natural Resources:
Tools and Processes for Biodiversity and Water Governance
in Europe**

UFZ-Discussion Paper

6/2008 – GoverNat 3

August 2008

WP1: Analysing Multilevel Water and Biodiversity Governance in their Context

Analysis and synthesis of consultations

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“Multi-level Governance of Natural Resources: Tools and Processes for Water and Biodiversity Governance in Europe” (GoverNat)

Objectives

The **overall objective** of GoverNat is to develop new solutions for multi-level environmental governance and to facilitate their use by decision makers in an enlarged EU. The **central research objective** is to test the hypothesis that certain participatory processes and analytical decision tools are particularly useful for improving multi-level environmental governance. **Specific research objectives** therefore address the enhanced understanding of multi-level governance of natural resources, the development of methods of public and stakeholder participation to be used in such contexts, the effective utilisation of specific analytical decision tools in multi-level governance, and the reflective evaluation of such use. These four tasks are necessarily interdisciplinary. The **central training objective** is to give 9 doctoral and 3 post-doctoral fellows an interdisciplinary training 1) in research on environmental governance, particularly of biodiversity and water, in Europe, and 2) in designing legitimate and effective solutions for communication between policy makers, scientists and the public in science/policy interfaces.

Consortium

1. UFZ – Helmholtz-Centre for Environmental Research, Germany (F. Rauschmayer);
2. ECOMAN - Ecological Economics and Management, Lisbon, Portugal (P. Antunes);
3. NERI - Danish Environmental Research Institute, Copenhagen, Denmark (M. S. Andersen);
4. SRI - Sustainable Research Institute, Leeds, United Kingdom (J. Paavola);
5. ICTA – Institute for Environmental Science and Technology, Barcelona, Spain (S. van den Hove);
6. CSWM – Centre for the Sustainable Water Management, Lancaster, United Kingdom (W. Medd);
7. UStutt - Institute for Sociology, Stuttgart, Germany (O. Renn);
8. IF - Institute of Forecasting, Slovak Academy of Sciences, Bratislava, Slovak Republic (T. Kluvánková-Oravská);
9. IELM-SIU - St. Istvan University, Budapest, Hungary (G. Pataki);
10. IREAS - Institute for Structural Policy, Slovak Republic (V. Chobotova).

Characteristics

- EU Marie Curie Research Training Network with 9 doctoral and 3 post-doc fellows
 - Duration: 4 years (10/06 – 9/10)
 - Doctoral fellows: 4/07-6/10
 - Post-docs: 7/07-1/10
 - 10 partners and several praxis affiliates in 9 European countries
 - Coordination: Helmholtz-Centre for Environmental Research – UFZ (Dr. Felix Rauschmayer)
 - Total contribution of European Commission: 2.4 Mio €
- Links water and biodiversity, participation and decision tools in a governance perspective

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1 Introduction

The overall objective of the Marie Curie Research Training Network *Multi-level Governance of Natural Resources: Tools and Processes for Water and Biodiversity Governance in Europe* (GoverNat) is to develop new solutions for multi-level environmental governance and to facilitate their use by decision makers in an enlarged EU. Research to be conducted by the GoverNat fellows tests the general hypothesis that certain participatory processes and analytical decision tools are useful for improving multi-level environmental governance. The central training objective of GoverNat is to give 9 doctoral and 3 post-doctoral fellows an interdisciplinary training in 1) research on multilevel environmental governance, particularly of biodiversity and water, in Europe, and 2) designing legitimate and effective solutions for participation and communication between the policy makers, scientists, and other involved and affected parties.

The methodological novelty of GoverNat lies in combining (1) multidisciplinary training, (2) interdisciplinary research, (3) transdisciplinary case studies, and (4) an integration of these three elements. GoverNat's analytical framework will be used as a starting point by all GoverNat fellows. The framework guides analysis to systematical characterization and assessment of experiences in multi-level governance of water and biodiversity by combining concepts from economics, political and legal sciences, as well as from ecology, hydrology, philosophy and sociology. A tentative version of shared framework was drafted as a part of the process of developing proposal and work programme for GoverNat.

