



Second Berlin Forum  
**INNOVATION IN  
GOVERNANCE**

# **SECOND BERLIN FORUM INNOVATION IN GOVERNANCE**

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## **BOOK OF ABSTRACTS**

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Second Berlin Forum  
**INNOVATION IN  
GOVERNANCE**

**ABSTRACTS  
&  
BIO-NOTES  
for  
keynote speakers**

## **Community Building as Governance – Governance as Community Building : The Case of Competition.**

**Marie-Laure Djelic, ESSEC Business School.**

The landscape of transnational governance can be characterized as a complex and dense web of processes, discussion and negotiation platforms, discourses, organizing nodes as well as meta-norms and standards (Djelic and Sahlin-Andersson 2006, Svensson 2009, Bartley and Smith 2010). In that context, we should not miss the importance of agreement and consensus building mechanisms as important "technologies" of governance. In fact, the very possibility of transnational governance probably hinges to quite an extent on the emergence, construction and stabilization of governance "communities" with a transnational scope (Smith et al. 1997, Keck and Sikkink 1998, Guidry et al. 2000, Djelic and Quack 2010). Transnational communities imply transnational networks but they are more than that since the notion of "community" connotes a sense of belonging to a common culture. Transnational communities are social groups emerging from mutual interaction across national boundaries, oriented around a common project and or "imagined identity" (Anderson 2006[1983]), which is constructed and sustained through the active engagement and involvement of at least some of their members (Djelic and Quack 2010).

The case of competition regulation is an interesting empirical setting to explore the contemporary interplay between transnational governance and community building. We will compare and contrast in particular the emergence of two transnational communities within that setting – the International Competition Network (ICN set up in 2001) and the European Competition Network (ECN active since 2004). The founding document of the ICN indicated that it would "provide antitrust agencies from developed and developing countries a stronger and broader network for addressing practical competition enforcement and policy issues (ICN 2002). As years have passed, it has become clear that the ICN is much more than an informal club of like-minded organizations and individuals sharing problems, information and solutions. The ICN is not only a platform for discussion around topics of common interest. It is also a self-disciplining transnational community. The ICN was created as a transnational network, striving to become a "community of interest". Arguably, it has

become that and much more, coming to be, through time, an influential transnational governance forum. As such, it produces collective rules and standards, monitors their diffusion and implementation and helps members as they familiarize themselves with those rules. The European Competition Network was set up formally by the European Competition Agency (DG Competition) in 2004, as a projected tool to help in the planned decentralization of competition regulation. It is made of DG Comp. and the national competition agencies from 27 European countries. While the ICN was a transnational network striving to become a community and becoming in time an influential arena of transnational governance, the ECN was built as a transnational governance tool and is only moving through time to become effectively a transnational community.

We look at the ICN and the ECN as contrasting examples of the contemporary interplay between community building and transnational governance. In the case of the ICN, we have a process of community building that ends up having a governance impact. In the case of the ECN, we have a transnational governance tool that generates a process of community building. Beyond the contrast, though, we also underscore quite striking similarities with respect to the ways in which governance technologies build upon but also reinforce processes of transnational community building. In the particular case of competition regulation, it is also important to underscore that the role of the ICN and that of the ECN should not be analysed only in parallel or in contrast but that they should also be understood as complementing each other. The ICN and the ECN are two different but complementary layers of the complex and dense web of contemporary governance with a bearing on competition. In fact, they are not the only layers – and we could also mention here the recent community initiatives that have emerged in East Africa, East Asia or Latin America. Naturally, the case of the transnational governance of competition is interesting in itself. But even more, we argue, it is interesting as a rich exemplar of dynamics that are common to many fields of transnational governance.

## **Biography**

Marie-Laure Djelic is Professor at ESSEC Business School (Paris – Singapore) in the Management Department and Head of the ESSEC Research Center for Capitalism, Globalization and Governance. In 2002-2003, she was holding the Kerstin

Hesselgren Professorship at Uppsala University (Sweden) and she has been Visiting Professor at Stanford University, Uppsala University and SCORE (Stockholm University and Stockholm School of Economics, Sweden).

She has published extensively in different outlets on the historical transformations of capitalism and national business systems, on the role of professions and social networks in the transnational diffusion of rules and practices, on globalization and americanization, on the dynamics of transnational regulation and governance, on corporate governance and corporate social responsibility, and on the ethical foundations of contemporary capitalism.

She is, in particular, the author of *Exporting the American Model* (Oxford University Press 1998) – which obtained the 2000 Max Weber Award for the Best Book in Organizational Sociology from the American Sociological Association. She has edited, together with Sigrid Quack, *Globalization and Institutions* (Edward Elgar 2003), with Kerstin Sahlin-Andersson, *Transnational Governance* (Cambridge University Press 2006), with Radu Vranceanu, *Moral Foundations of Management Knowledge* (Edward Elgar 2007) and in 2010, with Sigrid Quack, *Transnational Communities: Shaping Global Economic Governance* (Cambridge University Press).

## **Innovation in Governance and Knowledge Controversies**

*Knowing Governance: the Making of Governance Knowledge and the Transformation of Politics*, Second Berlin Forum *Innovation in Governance*

Andrew Barry, School of Geography and Environment, Oxford University

Studies of knowledge and governance often have little to say about the dynamics and consequences of controversy. In the sociological tradition, the production of knowledge tends to be thought as an anti-political force, enabling the scope for disagreement to be managed and reduced, rendering disputes into matters about which experts can decide. Yet such an account of the politics of knowledge fails to attend to the ways in which the production of knowledge may create new objects of controversies and generate new sites within which disputes can be articulated. Indeed, the process through which knowledge is both produced and made public has often itself become a focus for controversy. Far from reducing the scope for disagreement, the production of knowledge seems to multiply the range of questions about which it is possible to disagree, including the question of who should be engaged in the production of knowledge. At the same time, controversies have frequently generated demands for greater transparency as well as the development of new regulatory spaces, the operation of which entails the production of more knowledge. In this paper I reflect on the importance of controversies to any account of the relations between the production of knowledge and transformations in politics and governance. I reflect on two key issues. One concerns the relation between different forms and spaces of knowledge and expertise, including expertise in the practice of politics. In particular, I consider the distinction between those forms of expertise that are thought to have transnational application, and those forms of political expertise that are specific to particular regions or states. Secondly, I sketch an account of what I term political situations within which the production of knowledge has come to have a critical role, and consider the significance of transnational communities to both the generation and containment of such situations.

