Chapter 8 Multi-level Governance and Multi-centric Policymaking

Key themes of this chapter:

- Multi-level governance, and multi-centric or ‘decentred’ policymaking describe the dispersion of power from national central governments to other ‘centres’.
- Multi-level usually describes the sharing of policymaking responsibility between supranational, national, regional, and local government.
- Governance often describes the sharing of power between those with formal responsibility and informal influence.
- MLG can result from choice and necessity. Choice describes constitutional decisions to share power with other levels and types of government. Necessity describes the consequence of bounded rationality and other causes of low coordinative capacity.
- MLG contrasts with the Westminster Model which describes power centralisation.
- MLG often describes EU policymaking, but not exclusively, and there are many parallels with federalism and other forms of multi-centric policymaking.

Multi-level governance (MLG) describes the sharing of power between national central government and other levels of government (hence multi-level) and non-governmental actors (hence governance rather than government). It identifies blurry boundaries between formal and informal sources of authority which make it difficult to identify clear-cut decisions or power relations. In the international arena, it is difficult to identify sovereignty within national governments. They are tied increasingly to the policies agreed between states and implemented by international organizations. In the domestic arena, the interdependence between multiple levels of governments, and public and private actors, suggests that policymaking does not result solely from the exercise of formal powers. Instead, central governments must try to influence, rather than control, policy outcomes.

From this general starting point, we can identify different elements of an overall MLG story. MLG describes changing relationships. We are witnessing a shift towards a new balance of policymaking responsibilities: from national governing institutions to supranational and sub-national governing institutions; and, from central government to the different levels of government and non-governmental organizations that interact with them. MLG results from a mixture of choice and necessity (Cairney et al, 2019a). Choice refers to constitutional arrangements with power sharing built in, such as the US’ well-established balance of powers, the EU’s more recent and changing dynamic, and the UK’s devolution of powers to sub-central governments. Necessity describes the centre’s lack of coordinative capacity. Policymakers can only pay attention to a small proportion of their responsibilities, and must delegate or share power with many other actors. Therefore,
MLG also describes a *governance problem or dilemma*, in which central governments must balance pragmatism, to recognise the limits to their powers, with an electoral imperative to emphasise being in control.

These stories must be told in different ways in different political systems. First, MLG helps us describe policymaking in unitary and centralized systems such as the UK. The ‘Westminster model’ image of a strong, centralized state which acts unilaterally contrasts with MLG’s image of a segmented, disaggregated state which is forced to share power and negotiate with other political actors (Bache and Flinders, 2004a: 38). It describes the *choice* to become a more Europeanized, devolved and ‘quasi-federal’ political system. It also describes a dilemma about how to deal with the *necessity* of multi-centric policymaking. The term ‘governance problem’ largely describes the intended and unintended consequences of many central government initiatives to try to centralise politics and policymaking. This distinction between choice and necessity helps us make sense of the UK’s exit from the EU. Some commentators equate MLG with a loss of control, describing ‘Brexit’ as a way to take it back. However, the UK’s centre does not actually control policy outcomes in the way they suggest, and policy concepts are crucial to help us understand what terms like ‘Brexit’ mean in practice.

Second, MLG developed as a way to describe and explain major changes in the European Union policy process. The role of the EU – constituting the agreements made and institutions established by Member States - has become increasingly important, producing the need for new ways to conceptualize its policy process. For example, Hooghe and Marks (2003) describe two ways to understand MLG. ‘Type 1’ refers to a relatively clear separation of powers by territory - local, regional, national, supranational - while ‘type 2’ refers to the more complex diffusion of power according to policy issue, involving a wide range of organizations across various levels of government and the public and private sectors (Table 8.2).