The central task of GoverNat's Work Package 1, *Analysing Multilevel Water and Biodiversity Governance in their Context*, was to elaborate the analytical framework and to ensure that GoverNat research focuses on issues that are perceived to be of highest value added in terms of policy significance and academic merit. The work package has been lead by the Sustainability Research Institute, School of Earth and Environment, University of Leeds, but all GoverNat partners have contributed to the development of analytical framework. This document reports on the activities conducted as part of the Work Package 1, and describes the in-depth consultations with scientists, stakeholders and decision makers involved in past cases. This task was undertaken as a series of consultations with participants of environmental governance processes. The task was completed by the GoverNat early stage and experienced fellows under the supervision of senior scholars. At total of 49 consultations were conducted in the format of short semi-structured interviews according to the consultation guidelines developed by the senior researchers (see Annex 1). The role of consultations was to ensure that GoverNat research reflects the current priorities and issues with regard to the multi-level governance of biodiversity and water in Europe as seen by those involved in it.

The purpose of this report is threefold. First, it summarises the findings of the consultations. The consultation reports represent a great variety of situations, opinions and experiences. The first aim of the report is to demonstrate this diversity (see Section 2). The second aim of this report is to make sense of the diversity by using broad classifications drawn from the existing literature. Challenges of participation that were identified by the consultees were helpful for developing this conceptual understanding (Section 4). Lastly, findings from the consultations suggest a few points of attention for future GoverNat research (Section 5).

2 Summary of findings

This summary of findings first presents a description of conducted consultations, including in which countries they were performed, which type of actors were consultationed, and what kind of activities were they engaged with. Next consultations from three member states are used to present an impression of participatory processes in the respective countries. Finally, Section 3 presents a more detailed analysis of issues brought up in consultations by different groups of actors involved in MLG in Europe.

2.1 *Overview of consultations*

The consultation reports are a treasure trove of information, in spite of the short time allocated to consultations and the limited number of questions asked. Taken together, reports from an individual member state give an impression of the setting and conditions within which the environmental EU directives are implemented, and of the difficulties that are encountered in their implementation. In this respect, the consultation exercise was ‘good value for time’. Below impressions from three member states are presented to demonstrate how consultations may be usefully used in this way (Section 2.2). There was not enough information on the Netherlands, Finland, Spain, Denmark or the United Kingdom to do the same, and no consultations were held in other EU countries. Nevertheless, from the existing country profiles it can be tentatively concluded that ‘participatory culture and history’ play an important role in explaining participation in MLG in Europe. Therefore, it is important to be aware of cultural differences when comparing cases from different member states.

The majority of consultees are working in different bodies of public administration, quite a number are working for an NGO, and some are working in academia. No representatives or members of the general public or representatives of private companies were consulted. This means that the views of civil servants dominate in the consultations, followed by the NGO views. In principle it is important to include actors from all relevant groups in analyses of participation in multi-level environmental governance. Our limited range of consultees does not permit a complete overview of participation in MLG as experienced by the actors. This highlights the importance of wide inclusion in future GoverNat research by fellows.

Relatively few consultations focused on a specific project. Most of them are general discussions on participation and/or implementation of EU directives. Most consultations focus on local and regional levels of governance, and particularly on the local and regional implementation of EU directives. Only one of the consultees had been involved in the initial establishment of the WFD, and all others have been involved in the implementation of the EU environmental Directives only.

2.2 *Country impressions*

Six consultation reports from Portugal, 19 consultation reports from Germany, and five consultation reports from the Czech and Slovak Republics enable to sketch an impression on participation and implementation of the EU directives in them. These impressions suggest that the national contexts shaping MLG are quite different¹. Alternatively, the contexts might not be so different but people just interpret and present them differently. For example, national professional networks may shape a national discourse on public participation. Most likely both of these explanations are partly true, and it is not really possible to distinguish the ‘real’

¹ The fact that the Czech and Slovak Republics are now two distinct countries is intentionally ignored here. Because of their recent shared history the circumstances are broadly similar in them.

circumstances from the perception of them that people have. These perceptions are in turn shaped by general culture at the national, regional and local scales.

It is noteworthy that the consultations used to build country impressions are focused on specific sectors and scales which may limit their generalisability. In Portugal, consultations focused on the national level of water governance, in the Czech and Slovak Republics consultations focused on regional and local level biodiversity governance, in Germany they focused on water and biodiversity governance at the state level in the former GDR. In addition, these impressions highlight a methodological pitfall related to cross-cultural studies which will be discussed at the end of this Section 2.2.