### **Biographical note**

Andrew Barry is Reader in the School of Geography and the Environment at Oxford University and a Fellow of St Catherine's College. He is the author of *Political Machines: Governing a Technological Society* (Athlone Press), and co-editor of *Foucault and Political Reason: Liberalism, Neo-Liberalism and Rationalities of Government* (Chicago University Press), *The Technological Economy* (Routledge) Originally trained in natural sciences and the history and philosophy of science, his work has been particularly concerned with the significance of materials in political life, the relations between science and politics, and the process of invention. Most recently, he has been engaged in research on the politics of oil infrastructures in the Caucasus and the geography of knowledge controversies.



Second Berlin Forum  
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# **ABSTRACTS for paper presentations**



*Paper Proposal for the Forum on*

Knowing governance

The making of governance knowledge and the transformation of politics

19–20 May 2011, Berlin

Studying Co-production on a micro-level:

The case of the Founding Assembly of the Forest Stewardship Council

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*-Abstract-*

Although the paper is rooted in the discipline of International Relations the theoretical and methodological tools for the analysis are interdisciplinary in nature. After having introduced insights from the co-production literature (Jasanoff 2004) to IR the paper presents a micro-analysis of the founding assembly of the Forest Stewardship Council (FSC) that took place in Toronto in 1993.

The founding assembly is situated within the emergence of a discourse on new forms of governance. In the 1980s, environmentalist NGOs intensively lobbied to set the multifaceted topic deforestation on the international agenda. Boycotts and accusations against the wood industry dominated the scenery. In the light of unsuccessful attempts by states to agree on international binding rules some NGOs and economical actors started a dialogue on the issue of sustainable forestry. In the search for new mechanisms beyond the state to regulate the destruction of forests transnational certification occurred as an option that would allow to integrate all stakeholder. The founding assembly of the FSC appears as a discursive epistemic space in which a multitude of social actors produces governing knowledge, and performatively create innovation in governance. The paper seeks to shed light on the following set of questions: *How is knowledge brought into the process? How do dispersed actors communicate their sector specific knowledge? How do they resolve conflicting truth claims? How do they put this knowledge into political practice? What are the mechanisms by which consensus is achieved? How does knowledge and power intersect?* More over, the paper probes if the notion of 'epistemic things' (Rheinberger 1997) that has been illuminating for the sciences could also be transferred to political spaces such as the founding assembly of the FSC.

The data for the analysis consists of 16 hours of audiotapes that have been transcribed and coded according to Charmaz notion of constructivist grounded theory. On more methodological grounds the paper takes advantage of the literature on critical discourse analysis (CDA, WODAK 2009), and the discourse analysis of sociology of knowledge (Keller 2008).

## The Construction of Drug Distribution as a Competitive Market

Second Berlin Forum Innovation in Governance: Knowing Governance. The making of governing knowledge and the transformation of politics.  
19-20 May 2011, Berlin

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To understand drugs as economic goods, the pharmacist as a trader and drug distribution as a competitive market is a rather common view today. Hypothesis of this contribution-proposal is, that this knowledge stems from a contingent micro-economic perspective, which neither is the only possible, nor even a preferable socialscientific description of the drug area. The rise of the market-mechanism as a government-tool will be discussed at the empirical example of drug distribution in Germany.<sup>1</sup>

Drugs belong to those areas, which pretty early became object of political interference. Already in the 13<sup>th</sup> century, medical constitutions fix, who under which conditions and to which prices is allowed to deliver drugs. Government of drugs primarily implies restriction – restriction of goods tradable as drugs and restriction of the circumstances of this trade. When in consequence of the Thalidomid-scandal the risk of side-effects becomes obvious, restrictive political interferences regarding drugs grow even more severe, since clinical studies now are a requirement for drug-admission.

In contrast to this restrictive government style, the idea of a free drug market falls in as an innovative government perspective, in Germany since about the 1980s. While restrictions in all other regards of the drug-regulation are untouched, the liberalisation of the retail trade with drugs is claimed. Health economic studies conceptualize the drug area as a market, strictly following micro-economic principles: The individual drug acts as an economic good, for which the offer of the pharmaceutical industry meets the demand of patients. Certain market anomalies are conceded, like especially the falling apart of cost-causation (patient) and cost-responsibility (health-care insurance). Nevertheless the drug area passes for a market, optimally to be shaped after the model of free consumer-good markets. To make patients more responsible for the costs they produce and to cancel restrictions of the retail trade with drugs

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<sup>1</sup> My understanding of governance follows Uwe Schimank in taking this perspective as an opportunity to compare different modes of social coordination, see Schimank, Uwe (2007). *Elementare Mechanismen*. In: Benz, Arthur, Lütz, Susanne, Schimank, Uwe and Simonis, Georg (Hrsg.): *Handbuch Governance. Theoretische Grundlagen und empirische Anwendungsfelder*. Wiesbaden, VS Verlag für Sozialwissenschaften. 29-45.

logically follow from this perspective (that means especially: to allow mailing-order business for drugs and to allow joint-stock companies to run pharmacy-chains).<sup>2</sup>

With reference to “*making* knowledge about governance”, the proposed contribution will first describe the rise of the market-concept as a governance-instrument for the drug area. Both the transfer of general micro-economic assumptions to the drug area and the consequences for political decisions which result from these ideas will be taken into account.

Further, with reference to “*contesting* knowledge about governance”, the governance-concept of a drug retail-market will be critically discussed. This discussion is based first on a historical comparison of drug-government. Second, this discussion is possible due to an alternative sociological conception of the drug area, which considers the historical comparison.<sup>3</sup> It can be shown, that individual drugs are not appropriate to be conceptualized as economic goods, since the availability of the overall drug-scope for the emergency-case is the main aspect of drug-demand. Political decisions which are based on the drug-market concept may accordingly lead to politically and socially undesirable distribution-results.

An outlook will discuss, which analytical part sociologically induced historical comparison can play for the inquiry of governance-instruments and which conclusions may be drawn from the drug-case for the government of public-good supply.

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<sup>2</sup> As examples for this perspective, see Prinz, Aloys (2004). *Apothekenabgabepreise: Einheitspreise mit regulierten Zuschlägen oder Wettbewerbspreise?* In: Cassel, Dieter (Hrsg.): *Wettbewerb und Regulierung im Gesundheitswesen*. Tagungsband des Ausschusses für Gesundheitsökonomie des Vereins für Socialpolitik. Baden-Baden, Nomos Verlagsgesellschaft; Vogel, Ronald (2007). *Pharmaceutical Economics and Public Policy*. New York, Pharmaceutical Products Press.