Third, the key themes raised by MLG – power sharing, choice and necessity, and how to project accountability - are applicable to many other political systems. MLG studies help us compare policy processes, such as the emerging EU and the US federal system which has long enjoyed a separation of powers between the executive, legislative and judicial branches, and devolved power to subnational governments and policy specific jurisdictions. MLG studies also extend to countries such as Canada and Australia. To do so, MLG helps us identify abstract and universally applicable themes to guide empirical study. For example, it draws on the policy networks literature to describe the blurry boundaries between formal power and informal influence. In doing so, it shares a focus with punctuated equilibrium theory (Chapter 9) and the advocacy coalition framework (Chapter 10), which both began as studies of the US before being applied to systems such as the EU and its Member States.

This focus also helps us consider how central governments should respond: should there be MLG, or should governments centralize to address an electoral imperative? For example, we may welcome MLG in systems such as the US and Switzerland which contain a plethora of well-established elected bodies. However, we may be less certain about systems such as the UK and EU, in which power often seems to be shared with
bodies with less accountability following pragmatic choices and the unintended consequences of decisions made in the past.

**Box 8.1 Empirical and conceptual descriptions of multi-level governance**

Many MLG studies describe governance *empirically*, as part of a real and measurable trend: the centre is losing power or sharing it with many others. Others describe it *conceptually*, as part of a wider focus on how we should analyse and describe our world. ‘Decentred theory’ represents a philosophical argument against treating the ‘centre’ as a real entity: terms like ‘governance’ and ‘institution’ describe the ways in which actors interpret, narrate, and respond to their policymaking context.

A system of continuous negotiation among nested governments at several territorial tiers – supranational, national, regional and local. (Marks, 1993: 392)

We no longer have a mono-centric or unitary government; there is not one but many centres linking many levels of government – local, regional, national and supranational. (Rhodes 1997: 1)

Governing issues generally are not just public or private, they are frequently shared, and governing activity at all levels (from local to supra-national) is becoming diffused over various societal actors whose relationships with each other are constantly changing. (Kooiman, 2003: 3)

A key tenet of multi-level governance is the dispersal of authority and decision-making to a wide range of bodies through a process of negotiation. The net effect is that policy-making has been transformed from being state-centred and state-driven activity to become a complex mix of hierarchies, networks and markets. (Richards and Smith, 2004)

While there is a view that states are losing control in the context of governance, the alternative view focuses on new state strategies for coping with the challenge of governance. (Bache and Flinders, 2004a: 36).

Decentered theory thus explains types of governance as the contingent results of situated agents acting on beliefs that they reach by drawing on inherited traditions to respond to dilemmas (Bevir, 2013: 5)

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**What is governance?**

The term ‘governance’ has many meanings and has been used to describe a wide range of practices, relationships, and trends (Kjaer, 2004). However, three related characteristics are most relevant to our purposes:

1. There is interdependence between public and private organizations. Power is shared between actors formally responsible for making decisions and those they
consult and negotiate with. Governments form policy networks with a range of interest groups and implementing organizations willing to trade their expertise and support for influence in the decision-making process.

2. Governments often have the authority but not the capacity to make and carry out their own policies. They can influence but not control the networks of organizations that implement policy.

3. Commentators may describe MLG more or less positively according to the extent to which they are accustomed to centralized authority or shared decision making (Peters and Pierre, 2004: 78; Kjaer, 2004: 35; Kooiman, 1993).

These three elements are described in several different contexts.

**Global governance**

Many of the world’s major problems, such as climate change, economic crises and pandemics are ‘transnational’ and require some degree of cooperation across governments (Kjaer, 2004; Weiss, 2009: 254). Global governance describes the rise in importance of international organizations and agreements as the ‘collective efforts to identify, understand, or address worldwide problems that go beyond the capacities of individual states to solve; it reflects the capacity of the international system … to provide government-like services’ (2009: 257; see also Finkelstein, 1995; Slaughter, 2004). Studies describe new patterns of global politics in which power is increasingly diffused to supranational organizations, there is more international cooperation and interdependence, there is a rise of nongovernmental and ‘civil society’ involvement in international policy (on issues such as land mines, torture and human rights), there is a greater adherence to international norms, and policing efforts are increasingly transnational (Welch and Kennedy-Pipe, 2004; Hooghe and Marks, 2003: 234). ‘International regime complexity’ captures the idea that states create multiple agreements and international organisations created, producing a messy and confusing process of international cooperation (Alter and Meunier, 2009). Further, the globalisation of policymaking has prompted new forms of organisations, such as ‘transnational networking among women’s movements’ (True, 2003).