2.2.1 Czech and Slovak Republics

In the Czech and Slovak Republics, MLG is characterized by conflicts between different government bodies, namely those units of public administration who implement conservation measures and the state forestry office who want to manage forests for profit. The third important group is (big) private forest owners. More than one consultee suggested that the privatisation of forest land is the biggest problem for biodiversity conservation. One consultee even thought that privatisation was used to avoid implementing measures for the protection of biodiversity.

The consultees considered that public involvement means providing information to the general public. The involvement of NGOs was primarily seen as measure that helps to contribute to public information provision. The public administration seeks to influence the behaviour of foresters, but formal agreements between the two parties are difficult to achieve. It is notable that all consultees used the term ‘cooperation’ rather than that of ‘participation’ in relation to involvement of different actors in MLG. This indicates a different understanding of what it means to implement participatory processes. It also reflects the relationships between the actors involved.

2.2.2 Germany

Consultations suggest that the federal organisation of Germany introduces some additional difficulties for MLG. The federal (national) level is responsible for reporting to the EU, but the (sub-national) German states have to incorporate the Directives in their law, and they have done this in different ways. This means, among other things, that the NGOs find it more difficult to share procedural information on how to respond to administrative manoeuvres. For the public administration it means that coordination within one river basin is more complicated and raises problems resembling international transboundary basin issues.

In Germany, the dominant role of NGOs compared with the general public stands out. The NGOs have a right to be consulted and to file complaints. In the consultations the involvement of NGOs is often linked to the legal procedures they can initiate: ‘NGO participation is taken seriously when a credible threat of legal action exists’. As the costs of legal action are prohibitive and they will often fail because of formal mistakes, NGOs will only choose a limited number of cases to pursue if they are dissatisfied. However, it is also recognised by the administration that present participation is not sufficient in the future: consensus and cooperation is needed instead of coercion, and involving the public directly increases the quality and legitimacy of decisions.

From the NGOs’ point of view the delays in the implementation of the EU Directives are a major problem, leaving little time for consultation before the EU deadlines are reached and decisions are forced through. Both NGOs and public administration recognise that coordination between different departments within the administration is often difficult. This becomes most obvious

when implementation reaches the local level where concrete decisions have to be made. This problem is not unique to Germany, however (see Section 3.2.4).

2.2.3 Portugal

Consultation reports from Portugal suggest that the consultees blame all other parties but themselves for flaws in the multi-level governance of water and biodiversity in the country. All but one of the consultees work for public bodies and use the same discourse on public participation which portrays the general public as uninterested, uneducated and uninvolved. This is one of the reasons given for not engaging the general public in MLG. However, other reasons were also presented and they included lack of a tradition of public participation, fear of loss of power within the public administration, the general attitude of the administration, and the emphasis on working with other units within public administration, rather than with external bodies. This emphasis for working with other public bodies was seen to arise because of the need to pay a lot of attention to power struggles within the administration.

Most consultees consider public participation as a transfer of information and a discussion about models and concepts. The exception is a consultee who thinks there is a need to involve people in decision making because this is essential for the plans to be able to work. While the general public is seen as uninterested, the NGOs are in turn considered too forceful in promoting a particular idea or viewpoint.

This portrayal of participation and MLG in Portugal raised major objections from the researchers involved. They felt that this is not what the consultees had meant, and that it was necessary to interpret the consultation reports differently. This reaction might be due to cultural differences between the consultees and the compiler of this report, who is not familiar with Portuguese culture. Presenting the analysis to the consultees for comments is the recommended procedure to avoid this methodological pitfall.

3 Participation in MLG

In a fact finding exercise like the WP1 consultations it is impossible to distinguish between a real problem and beliefs or engrained patterns of behaviour regarding perceived problems. The way in which the consultees perceive the problems is a function of the world view they have, their role in pertinent processes, and the culture they are part of, for example.² This is perhaps more obvious when the consultees express clear opinions about the desirability of public participation, independent of whether their view is negative or positive, but it is also the case a consultee presents a seemingly objective analysis of MLG. All consultees' statements should therefore be considered as views rather than facts on MLG. A minority of consultees were not advocating a specific view on how MLG should be implemented and were instead seeking to understand what happens in MLG. This is also a view, albeit at a more reflexive level than ordinary statements. This means they accept or are more receptive to the idea that several views on participation in MLG are possible.