<sup>3</sup> For the chosen theoretical perspective see Luhmann, Niklas (2002). *Die Politik der Gesellschaft*. Frankfurt am Main, Suhrkamp.

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### **Proposal for a Paper**

to be presented at the Second Berlin Forum INNOVATION IN GOVERNANCE

Knowing Governance. The making of governance knowledge and the transformation of politics

Proposed Title: Knowing how to govern – Knowing how one is governed

Currently a wide range of new policy instruments are tested in environmental policy making. Their emergence is informed by scientific knowledge provided by economists and political scientists that diagnose different problems of political control connected to traditional instruments and call for a more flexible style of governance. The new flexibility is intended to provide channels through which additional kinds of actors (most typically stakeholders) gain the opportunity of contributing their problem solving capacity to the policy process. The central hypothesis of the suggested paper however claims that ‘knowing how to govern’ can only be one side of the medal for effective policy making. Only if involved actors share the fundamental problem definition (‘knowing what to govern’) as well as this instrument related knowledge and are therefore ‘knowing how they are governed’ the new instruments’ flexibility will be filled in a way that contributes to problem solving.

This argument will be illustrated at the example of the European Union’s Emissions Trading Scheme. John Kingdon’s ‘Multiple Streams Model’ will be applied as a heuristic allowing to capture the different dimensions of scientific knowledge during the emergence of the new instrument. ‘Knowing what to govern’ – and the dynamics of this knowledge that show up in the several re-interpretations of the policy problem ‘climate change’ – will be attributed to Kingdon’s ‘problem stream’, whereas ‘knowing how to govern’ dominates the ‘policy stream’. The policy instrument ‘emissions trading’ will be introduced as an exemplary attempt to put this knowledge into practice.

However, the implementation of this instrument shows that many actors are affected by decisions that should according to the scientific calculus underlying the instrument be regulated by the market alone. The acceptance of leaving these decisions to be regulated at the market crucially depends on actors’ knowledge about the working mechanisms of the policy instrument itself as well as on their acceptance of the policy makers’ problem definition. Where these conditions are not fulfilled the flexibility incorporated in policy instruments might be turned into different directions than envisaged, or actors may reflexively try to change the governing style they are confronted with. Depending on the specific context such attempts might be considered as a fundamental problem for democratic legitimacy, or – in the contrary – as the possibility of improving the democratic quality of policy making during the process of implementation.

**Kristin Asdal, professor (dr. art), Centre for Technology, Innovation and Culture, University of Oslo:**

The office: The weakness of numbers and the production of non-authority

It often seems to be taken for granted that numbers produce effects and that practices of accounting enhance authority. This also goes for accounting and the environment. This paper shares this belief and argues that practices of accounting have been a crucial technology for taking nature or 'the environment' into account in the post-war era. Nevertheless, the 'constitutive turn' in the studies of accounting should not tempt us to leave unexplored the limitation of accounting practices and the inabilities to govern by numbers. With a point of departure in a pollution control agency, the paper explores the making of a non-authoritative office. It points to the emergence of what is labelled 'accounting intimacy' rather than the exertion of government at a distance. The paper also points to the ways in which the agency, rather than building a separate and distinct authority, came to reproduce the actor subjected to being governed, i.e., the polluting factory, within its own office. The author argues that this can be related to the investment in a shared 'technical interest' and the belief that the right (emission) number in itself would be sufficient to move the factory. The paper then explores the conditions for which numbers nevertheless came to have effects. The argument is that this should be seen as inextricably linked to the emergence of an 'interesting object', i.e., 'the environment' and an environmental interest, within the office. Thus, we need to pay attention to the formation of interests, and as accounting scholars turn to 'the environment', the latter should not be taken for granted.

Abstract/ Call for Papers

Knowing governance

The making of governance knowledge and the transformation of politics

19–20 May 2011, Berlin

Silke Beck<sup>1</sup>

**The IPCC as “eye of power”–  
Accounting global governance by extended peer review?**

This paper asks what forms of *agency* the *Intergovernmental Panel on Climate Change* (IPCC) as the “eye of power” (Ashley) performs in the architecture of global climate governance. The agency of scientific experts in hybrid forms of governance are insufficiently understood, in particular when it comes to their impacts and broader implications for our understanding of democratic legitimacy and accountability.

Public trust and the IPCC’s credibility eroded dramatically after November 2009 with the events that became known as ‘climategate’. These events reveal the challenges involved in generating authoritative, policy-relevant knowledge and their paradoxical relevance for global climate governance.

Section I explains why boundary organizations situated at the interface between science, politics and the “public” internalize the dilemma of legitimation of public decisions (Habermas 1963; Ezrahi 1990) and demonstrates how the IPCC has tried to reconcile democratic values with the need for expert decision making.

Section II examines what form of *agency* the IPCC performs in global climate governance. The paper focuses on the heuristic function that the IPCC comes to play in global governance by defining what problem really is, by attributing causes, by assessing impacts and by anticipating and evaluating political response options. The particular challenge for expert bodies such as the IPCC is not only to find common approaches to analysing global change, but also to develop appropriate procedures for designing and evaluating global governance. The IPCC inevitably functions as a site for defining “agency”, thus setting the stage for determining the spectrum of political available options respective boundary conditions and appropriate forms of governance (“world building” – Edwards).

Section III analyses the *paradoxical relevance* of IPCC’s expertise for global governance. Since being accepted as a neutral and ‘authoritative source’ of expertise, the IPCC has become victim of its own ‘success’, in that, paradoxically, its assessments have come to be politicized. As soon as concerned stakeholders perceived the political relevance of its findings, they began to attack and to discredit the IPCC. In this manner, scientific controversies over

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scientific evidence become a proxy for political battles on whether and how to react in climate change.

The need for mechanism to warrant accountability nowadays is more critical than ever, not least because climate scientists are now highly exposed to public scrutiny and criticism. Section III discusses how the IPCC tries to rebuild public trust into the credibility of climate science. Although intergovernmental in name and exercising a remarkable amount of 'delegated' authority, the IPCC is subject to none of the legal political requirements that constrain, but also legitimate, national expert committees. Addressing this deficit requires to take into account notions of delegation and democratic representation into the very heart of expert debates, as Jasanoff puts it. The final session also asks how heightened demand for public accountability mirrors the structural problems inherent in the existing system of global climate governance. It also examines how IPCC procedures like extended review procedures that provide a forum for anticipating and evaluating the performance and procedures of public policies can be seen as novel mechanism through which accountability of global climate governance is defined and (re)negotiated.