**Governance as systems over which the central government has limited control**

Studies of governance can be seen as part of our focus on policymaking environments and complex systems (Chapter 6). Central government is one part of a wider system of governance which includes other governmental organizations (such as local and health authorities), non-governmental organizations (such as the private and ‘third’ or ‘non-profit’ sectors), and quangos (Macleavy and Gay, 2005). Governance studies draw heavily on studies of policy networks to highlight the interdependence between governmental and non-governmental actors (Chapter 9). Policymakers in government come together with other actors to negotiate and make shared decisions. These systems or networks are often described as ‘self-organizing’ to
reflect the government’s limited capacity to control them (Rhodes, 1997: 46–53; Rhodes, 2006b).

The policy networks literature – and the UK ‘policy communities’ literature in particular - has long identified shared, not unilateral, decision-making as a key tenet of public policy. Following Habermas, Jordan and Richardson (1982: 84) highlight a ‘rationality deficit’ within modern government: ‘Authorities with little informational and planning capacity...are dependent on the flow of information from their clients...thus unable to preserve the distance from them necessary for independent decisions’.

The policymaking world is specialized, with the responsibilities of government divided into sectors and subsectors. As the scope of government has expanded, its departments have become more specialized, there has been a rise of ‘particularistic’ groups, and civil servants have taken on a, ‘larger and larger part of the policy making load’ (1982: 86). Policymakers devolve the responsibility for policy management to civil servants. Given civil servants’ lack of political legitimacy, they are, ‘ill placed to impose and conflict avoidance is likely to result’. Further, given civil servants’ lack of specialized knowledge, they are often dependent upon groups for information and advice. The result is policymaking relationships between those in formal positions of responsibility and those who seek to influence them. Specialist accommodation leads to ‘clientelism’, in which civil servants form a bond with, and promote the interests of, certain groups within government. A bargaining relationship develops, based on an exchange of information for influence. Therefore, policymaking is too complex to be reduced to individuals and it is difficult to attribute responsibility for policy to those individuals. Public policy, ‘is the joint product of their interaction’ (Rose, 1987: 267–8).

**Governance as the proposed or actual reform of the state**

Key aspects of governance, as a collection of proposed activities, often come from the corporate world. For example, ‘good governance’ refers to decision-making principles and practices, to achieve full disclosure, integrity, and accountability. In business they may be linked primarily to the roles of managers, while in government these aims are combined with a diffusion of power to the judiciary and external auditors, a free press, and respect for human rights. However, ‘new public management’ (NPM) - the application of private sector ideas to the public sector – is more relevant to our focus on coordinative capacity. NPM reforms includes setting standards of performance and gauging success by results, accountability to the ‘customer’, contracting out services and introducing quasi-markets in the public sector.

From the late 1970s, public sector reforms were particularly extensive in the UK (Hogwood, 1997: 715; O’Toole and Jordan, 1995: 9–10; Cairney, 2009a; Flinders, 2009; DBERR, 2008: ii, 13) and more radical than in most European countries (Kjaer, 2004: 35). However, NPM became a popular way for many countries to try to reduce the size of the state. For example, the privatization of 8,500 state-owned enterprises took place in over 80 countries between 1980 and 1992 (including Communist, post-Communist and developing countries) and the broad principles of NPM are just as widespread (Box 12.1). Hooghe and Marks (2004: 15) report that a survey of 75 developing countries suggests 63 underwent a process of decentralization (compared to half of the EU countries since
These developments prompted a huge number of academic publications on NPM’s spread and effect. More recent scholarship has focused on, for example, ‘public value’ (O’Flynn, 2007) and ‘new public governance’ (Osborne, 2006; 2010) to incorporate the study of less hierarchical and more ‘co-produced’ policy between policymakers, citizens, and stakeholders, and the rejection of NPM by some policymakers (Alford and O’Flynn, 2009; Dickinson and Sullivan, 2014; Durose and Richardson, 2015; Sicilia, 2016; Newig and Koontz, 2014; Housden, 2014).