Consultees clearly do have different views on participation but they do not often explicitly say what they mean by it (e.g. who is involved and how) or how they think it should happen (who should be involved and how). A few consultees form an exception and express a clear opinion. For example, one of them considered that 'participation is a right that public and stakeholders

² True constructivists will say this is always impossible, not just when someone gives their opinion about a politically charged subject such as public participation.

have'. The following observations are therefore derived mostly by 'reading between the lines'. The way problems were formulated and indications of the way they frame participation were particularly helpful in this reconstruction of opinions. Before these topics are elaborated below in greater detail, some attention needs to be paid to the terminology the consultees use, relating it to the existing literature.

3.1 Terminology: categories of participants

In principle, "participation" could include everyone who is contributing in any way to MLG, such as different sectors and levels of public administration, private companies, NGOs, (representatives of) the general public, and so-called stakeholders. However, participation is often interpreted more narrowly as 'public participation', that is, the involvement of 'the general public', 'the people' or 'citizens' in MLG in some way. Most consultees use both interpretations more or less interchangeably. Many consultees initially discussed participation in general terms and had to be asked to elaborate on specifically public participation. This probably arises from their daily interaction with other agencies and powerful organised stakeholders which takes up most of their time and energy. Interestingly, most consultees consider collaboration with other agencies in terms of participation and do not call it interagency cooperation. Consultees from the Czech and Slovak Republics and some consultees from the former GDR are an exception however: they consider participation primarily as "cooperation". This may again be an indication of cultural differences.

For 'the public', different modes of participation have been described in various so-called "participation ladders"³. It would be possible to also describe different degrees of participation of the other types of actors in a similar way. A detailed analysis of MLG would need to look at different participants within these categories, as none of them is homogenous. It is clear from the consultations that each of these groups brings its own problems when they are included in a participatory process. The summary below presents key experiences and problems of each of these categories, following the terminology used by the consultees. The summary cannot do full justice to the details present in the consultation reports, however.

3.2 Categories of participants & problem characterisation

3.2.1 The public

Consultations suggest that the involvement of the general public in natural resource management is often limited to receiving information or helping to clean up a river, even when procedures are in place for greater involvement. Citizens' participation can also consist of filing complaints about proposed plans. Some consultees believe that public agencies are democratically legitimised, act in the public interests and therefore do not need to involve the public in their decision making, although they could use participatory processes to collect data. For some consultees, the members of the public are uninterested or unsuitable as participants. These views can reflect the lack of political will to use more extensive participatory processes. Other consultees recognise that the public can contribute to better and more legitimate decisions especially at the local level.

Consultees mainly report negative experiences with more extensive public participation, although positive experiences are also reported. As an example of the latter, bottom up projects may be small in scope but they result in something concrete and help to engage the local people. Therefore, it appears to be possible to find a shared solution to problems at the local level.

³ e.g. <http://www.iap2.org/associations/4748/files/spectrum.pdf>

Appealing to the emotional ties people have with their local environment is seen as a way to start a participatory process.

Still, in many projects it was reportedly difficult to involve the public. The consultees consider disappointment with earlier participatory processes a reason for the public's failure to respond to new calls for involvement. Specifically, the consultees believed that the public acted on a belief that participatory processes were only used to legitimize already made decisions. The burden of participation was also considered a reason why members of the public do not get involved: meetings are often arranged at difficult times or in difficult locations, access to and quality of information on procedures as well as substance is frequently insufficient, and the processes are slow and require stamina. The risk of opportunism and dominance by 'private interests' was also identified.

An important reason given for the lack of public participation is the expense and effort needed as well as the required change in administrative culture. On the other hand, some consultees consider that it is the general public itself who lacks the will to participate, because it is only interested in the developments that affect their own lives directly and/or which happen at the local scale. Specifically, the WFD river basins were identified as too large to generate a public interest. Some consultees considered that that dissemination of better information could overcome this lack of public interest.