## **Patterns in the institutionalization of process management and their implications for democratic governance**

*Abstract for the SBFIG "Knowing governance – The making of governance knowledge and the transformation of politics", 19–20 May 2011, Berlin*

Dr.ir Sonja van der Arend  
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Emerging discourses and modes of democratic governance – marked by adjectives such as participatory, interactive, deliberative, bottom-up, and networked – have accelerated the supply and demand of a specific type of expertise: process management. Process managers would have the knowledge, skills and techniques to manage non-hierarchical interactions and relations between governmental and non-governmental actors. The paper studies the development of the role and expertise of process managers in the Netherlands from the early nineties until about 2005. Their craft is a vital one, as the success and legitimacy of instances of democratic governance is often seen to hinge on their operations. As neutral outsiders regarding content, process managers should guarantee the inclusiveness, fairness and efficacy of policy making between the host of stakeholders with conflicting interests and perspectives that typically engage in complex policy projects. With the proliferation of participatory, deliberative governance, the request for good quality process management increases; also because it is unlikely that procedures and methods of democratic governance itself will become subject to direct quality control. Occasionally, this request is expressed as a need for professionalization in the field of process management.

In the more recent theories of occupational sociology, professionalization is seen as a process of interest group formation, in which people with similar work institutionalize their occupation (MacDonald, Larson). In this theoretical vein, the paper approaches the professionalization of process management as a relational endeavour, without a fixed end goal, which is only partly controlled, and involves politics and claims making. Again from the sociology of professions, three fields of professional institutionalization are distinguished: practice, knowledge and ethics. Based on a study of past, present and potential future activities of Dutch process managers, the paper maps the ways in which they shape their work practices, develop their knowledge and skills, and legitimize their role and their work.

Analysis of these data shows consistent patterning across the practical, cognitive and ethical institutionalization among process managers. Three groups can be distinguished:

- A quite well demarcated group of specialized facilitators, who clearly feel the need for professionalization and have actually created some institutions shaping the ways in which they perform, learn and control their work;
- A loosely delineated set of people who call themselves process managers, but with too little urge for professionalization to establish any shared institutions;



- A variety of process managers that is un-institutionalized to the extent that they are hardly recognizable as a group. They are genuine networkers – linking people, ideas and initiatives.

Based on this analysis, the paper distinguishes three sub-disciplines within the expertise of process management: facilitation, process management and networking. Although they are institutionalized to highly different degrees, the three do very similar work: they foster, guide, design and intervene in interactions and relations between people from organizations inside and outside government in the context of policy making. However, close examination of their work relations indicates that they work on completely different social-temporal scales. Facilitators work in sessions, process managers work on the level of processes and networkers function in networks. Each scale corresponds to a specific set of opportunities and constraints for process management. Interestingly, the division of roles and power relations between stakeholders and process managers varies per scale as well. Therefore, the paper tentatively concludes that the institutional patterning in process management corresponds to a scalar ordering of social action in networks that shapes opportunities and powers in democratic governance.

***Consultants, depoliticisation and new forms of governance***

Ross Beveridge<sup>1</sup>

This paper addresses two growing trends in contemporary politics: the depoliticisation of areas of public policy and the presence of management consultants in new forms of governance. Despite the fact that both developments raise concerns about the legitimacy, accountability and transparency of representative democracies, there is still a lack of conceptual and empirical research on these topics. This paper addresses this gap and draws links between literatures on the two to illuminate some of the interconnections between this prominent form of expertise and political practices. It does this, first by locating depoliticisation and the rise of consultants in the broader context of the restructuring of political authority through economic globalization, neo-liberalism and notions of 'governance'. The paper turns to the literature on depoliticisation and, following Flinders and Buller, defines it not as a shift from political to apparently neutral forms of decision-making, but as a shift in the *arena* of political decision-making. This problematises the notion of depoliticisation and, through linking it to the emergence of new forms of governance, allows it be tackled it as a research object. Management consultants, as a consequence of their much sought-after business and management knowledge services, are often agents of depoliticisation: both as advocates for and actors within these new arenas of decision-making. It is argued this is problematic as such new forms of governance are often not subject to nor defined by the formal designation of roles and rules associated with the traditional institutional processes of representative democracies. This is particularly true of the ad hoc forms of governance which emerge, for example during the policy-making process, in what Hajer called an 'institutional void'. Drawing on the literature on management consultants in politics, the paper explores some of the critical issues raised and develops an understanding of them as 'rule intermediaries' (Majone; England and Ward) in these new arenas of governance. As such they and processes of depoliticisation are crucial to the contingent processes through which private sector practices and knowledges are translated into new systems of governance.

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# Making Europe in their Image

## Communities of expertise and the shaping of transnational governance

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The paper asks whether the shift in EU governance from centralized harmonisation to softer forms of co-ordination and disciplining between member states can be fully explained by orthodox accounts that attribute it to the preferences of national governments, and might instead be attributed to the expert networks that do that co-ordinating. Reluctant to assign more policymaking competences to the EU, but recognising the need for cross-border coordination of complex issues beyond their unilateral reach, the member states turn increasingly to an intermediate mode of European integration, dubbed 'New Governance', in which they submit their policies to the scrutiny (against agreed benchmarks) of transnational networks that bring together their own national experts. The paper questions orthodox (intergovernmental) explanations for this trend, which attribute its softer disciplining – via expert peer review, monitoring and evaluation, as opposed to centralised, prescriptive and legally-binding EU rules – to the preferences of national governments. The paper asks instead whether the very expert networks upon which New Governance depends might in fact account for its (trans)formation as a mode of governance. In other words, whether expert networks' well-documented influence over policymaking might extend to the design of the processes through which they exert that influence, in which case they are likely to ramp up certain characteristics in those processes that we associate with them (experimentation, peer-review and consensus building; the collegiate sharing of best practice; organisation around a common epistemic perspective rather than national affiliation; a preference for cooperative, technocratic and transnational settings over parochial politics; and so on). This in turn suggests that New Governance is path-dependent; its symbiotic relationship with its expert networks making the two self-reinforcing.