Governance as a problem: the Westminster model

Central control is a key element of the ideal-type ‘Westminster model’ (WM), whose main characteristics include the:

- reliance on representative, not participatory, democracy.
- first-past-the-post electoral system which exaggerates the majority of the governing party and allows it to control Parliament.
- power of the prime minister to control cabinet and ministers.
- politically neutral civil service which acts according to ministerial wishes (Richards and Smith 2002: 3–4; Cairney and McGarvey, 2013: 20; Marsh et al., 2001; Bevir and Rhodes, 1999).

The WM suggests that power is centralized and government is top-down or ‘one way traffic from those governing (the Government) to those being governed (society)’ (Richards and Smith, 2002: 3). Therefore, power and responsibility go hand in hand since, if you know who is in charge, you know who to reward or punish in the next election. In that context, the characteristics of governance – including interdependence and the low coordinative capacity of the centre – are particularly important for Westminster systems. The low or diminished ability of central governments to direct policy is a problem for ministers who need to project an image of governing competence based on control (Cairney et al, 2019a; Duggett, 2009).

Bache and Flinders (2004a: 38) contrast the UK’s version of the WM with MLG. While the WM suggests a centralized, unitary state in which there are clear lines of accountability and hierarchical control, MLG suggests a disaggregated, quasi-federal state in which control is replaced by influence within a political system with multiple lines of accountability and uncertainty about where the ‘top’ (or centre) is in different situations. This loss of control is extended to the international arena, with ‘absolute sovereignty’ for one’s foreign affairs replaced by interdependence and negotiation with other countries and international organizations. MLG therefore provides us with a new set of dictums when exploring policymaking. The diffusion of power vertically (across multiple levels of government) and horizontally (to non-state actors) suggests: negotiation not compulsion; fragmentation not centralization; and multi-level but not hierarchical relationships (Table 8.1).
In the UK context, MLG studies often focus on the extent to which the centre is ‘hollowing out’, how ministers have responded, and the extent to which their reforms helped solve or exacerbate their governance problems. From the later 1970s, successive UK governments have addressed their governance problem by shifting ‘the balance between government and society away from the public sector and more towards the private sector’ (Kooiman, 1993: 1). The process is associated with NPM reforms (Gray, 2000: 283–4), including:

- **Privatization.** The sale of public assets, break up of state monopolies, injection of competition, introduction of public–private partnerships for major capital projects and charging for government services (Rhodes, 1994: 139; Goldsmith and Page, 1997: 150).

- **The introduction of ‘quasi-markets’**. In the absence of privatization, internal markets may be introduced in which one part of the public sector competes with another for the ‘business’ of commissioning agencies (Day and Klein, 2000; Cairney, 2002; Wistow, 1992; Greer, 2004).

- **The reform of the civil service.** It includes attempts to make civil servants more accountable by giving them more responsibility to manage their own budgets, and separating the policymaking and delivery functions in government departments by hiving off the latter and creating executive agencies (Greer, 1994: 6; O’Toole and Jordan, 1995: 3–5; Massey, 2001: 21; OPSR, 2002).


Rhodes (1994; 1997) argues that the overall effect of NPM reforms - combined with a process of devolution to subcentral governments and the Europeanization of policymaking - is a decline in the capacity of central government to control public policy. Policy delivery shifted from a unified civil service and accountable local government to a ‘patchwork quilt’ of quangos and NGOs, producing service fragmentation. It diminished accountability to Parliament via ministers, with much responsibility devolved to executive agencies, quangos and the private sector or lost to European institutions (see also Hogwood, Judge and McVicar, 2001: 97; Bevir and Rhodes, 2003: 6).