3.2.2 NGOs

Some consultees representing the public sector view the attitude of NGOs rather negatively. They consider that the NGOs are lead by a few people with particular ideas, that they do not have popular support, and that they are not too cooperative. For them, NGOs are too domineering and do not understand the restrictions imposed by lack of funding and knowledge. Some consultees appreciate the participation of NGOs, albeit in the restricted role of educating the general public. Consultees representing the NGOs themselves consider that they lack human resources and knowledge to participate effectively. At the same time, they consider to have a privileged position because their views are sought by the public authorities and they can exert some influence by working together as NGOs.

3.2.3 Stakeholders

Strictly speaking all participants in participatory processes have stakes in their outcomes, not the least the organisers of these processes. However, the term 'stakeholder' is often used in a narrower sense by the consultees to refer to organised mainly economic interests such as those of water companies, private landowners and forestry companies. These actors are typically seen to be effective and influential lobbyists. A problem identified by the consultees is that these powerful stakeholders have the capacity to obtain solutions outside the organised participatory process if they feel they need to.

3.2.4 Other government bodies & interplay

The consultees representing public administration reported experiencing difficulties when working with other governmental organizations and other levels of public administration. For them, "participation" includes interactions with other government bodies. This is not surprising when 'participation is mainly understood as an instrument to integrate several (competing) agencies and authorise within a state'. This view of participation may be the result of the predominantly top-down and/or technocratic approach to public decision making, which excludes non-state actors. Furthermore, the consultees representing public administration have to work in a context where policies defined by other ministries are often in conflict with the policy

they are trying to implement. They see this aspect of MLG (sometimes referred to as *interplay*) as an important barrier to the success of their work. Many of the consultees feel that in concrete situations economic interests prevail over other interests in water management or biodiversity conservation. Economic interests relevant here include interests related to agriculture, forestry and construction, for example. One consultee considered philosophically that ‘the complexity of local decision making is the cause of the lack of implementation of environmental regulation’.

The consultees also highlight poor implementation of existing policies and regulations for example on agricultural pollution, illegal abstraction and logging which have an impact on natural resource management. Lack of implementation suggests there is relative indifference regarding environmental issues. According to one consultee, implementation failure is due to lack of political will, which is also manifested as unwillingness to allocate funding for environmental purposes. For example, the new Portuguese regional water bodies are not funded by the central government and need to raise money by water tariffs. However, the use of water tariffs is blocked by municipalities who have traditionally been powerful in water use issues. This leaves the new water bodies without financial means to fulfil their legal obligations. Lack of funds for compensatory payment is also mentioned as a barrier to biodiversity conservation as well as a barrier to involving the general public.

Power relations between different levels of public administration are another reason for difficulties with the implementation of EU directives. A ministry could refuse to fund regionally agreed solutions because hierarchical decision making procedures were not adhered to, or the implementation of regional water bodies could be blocked by national and municipal levels which do not want to lose their power. One consultee poignantly expressed the relative weakness of a participant’s position, even if one is working in public administration, in this way: ‘if you are not the manager you can only be a participant’. Another example of a problematic use of power brought up by some consultees was the power of some strong stakeholders to successfully lobby with the decision makers to influence decisions. Such practices bypass any participatory processes that might have been set up. One consultee suggested that power relations need to be changed in a participatory process to address the above mentioned kind of issues.

Finally, many consultees recognise that organising a participatory process requires special skills and additional financial resources, both of which are frequently unavailable to bodies of public administration charged with implementation of EU directives. The consultees also noted that there is also a more profound problem regarding the applicability and acceptability of different participatory approaches to different sets of actors.

3.3 *Role of expertise*

Expertise has both top-down and bottom-up aspects in participatory processes. When the consultees suggest that the capacity to digest information is a prerequisite for participation, they emphasise that the participants should be able to understand the expertise brought in by experts in a top-down way. Several consultees considered that the participants ought to understand complicated models and concepts. This can obviously only happen if this information is made available. As was already mentioned above, organisers of participatory processes do not often make enough effort to do so. But information does not only refer to technical material: it also relates to information about the procedures that will be followed. Furthermore, participants also need to be aware of alternatives that have not been presented in order to be able to act effectively, and consultees representing the NGOs feel they are not able to provide the required level of information.