The paper illustrates this innovative endogenous account of the shaping of EU governance with a case study of the recent negotiations over two specific reform issues related to the governance of telecoms in the EU: (1) the design of the new EU regulator, which boiled down to a choice between a network of national regulators or a centralised agency; and (2) the extent of the Commission's powers over remedies designed by national regulators to solve competition problems on their telecoms markets, which boiled down to whether the Commission should be able to veto and/or harmonise national remedies. The significance of these issues is that the choices involved fell either side of the governance fault-line that the paper explores. They pitch traditional EU lawmaking against New Governance; harmonisation against decentralised processes and local discretion; and an EU agency against a networked model. On each issue, we know the bottom line (even if there remain interpretive disagreements over the Commission's harmonisation powers): It was agreed that the Commission should be empowered with a veto over a regulator's analysis of the competition problems that trigger a remedy, but not over the design of that remedy (whose amendment/withdrawal it can only

recommend); and the Commission was denied the agency that it favoured, instead having to exercise its powers taking "utmost account" of a new advisory body based on the existing network of national regulators. These outcomes suited that expert network. The paper will follow the dynamics of the negotiations to understand the course they took and the network's influence upon them.

## **Cities, Innovation and Expertise: Experiences from a Formative Evaluation**

**Tim May and Beth Perry**

**Centre for Sustainable Urban and Regional Futures, University of Salford, Greater Manchester, UK.**

*Submission of paper for the Second Berlin Forum Innovation in Governance, 'Knowing governance. The making of governance knowledge and the transformation of politics.'*

The dynamics of the knowledge-based era have combined with those of a multi-scalar international political economy to produce the 'glocalisation' of science (Swyndegouw, 1992). Public policies at supra-national and sub-national scales have been re-populated through a new jargon of clusters, knowledge spill-overs, innovation and knowledge transfer, as science and technology are seen to be revolutionizing approaches to urban and regional development. The emphasis is on reorienting economies to build science regions and enhance urban growth through alliances between universities, industries and policy-makers. Within this context universities are increasingly required to operate at a number of spatial scales, interweaving international, national and sub-national roles (Benneworth and Hospers, 2007).

One consequence of these trends is the increasing attention cities are giving to the innovation agenda. A wide variety of case studies have been constructed of how different cities are approaching the challenges of knowledge-based growth from Eindhoven, to Barcelona, to Holon and Singapore (Clua and Albet, 2008. Fernandez-Maldono and Romein, 2010. Ooi, 2008. Wong et al., 2006). Emphasis has been placed on different pathways to development, success factors, historical trajectories and the consequences and limitations of such approaches (Carillo, 2006). Dynamics have been illuminated in relation, for instance, to the conflation between creative, digital and knowledge economies, a narrow preferencing of particular forms of knowledge and the socio-cultural implications of dominant approaches (Chapain et al, 2009). Cutting across these attempts are some central issues regarding *how* cities govern innovation in the city, using what kinds of knowledge and partnerships, through which mechanisms and the extent to which the 'new' 'innovative' modes of governance are compatible with the traditional roles and responsibilities of public service delivery bodies.

A second consequence relates to the relationship between academics and policy-makers and practitioners in an urban context. Increasingly academics are being asked to form new partnerships and collaborations, demonstrate 'impact' and engage in evaluations and placements. The relationship between the researcher and wider social interests is redefined through such processes which both confirm and undermine notions of professional and lay expertise by juxtaposing different cultures of knowledge production and reception. What is at stake is the extent to which 'academic' knowledge is commissioned, deployed, valued and utilised in policy-making processes at an urban level and with what effects.

This paper makes a contribution to the three central themes of the Forum on knowing how to govern, invisible advice and the making and contesting of knowledge about governance

via a critical reflexive examination of our experiences of conducting a formative evaluation of the Manchester Innovation Investment Fund, Greater Manchester UK, between 2007 and 2010. The Manchester Innovation Investment Fund (MIIF) was officially launched in 2007 as a funding partnership between the National Endowment for Science, Technology and the Arts (NESTA), the North West Development Agency (NWDA) and Manchester City Council (MCC). It was designed as an experiment in financing innovation and transforming the innovation ecosystem of a city region. A central part of the process was a formative evaluation commissioned from university academics to capture lessons and feed those back to partner organizations with the aspiration of enabling learning to have real-time, practical effects. The paper examines these experiences from first-hand experience of seeking to develop collaborative knowledge in an urban innovation context through exploring the interplay between struggles to govern knowledge and the production of knowledge needed to govern.

## NUMBERS, FACTS, AND 'OBJECTIVE' MEASURES: PEER REVIEWS, RANKINGS AND THE POLITICS OF INFORMATION IN THE OECD

Thomas Conzelmann & Kerstin Martens

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*Paper proposal for the second Berlin Forum 'Innovation in Governance'; Berlin 19-20 May 2011*

### Abstract

Peer reviews and rankings have become widely used instruments of global governance. Their key feature is the collection of information on state performance in a given policy area and the assessment of this information in the light of common standards. Two rationales for these governance techniques exist: First, states and the wider public may learn from experiences and “best practice” in other states. Second, publicly known assessments and clear policy recommendations are expected to generate pressure by other states or by domestic audiences on states and their governments that are found to be underperforming or to follow inappropriate policy paths. In both cases, the quality of the information used for peer reviews and rankings and the strict neutrality of policy assessment are key preconditions for these governance techniques to function satisfactorily.

In more abstract terms, two crucial qualities of information and of the process of information production are first, standardization, and second, authority. *Standardization* denotes the use of similar indicators and reporting templates across different states in order to facilitate comparison and benchmarking. The *authority* of peer reviews and rankings denotes the extent to which reviewers and reviewed alike can put trust in the process of knowledge production. This relates both to the compilation of information and to the neutrality of assessment and the resulting policy recommendations. The key problem here is institutional: Through what mechanisms or safeguards can it be ensured that information production and performance assessment are not politically biased or flawed? This is especially critical in peer reviews and rankings among states and their governments which may compete with one another for economic shares and the trust of investors and who have a vested political interest in receiving favorable and thus potentially skewed performance assessments.

The proposed paper offers a comparative study both of the standardization of information and of attempts to make this information an authoritative source of policy assessment in three different OECD peer reviewing and ranking mechanisms. Empirical cases are the fields of economic, health, and education policies. We show how the scientific neutrality and expert authority on which the OECD's legitimacy claims rest are at least potentially contradicted by the continued need for political support and financing from the member states as well as the OECD's attempts to defend its position as “ideational arbitrator” against other international organizations. The politics of information – defined as contestation about the policy focus of peer review and ranking, about the use of specific indicators and benchmarks, and about the procedures through which information is collected and policy is assessed – are a recurring issue in all three policy fields. The proposed paper highlights the different interests and strategies involved in the production of seemingly neutral information and assessment of individual states' policy performance and thus contributes to the critical analysis of informational governance.