<table>
<thead>
<tr>
<th>Westminster model</th>
<th>Multi-level governance</th>
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<tr>
<td>Centralized state</td>
<td>Disaggregated and fragmented state</td>
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<tr>
<td>Hierarchy and control</td>
<td>Power diffusion and negotiation</td>
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<tr>
<td>Clear lines of accountability</td>
<td>Blurry lines of accountability</td>
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<tr>
<td>Absolute sovereignty</td>
<td>Interdependence, unclear sovereignty</td>
</tr>
<tr>
<td>Unitary state</td>
<td>Quasi-federal state</td>
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<tr>
<td>Strong core executive</td>
<td>Segmented executive</td>
</tr>
<tr>
<td>Direct government</td>
<td>Delegated governance, ‘steering’ not ‘rowing’</td>
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Source: adapted from Bache and Flinders (2004a: 38).
However, the extent of the lack of central control is heavily debated. Many question the ‘hollowing out’ thesis by pointing to the growing range of powers that the core executive enjoys, and exploring the extent to which changes at the centre have reinforced its power (Hogwood, 1997; Holliday, 2000; Marinetto, 2003). The government was never effective at controlling peripheral functions of the state such as the nationalized industries. Governance changes, such as privatization and civil service reforms, mark a return to core competencies, with the centre making strategic decisions and creating accountability mechanisms to ensure that these are carried out by others. In other words, we may be witnessing the shift from ‘interventionist state’ to ‘regulatory state’ (Hood et al., 1999; Cairney and McGarvey, 2013: 149; Majone, 1994). Marsh (2008: 255; 2011; Marsh et al, 2003: 308) argues that ‘strong government, although increasingly challenged’ is a more realistic description than the ‘hollowed-out state’. Although there is competition for power between multiple organizations, some are more powerful than others. While the government is dependent on other organizations to deliver policy, and is one of many organizations involved, it is also the most powerful organization. Similarly, studies of ‘metagovernance’ suggest that governments possess key tools to manage the ‘rules of the game’ in policy networks, including the initial design and resourcing of the network, definition of the problem to solve, and access to policymakers (Sørensen and Torfing 2009; Dommett and Flinders, 2015; Bailey and Wood, 2017).

Until recently, some of this academic debate converged around the idea that there is more than one form of UK governance. If it intervenes and pays disproportionate attention to an issue it can make a major difference in the short term, perhaps with a deep and enduring effect. If not, it makes little difference. Indeed, UK governments demonstrate a tendency to delegate then intervene in an ad hoc manner (Gains and Stoker, 2009), or rely on indirect control through performance management. This approach is summed up by Matthews’ (2016) phrase ‘letting go and holding on’, Hay’s (2009) exploration of the stories that governments tell about their governing competence, and Hood’s (2010) identification of the tools that governments can use to avoid blame (see also Bache et al, 2015). However, in 2016, the debate took on a profoundly new form, as 52% of referendum voters chose for the UK to leave the EU, to ‘take back control’ of policy and policymaking (Box 8.2).

**Box 8.2 Can Westminster take back control after Brexit?**
The ‘Brexit’ referendum was dominated by a narrative of taking back control of policy and policy making. Control of policy would allow the UK government to make profound changes to immigration and spending. Control of policymaking would allow Parliament and the public to hold the UK government directly to account, in contrast to a more complex and distant EU policy process less subject to direct British scrutiny. Such high level political debate is built on the false image of a small number of elected policymakers – and the Prime Minister in particular – responsible for the outcomes of the policy process. There is a strange disconnect between the ways in which **elected politicians** and

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**Core executive.** The ‘centre’ of government, including senior ministers and the administrative arrangements which support them.
elected policymakers describe UK policymaking. Ministers have mostly given up the language of control; modern manifestos no longer make claims – such as to secure ‘full employment’ or eradicate health inequalities – that suggest they control the economy or can solve problems by providing public services. Yet, much Brexit rhetoric suggests that a vote to leave the EU will put control back in the hands of ministers to solve major problems.