The bottom-up flow of information, which is premised on taking seriously the input based on the expertise of participants in the process, is also difficult. Ideally, the bottom-up flow of information should combine with the top-down information provision, so that different types of knowledge, information and interests can be integrated in the participatory process. One consultee thinks that the existing tools for integrating knowledge and values are not used. For another consultee, it is a good question whether integration of this sort is possible at all. She feels that different forms of knowledge are incommensurable and suggest that only at a meta-level common ground can be found.

3.4 *International dimension*

Comments of the consultees about the influence of EU regulation on national MLG indicate that European directives are an important reason for taking action both in the technical sense e.g. by improving monitoring, as well as in the procedural sense, e.g. by enhancing participation. For some consultees, changes in the framing of natural resources management are an example of a positive outcome of the implementation of the EU directives. However, EU directives can also have a negative effect when they are less strict than the existing national policies or regulations, or when EU subsidies are made available even when EU regulations are not complied with.

Regarding the integration of the EU directives with the existing national regulation, policies, and customs, some of the consultees find the WFD adaptable to local needs. However, one consultee did not see interpretative freedom to be available for this and considered that the directives impose general rules that do not recognise different realities to all member states. While the current administrative set-ups do not necessarily have to change as a result, directives such as the WFD introduce more need for coordination between the sectors and levels of public administration.

4 Challenges for participation in MLG

Many practical problems with participatory processes were identified in the consultations (see Section 2). These problems do not in the main originate from frustrations, misunderstandings or failures of participatory processes in MLG. They mainly stem from different expectations of the participants regarding participatory processes, and also from expectations of those who are not included. These expectations relate for example to who should be able to participate, how they should participate and when they should participate. One consultee explained: ‘once they are involved, participants develop the expectations to be fundamentally involved and decide upon crucial things rather than details; this clashes with the fact that there are aspects that are not or can not be upon discussion and such aspects can be fundamental ones; participants are put off when they realise that they can decide how but still cannot decide whether a certain project takes place or not’. At a more general level, different expectations are related to views on distribution of power in environmental decision making. Indeed, many conflicts in participatory processes can be traced back to contested power relations and disagreements on the exercise of power.

Power relations were noted by several consultees to have a major influence on participatory processes. This means that understanding of participation in MLG requires analysis of the dynamics of power relations. However, it is impossible to conduct such an analysis with the available consultation material: such analysis must remain the task of the individual research projects of GoverNat fellows. This report aims at an intermediary level of analysis based on different views on participation that can be gleaned from the consultation reports. This approach treats views regarding participation as reflections of fundamental power relations in the description of concrete problems. For example, the lack of response from local inhabitants is not

a problem for someone who considers he is elected by these people and should therefore take decisions on their behalf.

Understanding conflicting views on participation in specific settings is a prerequisite for the study of success and failure of the participatory procedures and techniques because it helps to explain practical problems as well as power relations. It should also foster mutual understanding between GoverNat researchers. Views on participation are mostly implicit in the consultees' remarks about their experiences. Their views on "public participation" (as distinguished from participation in general) are most divergent so it merits the focus here. It is likely that views on participation in general are not dissimilar to views on public participation, because express a person's attitude. These may be classed e.g. according to the four management strategies distinguished by the Cultural Theory⁴.

Below the findings of Section 2 are combined with the challenges mentioned by the consultees. From the consultation reports, existing literature and previous research it appears that two elements of the consultees' worldviews can satisfactorily describe their attitudes to public participation:

- their view on the desirability of public participation (see 4.1),
- their view on the process of policy implementation (see 4.2).

More generally, consultees' views on public participation might be related to national political culture, institutional setting or tradition with respect to participation (Section 2.2). Views might also depend on the person's role in the decision-making process. These factors are not discussed here because of limitations in the available material.

4.1 *Desirability of public participation*

The first element of worldview is the view on the desirability of public participation in general. Four attitudes can be distinguished in the consultation reports, each with its own moral justification and its own view on the main challenge for participatory processes.

The first attitude is exemplified by the attitude that lack of response from inhabitants is not a problem because politicians are elected by these people and should therefore take decisions on their behalf. These consultees do not see the need or justification for public participation, because the bodies they work for are elected and are therefore thought to represent public opinion. There is therefore no need to ask the public (again) what they want. For them, the main challenge for participation is to reach agreement with other state organisations, and maybe non-state bodies if these have power to block decisions. Power sharing with the general public is then indirect and achieved through elections, so this position could be called the elected power sharing arrangement⁵.