(465 words)

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## **Producing international expertise about technologies of democracy**

Public engagement in nanotechnology at OECD

Brice Laurent

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One can describe the production of political categories (e.g. citizenship, democratic legitimacy, or sovereignty) through the analysis of “technologies of democracy”, that is, more or less stabilized policy instruments that require specialized expertise in order to ensure their production, circulation, and replication. Using the example of public engagement in nanotechnology, this paper explores the construction of expertise about technologies of democracy in an international context, and thereby illustrates the usefulness of the concept of “technologies of democracy” to make sense of the production of governance knowledge and, more generally, of the stabilization of political orders.

At the initiatives of American and European science policy officials, a *Working Party on Nanotechnology* (WPN) was created at OECD in 2007, within the Committee for Science and Technology Policy. One of the major projects of WPN dealt with “public engagement”. It sought to compare the various participatory mechanisms that were being attempted in OECD member countries, and establish a series of “point for consideration” about “public engagement” for national officials to use when planning participatory activities related to nanotechnology. Based on ethnographic materials, this paper describes the production of international expertise about public engagement at OECD WPN. Thereby, it explores the dynamics of production of international expertise about technologies of democracy, and the way national administrative and academic expertise perform this knowledge production process. Technologies of democracy thus appear as instruments that are circulated, solidified and rationalized, this very process rendering certain problematizations of nanotechnology, and the political orders they imply, more stable than others.

I first consider the writing of a questionnaire undertaken as a first step in the public engagement project and meant to be completed by national science policy officials in order to gather information about nanotechnology-related participatory activities. Successive versions of the questionnaire show how an original ladder model of public engagement (evaluating devices according to their “impact” on decision-making) had to be transformed and extended in order to fit with competing expectations in the international arena. I then analyze the construction of “points for consideration”, a series of guidelines that were to be the project’s final product, and show how the constraints of international negotiations solidified the expertise about public engagement in a way that rendered the original ladder model more difficult to articulate. Finally, I illustrate the constraints put on the production of policy expertise at OECD by describing how boundaries between “technology” and “policy” on the one hand, between “descriptions” and “recommendations” on the other are enacted through the internal structure of the international organization and throughout its work process. These boundaries help define the problem of public engagement in nanotechnology as that of the measure of the perception of given nanotechnology research areas and industrial products by stable social groups, and make it more complicated for alternate problematizations of nanotechnology to be heard.

## **Mediating and translating social science in the governance of science and technology**

Linda Soneryd, Score (Stockholm Centre for Organizational Research), email: [linda.soneryd@score.su.se](mailto:linda.soneryd@score.su.se) , paper for *Second Berlin Forum Innovation in Governance*, 19-20 May 2011

### Abstract:

This paper explores relations of knowledge and governance in the making with a particular focus on the use of social scientific knowledge in the governance of science and technology. Social scientists have in various ways contributed to the emergence of numerous mechanisms for facilitating citizen engagement in science and technology. Social science has contributed to models and methods for setting up deliberative exercises as well as for evaluating them and social science researchers have also been involved in more direct ways in designing or moderating particular deliberative events. The success or failure of this development has been discussed as well as the need to critically explore this shift towards 'participatory governance'. This paper will, rather than critiquing, look at the generative role of social sciences in the governance of science and technology. What happens with the 'social scientific knowledge' when social scientific models are used outside the academia and how is social science picked-up by a range of actors, translated and given new meanings when it is used as expertise in governance processes? The paper draws on two empirical examples – the first example is based on my observations of a range of public hearings in relation to nuclear waste management in Sweden, all based on the same communication model, developed by consultants and presented as being based on elements of Habermas' theory of communicative action; the second example is based on my own recent experience of being one of the experts in the 'social studies' group that put together WHO's 2010 research agenda for radio frequency fields.

Paper proposal for the Second Berlin Forum Innovation in Governance: 'Knowing governance: The making of governance knowledge and the transformation of politics', 19–20 May 2011

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### **Knowing participatory governance: the construction, mobilisation and professionalisation of public participation expertise**

In participatory governance of science and the environment the obsession with developing new deliberative and dialogue based methods and mechanisms to evaluate their effectiveness has hitherto left little space for reflection on the very innovation and knowledge production processes that bring them about. This is somewhat surprising given that social scientists have themselves been heavily involved in devising these new forms of governance. Furthermore, public participation expertise has become an established category, and the 'mediator' or 'facilitator' a new type of expert, adopting increasingly powerful roles at the science-policy-society interface linked to a global circulation of social scientific knowledges, technologies of participation, people and skills.

This paper is part of an emerging body of research exploring how knowledge, expertise, technologies and innovation in participatory governance gets made, contested and has effects. Moving beyond situated studies of discrete participatory experiments or particular participatory methods the paper offers a broader analysis at the level of participatory governance networks that cut across emerging areas of science and technology in the UK. It draws on recent research that in turn builds on one of the first ever studies of public participation experts and the various technologies of democracy that they enact. Three main areas of insight are developed, namely: the nature and mobilisation of public participation expertise; the (often invisible) processes underlying the professionalisation and standardisation of participatory governance mechanisms and their contestation; and the dominant innovations pathways followed by technologies of participation (thus touching upon all three themes addressed in this Forum).

- First, public participation expertise is shown to be defined by personal experience and learning-by-doing as well as claims to neutrality and independence. The latter involves continual boundary work on the part of the mediator to maintain a distinction between their technical expertise/procedures and the competing demands of science, politics and society. This embodied expertise coupled with careful boundary work allows mediators to mobilise both themselves as experts and associated technologies (or tools) of participation across governance issues and domains at different spatial and temporal scales.
- Second, participatory expertise becomes an established category through intensifying processes of standardisation, professionalisation, and commercialisation, associated with (but not limited to): the drafting of guidelines, designing training courses, professional accreditation systems, the marketing of deliberative techniques and services, intellectual property rights, establishing 'institutions of participation', and structures for resource allocation. Such processes have an indirect but powerful role in prescribing particular forms of

public debate, and simultaneously raise concerns over the homogenisation, decontextualisation and depoliticisation of public dialogue.

- Third, in terms of innovation in participatory governance possible pathways have been closed down around heavily managed and formal spaces of 'invited micro' public dialogue. Highly centralised forms of resourcing and control, and aforementioned processes of professionalisation, serve to further 'lock in' commitments to these particular technologies of participation. While deliberation and innovation/market agendas have long been held in opposition, here they appear closely intertwined; which emphasises the coproduction of participatory mechanisms vis-à-vis the materiality and politics of the issues to which they are addressed.