The main problem with the latter way of thinking is that it is rejected continuously in the modern literature on policymaking. Policymaking is multi-centric: responsibility for outcomes is spread across many levels and types of government, to the extent that it is not possible to simply know who is in charge and to blame. Some MLG relates to the choice to share power with EU, devolved, and local policymaking organisations. However, most MLG is necessary because ministers do not have the cognitive or coordinative capacity to control policy outcomes. They can only pay attention to a tiny proportion of their responsibilities, and have to delegate the rest. Most decisions are taken in their name but without their intervention. They occur within a policymaking environment over which ministers have limited knowledge and control (Chapter 6). The problem with using Brexit as a lens through which to understand British politics is that it emphasises the choice to no longer spread power across a political system, without acknowledging the necessity of doing so. Our understanding of the future of UK policy and policymaking is incomplete without a focus on the concepts and evidence that help us understand why UK ministers must accept their limitations and act accordingly.

Yet, clearly the Westminster model archetype remains important even if it does not exist (Duggett, 2009). Policy studies have challenged successfully its image of central control, but, the model’s importance resides in its rhetorical power in wider politics when people maintain a simple argument during general election and referendum debates: we know who is – or should be - in charge. This perspective has a profound effect on the ways in which policymakers defend their actions, and political actors compete for votes, even when it is ridiculously misleading (Rhodes, 2013; Bevir, 2013).

Multi-level governance and the European Union
MLG is a vague but important and widely used phrase in EU studies (see Stephenson, 2013, for a review of its origins and coverage). To some extent the woolly nature of MLG reflects the main object of its study: the rapidly changing EU. A relatively fluid EU policy process, with levels of power diffusion varying across time and policy issues, requires a flexible conceptual framework to accommodate empirical studies.

The early literature on EU integration can be described as a contrast between two grand theories of international relations (Jachtenfuchs, 2001: 246; compare with Rosamond, 2000: 145). Neofunctionalism describes a political project in which incremental change is preferred to a federal approach setting out a formal constitution and separation of EU powers (Rosamond, 2000: 51). This begins with greater economic integration as trade barriers are removed, cooperation increases, and countries become economically interdependent. Economic interdependence produces political integration incrementally, beginning with ‘low politics’, or the least controversial policy areas. The
logic of further cooperation in some policy areas contributes to a snowball effect in others. As this integration increases, so does the role for supranational institutions to further the EU project. As the EU grows in power, groups representing ‘social interests’ shift their activities from states to European institutions (2000: 52). Overall, the creation of a political community in Europe is not only likely, but also a social good, reducing political conflict and the prospect of war (Haas, 1958). In contrast, intergovernmentalism suggests that member states remain the most important actors, as ‘gatekeepers’ controlling EU development. This follows a ‘two-level game’ in which domestic preferences within member states are taken to the EU bargaining table (Moravcsik, 1993; Rosamond, 2000: 136–8). Supranational institutions have little independent influence and are given their power by states (Pollack, 2001: 225).

Both approaches proved to be flawed (see Glencross, 2013 for a full account). The fundamental flaw of neofunctionalism is that its predictions did not come true. In the short term, key member states blocked the ‘inevitable’ process of political integration (Dinan, 2004; Rosamond, 2000: 75; Haas, 1975). In the longer term, while political integration has progressed significantly - including ‘high politics’ issues such as the Euro currency and monetary union - it is not uniform and has contributed to political crises (Bickerton et al. 2014; Crespy and Schmidt 2014; Mény 2014; Moravcsik 2012; Sandbu, 2015; Vilpišauskas, 2013; Woodruff, 2016). EU measures to address ‘austerity’ have also exposed tensions which relate strongly to imbalances in member state powers (Bulmer and Paterson 2013; White, 2015). Intergovernmentalism also proved less useful over time, as integration affected domestic preference and ‘locked-in’ each member state, while states are now one of many organizations within a complex set of multi-level governance arrangements (Pollack, 2001: 226–7).