A second view of participation encountered in the consultation reports is the view that public participation is prescribed by the EU directives so it is a task that should be done independent of political views and personal motivations. If procedural pressure is the only reason public participation is put into practice, it can be expected that minimalist versions of a participatory process will result. The main challenge is then to show that the regulations have been complied with.

⁴ Thompson M Ellis R and Wildavsky A (1990) Cultural Theory Westview, Boulder, Co

⁵ I am interested to know whether other terminology already exists in the literature for these attitudes.

A third view of public participation is the instrumental view. According to this view public participation is needed if it means that a policy can be implemented where otherwise it could not, and/or that the solutions found through public participation are of better quality. Proponents of this view would recommend a consideration of costs and benefits of public participation, and when the costs are higher than the benefits public participation should not be employed. Taken further, proponents of this view sometimes assume that their aim, such as biodiversity conservation, is furthered by public participation because the general public would agree that it is important. Using public participation in this manner for the purpose of advocacy can of course backfire when it turns out that the general public is more interested in other objectives, e.g. financial gain or no changes to their situation. Public participation in this view does not mean to share power, it means mobilising the public if it serves the purpose of (better) implementing the policy. This is justified by the argument that the policy was democratically agreed upon and does not have to be re-discussed with the public.

A fourth view considers public participation to be a good thing of its own accord, independent of the purpose and scope of the decisions. Furthering democracy is the justification for this position. To change the attitude of the administration and politicians towards the non-state sector, and especially the general public, is then the biggest challenge, because they have to be prepared to share power: to change objectives, to change procedures, etc.

To learn how to set up public participation is a common concern between all views except the first, although the motivation is very different. In all cases, design of a process architecture, facilitating techniques and methods for combining knowledges and interests are some of the practical skills that have to be learnt. The practical choices can be different depending on the motivation: someone who is keen to have public participation anyhow will be more inclined to ask participants to contribute. The challenges related to setting up a successful participatory process are well known from the relevant literature and I will not repeat these here.

4.2 Policy implementation

A second aspect of the consultees' worldview is the way in which they understand their task in relation to other policy goals. Some consultees are single-issue advocates of biodiversity conservation or integrated water management and see no need to compromise with other goals in policy implementation. They consider that public policy in general, and EU directives in particular, should be implemented without derogation: they have absolute and independent goals. For some of the consultees, the targets have already been watered down compared with what they should have ideally been. Participation in general then becomes a matter of explaining why the policy goal is important and convincing the other participants of the need to implement the policy to attain the goal.

From this viewpoint, "education" will create an understanding of the importance of good natural resources management, and foster participation in the implementation of policy goals. This depoliticises implementation by rendering it a technical task. Knowledge has a central role in implementation because it convinces other actors of its importance. Proponents of this view seek to reduce the complexity of the real world by focusing on the single task of implementing their policy objective. In practice this turns out to be difficult, unless a geographical area is designated solely for one purpose.

On the other hand, there are consultees for whom implementation is not simply a matter of bringing the pertinent directive into practice. They had experienced that it requires negotiation to fit a new policy objective into the existing policy wish lists. Increasing the relative importance of the directive compared with other policies and their goals is then a key challenge, as well as

finding solutions that are acceptable to all relevant parties. Conflicts are rife between contradictory policies, between actors with different economic interests, between different sectors and levels of public administration, or even between different parts of the same sector of public administration implementing the directive. Typically, negotiations are most heated at the local level where implementation becomes concrete.

Implementation is thus highly political and power relations are an important determinant for implementation outcomes. Knowledge may help to support claims for primacy, but this is only one source of legitimacy for arguments. Re-interpretation of original targets may be necessary to find shared and agreeable solutions. This means that in practice policy goals are not absolute but rather relative and qualified with the goals of both conflicting and complementary public policies. Proponents of this pragmatic view try to deal with the complexity of the real world by embracing it and by expanding problem definitions to include the interests of other actors. In practice, the results of this approach are more acceptable to all actors but more difficult to fund.