# Who knows how to govern?

## Studying the making of policy instruments by comparing their constituencies<sup>1</sup>

Arno Simons, Nina Amelung, and Jan-Peter Voß<sup>2</sup>

### Abstract

Governance on all levels is increasingly understood as “governing through instruments,” i.e. governing through the application of specific readymade templates for policy design. Surprisingly, though, the question of how policy instruments emerge, take shape, and stabilize has been treated peripheral at best. As we argue in this paper, the innovation of policy instruments has to be viewed and analyzed as a process of producing and marketing ‘knowing how to govern’ by what we call *policy instruments constituencies*. In what follows we therefore study how instrument constituencies form, how they produce specialized governance knowledge, and how they market their expertise to “users” on the instrument choice side – thereby shifting the focus from a more traditional perspective of policy choice to one of policy supply. Our paper comes in three parts. In the first we develop a framework to understand the making of policy instruments as a contingent historical process largely driven by the formation of policy instrument constituencies, i.e. networks of individuals and organizations constructing policy instruments and developing a reflexive interest in maintaining and promoting them. Such constituencies help produce cosmopolitan policy instruments by mediating between local sites of policy making as the place where designs can be tested or experimented with and more globalized centers of calculation in which working mechanisms are abstracted from their local context as to achieve cosmopolitanization of policy design. These efforts are closely linked to the active engagement of instrument constituencies in advocacy and consulting work. Instrument constituencies can develop into powerful political actors that market their solutions to problems they help to define and through political support they actively build, thereby partly shaping the innovation paths and success of their instrument designs.

In the second part of our paper we probe our theoretical framework by applying it to the innovation journeys of four different policy instruments out of two different instrument “families.” Two cases, cap and trade and compensation banking, are examples of tradable permit instruments. The other two, citizen juries and consensus conferences, are examples of citizen deliberation instruments. In all cases the construction of ready-made options for policy making is the result of a contingent historical

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<sup>1</sup> Paper proposal for the Second Berlin Forum Innovation in Governance, 19-20 May 2011, Berlin.

<sup>2</sup> All members of the Innovation in Governance Research Group at the Technische Universität Berlin ([www.innovation-in-governance.org](http://www.innovation-in-governance.org)). This paper is based on collective preparational work from Nina Amelung, Carsten Mann, Arno Simons, and Jan-Peter Voß.

process largely driven by instrument constituencies. To be able to compare between the cases, we analyze for each case the structure and dynamics of instrument constituencies as well as their modes of knowledge production in relation to specific characteristics of the instruments and to the contexts of implementation. This helps us understand, for example, what cultures instrument constituencies are made of and how such cultures play out on the way governance knowledge is produced or how constituencies adopt their practices to specific sizes and temporalities of their instruments.

In the final part of the paper we will compare our findings, discuss the role of instrument constituencies in contemporary governance, and conclude with an outlook on the study of instrument constituencies. Our claim is that instrument constituencies because of their involvement in the production and advocacy of supposedly “neutral” policy designs must be recognized as an important driving force in political life, up to now largely neglected in the policy studies literature and distinct from existing concepts of policy communities or networks.



Second Berlin Forum  
**INNOVATION IN  
GOVERNANCE**

# **ABSTRACTS for poster presentations**

## **Foresight in Practice: Convention and Non-Calculation in the Production and Governance of National Research Priorities**

Abstract submitted to the Second Berlin Forum Innovation in Governance, May 19-20, 2011  
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How to ensure that national economic and intellectual resources are channelled into the most promising key technology research areas in the future? Across Europe and throughout the last two decades this question has been addressed by national foresight programmes which gather experts, government stakeholders, industry representatives and sometimes even members of the public to help policy and decision makers to address future uncertainty and the role of priorities in establishing valuable research areas. Its wide-spread and diverse use on national, international, regional and organisational levels of governance evokes the question: What is foresight in practice? And further: How does foresight as a deliberative tool inform or impede the strategic turn in the governance of national research and innovation priorities?

Drawing on resources in the field of Science and Technology Studies (STS), the Sociology of Expectations and concepts of coordination and evaluation inspired by Laurent Thévenot's notion of Convention Theory, this paper explores how foresight practice responds to its definition as being a 'systematic, participatory, future intelligence-gathering and medium- to long-term vision-building process aimed at enabling present-day decisions and mobilising joint actions' (JRC-IPTS For-Learn Online Foresight Guide). The case study is a foresight project conducted by the national Research Council of Norway (RCN) in 2004, involving forty experts from the field of Information and Communication Technology (ICT) who developed three scenarios which were to inform a large-scale research programme on ICT (2005-2015) with 'higher quality of research priorities'.

Based on her recently published PhD thesis 'Between Uncertainty and Convention', the author presents ethnographic moments from fieldwork conducted in the foresight project and informed by multi-sited ethnographic approach and non-participatory observation. In these ethnographic moments the paper follows the coordinating and evaluating activities of organisers and stakeholders closely to show how research policy institutions deal with the demand for broad participation in national debates on research priorities while at the same time having to ensure the relevance of foresight practice in relation to established organisational and political routines.

The argument is developed that these collective future negotiation processes are based on *specific strategies of convention and non-calculation*. Drawing especially on Thévenot (2002) and Callon and Law (2005) this paper investigates the 'conventions of engagement' in collective future orientation, the coordination of relevance, and foresight as a risky 'investment in non-calculation' whose value is often uncertain. Following the STS tradition this approach emphasises studying the *process of producing future texts* as a necessary precondition for understanding the resulting social, political and material effects of foresight.



## **Knowing governance**

### **The making of governance knowledge and the transformation of politics**

Berlin Forum Innovation in Governance

**19–20 May 2011, Berlin**

#### *Paper proposal*

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#### ***“Constituting terrorism: three attempts at rational governance”***

This paper identifies three rationalities through which early terrorism experts attempted to constitute terrorism as a governable problem. Each of these not only implied a different understanding of terrorism as a problem, but also enabled a different mode of governance, or set of practices through which the problem might be managed. The earliest U.S. response to terrorism envisioned international law as one of the primary methods for governing terrorism, reflecting the State Department’s primary role, which saw this as an issue to be handled through diplomatic channels, and indeed, to a certain extent a problem aimed primarily at diplomats. A second approach focused upon developing practical strategies for managing and responding to terrorist events (particularly hijackings, kidnappings, and hostage situations) through routinized responses developed through fantasy scenarios. By developing planned, routine, responses for various potentialities, experts and policymakers sought to tame the frightening and seemingly unpredictable terrorist event. Where the legal approach sought to manage terrorism at the level of the international world-system through legal regulations and treaties, the operational approach focused upon managing terrorism at the level of the *incident*. A third approach sought to rationalize terrorism and make it subject to techniques of risk management, largely through the creation of terrorism event databases. The production of such chronologies, in which counts of terrorist events and deaths/casualties are plotted over time, and databases, in which events are correlated with characteristics of perpetrators, victims, and methods of attack, aimed to make terrorism subject to calculable technologies of risk management such as insurance.