The EU is now a multi-level, not two-level, game (Rosamond, 2000: 147) and supra-national institutions – such as the European Parliament, the European Court of Justice, and the European Commission – increasingly demonstrate decision making which is not dominated by the more state-centred institutions, the Council of Ministers and the European Council (Asare et al., 2009; Fabbrini, 2013; Torres, 2013). Overall, states are caught in a web of interdependence that allows supranational organizations and organized interests (including sub-national authorities) to influence policy and integration. Policy outcomes are uncertain and dependant on levels of Europeanization, the entrenchment of member state laws and strength of the policy agenda in each jurisdiction (Marks, 1993).

Therefore, the process is better captured by MLG’s focus on the variable diffusion of power by policy issue over time. Or, we may argue that it is more important to explain what the EU is and does now, rather than what it may be moving towards (Rosamond, 2000: 106–9). In that context, MLG developed as a way to address a false boundary between the study of domestic and international politics in the EU, which:

Neither resembles domestic politics nor international organizations, and therefore defies explanation from approaches applied either to politics within states or politics between states…multi-level governance has been seen to capture the
shifting and uncertain patterns of governance within which the EU is just one actor upon a contested stage (Bache and Flinders, 2004b: 1–2).

The study of MLG then developed to incorporate empirical developments in the EU, such as when key changes established the importance of multiple levels of government in their own right. For example, the Single European Act in 1987 extended the use of qualified majority voting and therefore a reduction in the ability of member states to reject new policies unanimously. It, combined with the development of powerful EU administrative and legal institutions, further established the role of the EU as an actor as well as an arena for intergovernmental relations (Bache and Flinders, 2004b: 2). At the other end of the governing spectrum, the reform of EU structural funding policy in 1988 advanced the ability of sub-national authorities to maintain direct links with the European Commission as well as their central governments (2004b: 3). Further, European cities and regions have established themselves as key actors in fields such as migration policy (Zapata-Barrero et al, 2017).

Such developments highlight the potential for supranational and regional influence - not conditional on national governmental support – that MLG could help study. Further, MLG informed by networks analysis highlights informal relationships and the blurring of boundaries between public/private action and levels of governmental sovereignty at multiple levels. The EU became an important hub for group-government relations. As its institutions grew in importance, many powerful interest groups shifted resources away from national governments towards the EU, and other (often less well resourced) groups lobbied the EU via member states or regions (Mazey and Richardson, 2006: 248-52; Keating, Cairney and Hepburn, 2009).

Empirical and normative visions: what MLG is, and should be
MLG empirical studies are generally descriptive, suggesting that decision-making authority is dispersed and policy outcomes are determined by a complex series of negotiations between various levels of government and interest groups. Our empirical focus shifts from formal powers and the capacity to make and enforce decisions, to the messy systems in which the distinction between formal and informal sources of authority becomes less meaningful. With decision-making responsibility shared across multiple levels of government and with non-governmental actors, formal responsibility may be less important than a willingness to engage in policymaking and negotiate with other jurisdictions. However, MLG empirical conclusions also prompt normative inquiry: this is how things are, but is it how they should be (Box 8.3)?

Box 8.3 The normative debate: should power be concentrated in the ‘centre’?
MLG’s empirical focus on the dispersal of power relates to a classic normative question in policy studies: should power be centralized? The ideal of comprehensive rationality includes an assumption that power is held centrally by policymakers whose decisions are carried out by neutral bureaucrats or other organizations via a series of well-ordered stages (Chapter 4). Studies of implementation and complexity theory demonstrate that this assumption is unrealistic. Many also suggest that complete top-down control would
be inappropriate: we need to balance the authority of the top with the local knowledge at the bottom; and, to connect (a) the delegation of policymaking to people who know best how to do it with (b) the maintenance of a meaningful degree of accountability for the outcomes (Chapter 6; Cairney et al, 2019a). Yet, this position challenges the WM emphasis on a clear and accountable ‘centre’ that seems necessary to make sense of the government’s contract with those who consent to its power. In the absence of such an arrangement, how do we hold policymakers to account?