5 Conclusions: Implications for GoverNat research

The WP1 consultation exercise offers some lessons for future GoverNat research. During the Leeds Summer School and Workshop it became clear that also researchers participating in GoverNat have different views on the desirability of participation and on the character of policy implementation. This means that we evaluate reality differently because we have different views about ideal situations. As a result, we also use different problem definitions and identify different solutions to them. This diversity of views exists in addition to the differences in disciplinary backgrounds, although there is some overlap between the two because some disciplines emphasise considering complexity and democratisation more than others. It is important to recognise and accept these differences. Making views explicit is a useful first step when discussing on the role of public participation in MLG. In addition, a few additional methodological lessons can be drawn from the consultation exercise.

5.1 *Choice of level of case studies*

It is clear from the consultations that most negotiations and power play take place at the less accessible and more diffuse regional and national levels of politics and public administration. If this is the case, then GoverNat researchers and fellows should aim to study interaction at these levels (and between them) as much as possible, and not focus exclusively on local, concrete projects. In addition, participatory processes at the local level have already been studied extensively in many other EU Framework projects as well as in academia in general. The same applies to policy making, which is situated in a single ministry. In short, GoverNat research can obtain the greatest novelty value and social significance by examining interaction at all levels and between the levels.

5.2 *Choice of viewpoint*

On the basis of the large number of consultations conducted with the representatives of public administration, it appears that the easiest entry point for future case studies is likely to be government agency. While their actions and behaviour are obviously very important for participation in/and MLG, there is a danger that without special effort the viewpoints of NGOs, private sector organizations, other non-governmental stakeholders and the general public do not receive enough attention. That is, there has to be a strong methodological emphasis on as wide inclusion of different viewpoints as possible.

5.3 *Differences: water and biodiversity; national contexts*

There is really not enough material in the consultation reports to systematically compare the MLG of water with that of biodiversity. However, it appears worthwhile for conceptual, methodological and empirical reasons to pay attention to possible similarities and differences in participation and MLG between the two policy areas. The same applies to differences in participation and MLG in water and biodiversity governance between the member states. When comparing cases from different countries, it is particularly important to be aware of potentially different participation cultures or traditions and their sources.

5.4 *Reporting*

The consultation exercise also brought up some insights into possible weaknesses of collective material gathering and sharing. Some of the consultation reports or summaries are very brief, just one page in length, and do not really provide enough material for an outsider to decipher the contexts within which the consultees are working, and to help follow their reasoning. One paragraph of a narrative explaining a particular viewpoint or detail was more illustrative than a few bullet points which might cover a much larger field. This means that in the future work, a narrative which is as close as possible to original language used in the consultations would best preserve the information content.

Annex 1

Guideline for conducting WP1 consultations

The rationale of collating short written summaries of consultations is to collect a documentary material that enables us to make grounded judgements regarding the research priorities that we ought to set to ourselves and to our trainees, as set out in the DoW.

In the kick-off meeting it was concluded that the role of consultations is to make sure that we are aware of the current priorities and issues that stakeholders have with regard to governance of biodiversity and water in Europe. Meetings with representatives of stakeholders and discussions with them in events etc. are all valid instances of consultation. The point is to report these discussions so that we can build a record on them.

A one-page reporting form or guideline is presented below for recording the details of consultations and their key content. Consultation reports should be emailed to me (j.paavola@see.leeds.ac.uk) and copied to coordinators (coord.governat@ufz.de) whenever a consultation has been completed and the report drafted. I suggest the issues to be included are:

1. Consultation identifiers

- 1.1 Consulted stakeholder group and description of its role / position
- 1.2 Date, time and place
- 1.3 Involved people (stakeholder and GoverNat representatives)

2. Substantive issues

- 2.1 Consultee's positive and negative personal experiences from multi-level environmental governance. Describe in particular the multi-level nature of the problem and any interactions and conflicts between levels
- 2.2. Consultee's views on the role of participation in his or her field of activity: who has participated (e.g. what stakeholders, was the general public involved) and to which degree (e.g. consultation, actual planning)? How has participation been useful or harmful in his or her opinion? Please ask justifications and rationalisations for the views.
- 2.3 Consultee's views on the current priorities and challenges with regard to the governance of biodiversity and/or water?
- 2.4 Consultee's views on the future priorities and challenges with regard to the governance of biodiversity and/or water?
- 2.5 Consultee's involvement and awareness of related projects etc.
- 2.6 Consultee's suggestions for case study sites / topics / issues