These three modes of governance: through law, through routinization, and through quantification, both stabilized particular understandings of “terrorism” as a problem, and created unintended consequences, including openings for resistance to counter-terrorism concepts and practices. There are implications here for two central sociological concepts: rationalization, and commensuration. Max Weber famously wrote that processes of rationalization may produce unintended consequences, or irrational effects. Yet this seems to be, oddly enough, an observation that often goes by the wayside in more recent discussions of expertise, rationalization, and commensuration. Discussions of commensuration, in particular, often conclude that commensuration and quantification tend to have the effect of narrowing the scope of political and normative debate. Yet, as I will show in the case of terrorism databases, commensuration and other practices of knowledge are productive (in Foucault’s sense of the term): transformations which close some doors and open others.

**Dr. Sami Mahroum**  
**INSEAD's Innovation & Policy Initiative**

### **Putting Innovation into Policy: Insights from Successful Policy Experiences**

Policy-makers measure their success by how effective they have been in bringing about a desired change. They are often guided by a collective vision or strategy that is formulated within a department or across government. Towards that end, policymakers engage in due diligence processes that help them formulate and develop their policy agenda and policy instruments. Most often these involve various forms of intelligence gathering that help inform priority-setting, establish policy choices and identify appropriate modes of intervention.

This paper sheds the light on a collection of successful policy interventions (10 case studies) that have made a difference and in a relatively short span of time. None of the cases reviewed has been without their critics, but on the whole their wide adoption and the changes they have caused are hardly contested. Despite their individual intricacies, as we would expect from a case study approach, we are able to identify some patterns of commonalities that have contributed to their individual success. These commonalities should not be understood as input factors, but as parameters of success that policymakers need to prioritize when thinking about policy development and execution. They represent the aspects of policy design where innovation can make a difference. The three emerging common parameters of success from the study of our case studies are the following: Policy uptake, policy effectiveness, and policy sustainability. Policy innovations have revolved around one or more of these three aspects of policy development. The case studies include among others the German Feed-in-Tariff program, the Japanese Top-Runner Programme, the US Head Start program, the Canada Research Chairs program, the Singapore Water Policy, the New Zealand Agricultural Reform, and others.

**Ingmar Lippert**

**Alumnus of the Institute for Advanced Studies on Science, Technology and Society (IAS-STS)**

### **Exploring Situated Agency in Governance**

This poster provides a methodological perspective to study human actors and the socio-technical devices and settings in and through which they perform governance. By way of linking Actor-Network theory and Pierre Bourdieu's concept of habitus and field the agency of humans may be explored. This suggests to studies of governance a perspective to reconsider its conception of the role of individuals in the "doing" of governance. For this methodological endeavor I draw on organisational sociology and Science and Technology Studies. Both provide promising resources to conceptualise how actors are situated and embedded in socio-technical assemblages which may provide the source of agents' power to govern.

This approach will be illustrated by ethnographic material of agents participating in the environmental governance of the financial services sector. Following John Law's approach in "The Manager and His Powers" we may outline possible empirical trajectories to scrutinise agency in governance. The work of Bourdieu will be used to provide a frame for generalising from the minute details encountered in ethnographic studies.

# **On the search for a methodological approach for examining collaborative strategy building in local governance discourse: Exploring the ‘D-Analysis protocol’ and the ‘documentary method’**

*Stefanie Schmachtel*

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This paper explores two methods of qualitative data analysis to approach the question of collective strategy building in local governance discourse: (1) the recently developed ‘D-Analysis protocol’ (Edwards et al., 2009; Middleton, 2010) and (2) the already well-established (in Germany) ‘documentary method’ (e.g. Bohnsack, 1989; Bohnsack et al., 2001; Bohnsack et al., 2010; Przyborski, 2004). Both methods will be investigated with regard to their benefit for illuminating the dynamics of knowledge production and negotiation in local governance discourse, i.e. on how strategies are collectively accomplished in local governance talk.

The methods will be evaluated by applying them to discursive data stemming from a doctoral study that looks at the work process of a local steering group in a German regional educational project. Facilitated by the project coordinator, this group was tasked to coordinate the development and realisation of innovative educational concepts in a socially disadvantaged urban area. It was studied over a period of about 2 ½ years, using an ethnographic method design. The chosen data stems from audio-recordings of the group’s first meeting.

This paper follows the notion of strategy-as-practice that Jarzabkowski and Seidl (2008) alongside other strategy researchers employ. However, it differs by using a theoretical background based on cultural-historical activity theory (CHAT) when conceptualising the discursive micro-activities in strategy building. Both above mentioned methods proved to be compatible with the chosen CHAT approach and offer beneficial tools to analyse processes of (missing) alignment amongst the actors of the local steering group on a micro-interaction level. Whereas the ‘D-Analysis protocol’ captures strands of collective concept formation over time, i.e. how an understanding of a problem is negotiated and developed into solutions, the ‘documentary method’ is able to reveal the orientations that actors draw upon when they interact. The paper closes with a discussion of the purposes and limitations of both methods and suggests a way to bring both perspectives together.

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# The power of instruments in governance

Jan-Peter Voß<sup>1</sup>, Arno Simons, Nina Amelung, Carsten Mann

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## Abstract

Globally circulating templates for policy design are referred to as “instruments”. As such they guide and legitimate policy-making. This entails a delegation of agency from democratically regulated policy processes to the making of instruments. By pre-configuring options of policy-making instruments attain a specific power in governance. We open up the making of instruments for conceptual and empirical analysis by starting from the question how instruments come into being. To this end we come up with a heuristic approach to investigate the making of instruments as innovation processes. A study of the historical development of instruments in two cases, “emissions trading” and “citizen panels”, reveals a close entanglement of theory- and practice led dynamics as well as the organization of “instrument constituencies” who cater for the development of a particular policy instrument. A further finding regards a specific momentum of instrument development, emanating from a theoretical discourse of “means” decoupled from political ends and contextualized practices. For further research we translate this into a discussion of the ambivalence of technology related to its tendency to take on dynamics of its own, a disposition to produce side-effects, and a displacement of politics from democratic arenas to a discourse of experts. Our conclusions thus argue for an integrated analysis of the making of instruments and dynamics in governance as well as for opening processes of instrument design for constructive public engagement.

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