Multi-centric accounts offer the following potential advantages: more opportunities to elect policymakers in many venues; a more open and efficient way to bring many actors – from many policymaking venues - together to cooperate (Chapter 7); policy tailored more to local context; and, the potential for more policy innovation and learning by a larger number of authorities (Cairney et al 2019a; Hooghe and Marks, 2004: 16).

Such normative potential relies on empirical examples, such as countries like Switzerland and the US in which functionally specific bodies are elected locally and accountable to the populations they serve. This process is particularly important in the US where the powers of states are guarded and strong centralization is deemed inappropriate in such a large area. In contrast, MLG in the UK is often via ‘distributed public governance’ (Bache and Flinders, 2004a: 45) in which unelected quangos operate with minimal public and ministerial scrutiny, while executive agencies find themselves ‘sitting on top of complex public–private relationships they may only vaguely understand’ (Kettl, 1993 in Rhodes, 1997: 54; Flinders and Skelcher, 2012). Therefore, our normative conclusions are influenced by our empirical findings. The key questions become: is MLG chosen or an unintended consequence of government reform? Does type 2 MLG signal the devolution of power to elected local bodies or the loss of central control and accountability?

Hooghe and Marks (2003: 233) provide one of the strongest defences of MLG: ‘Centralized authority – command and control – has few advocates … the dispersion of governance across multiple jurisdictions is both more efficient than, and normatively superior to, central state monopoly’. Since MLG is often vague, they describe two empirical forms and ‘contrasting visions’ (2003: 236; see also Hueglin and Fenna, 2006: 316) based on the questions described in Table 8.2:

Table 8.2 Types of multi-level governance

<table>
<thead>
<tr>
<th>Key questions</th>
<th>Type 1</th>
<th>Type 2</th>
</tr>
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<tbody>
<tr>
<td>Should jurisdictions be designed around communities/levels of government or policy problems/tasks?</td>
<td>General-purpose jurisdictions</td>
<td>Task-specific jurisdictions</td>
</tr>
<tr>
<td>Should jurisdictions bundle competencies or be functionally specific?</td>
<td>Separate functions, ensure non-intersecting memberships</td>
<td>Bundle competencies, encourage intersecting memberships</td>
</tr>
<tr>
<td>Should jurisdictions be limited in number or proliferate?</td>
<td>Limit the number of jurisdictions</td>
<td>Do not limit jurisdictions</td>
</tr>
<tr>
<td>----------------------------------------------------------</td>
<td>----------------------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>Should jurisdictions be designed to last or be fluid?</td>
<td>Produce a system wide architecture</td>
<td>Maintain a flexible design</td>
</tr>
</tbody>
</table>

Source: Adapted from Hooghe and Marks (2003: 236).

With type 1, the dispersion of formal authority is limited to a small number of jurisdictions, with each enjoying an associated executive, legislature and court system. Devolution tends to be furthered on a territorial basis with a small number of discrete units of government and no overlap of membership. Policies are ‘bundled in a small number of packages’ at each level and the relationships are durable (Hooghe and Marks, 2003: 237). Type 1 perhaps minimizes the coordination problems associated with a proliferation of bodies (2003: 39), albeit often via an asymmetry of power during intergovernmental relations (Cairney and McGarvey, 2013: 202-7; Curry, 2015; Gormley-Heenan and Birrell, 2016; McEwen and Petersohn, 2015; Wilson, 2003).

With type 2 we have a ‘complex, fluid patchwork of innumerable, overlapping jurisdictions’ (Bache and Flinders, 2004a: 39). Devolution takes place on a policy basis, with much larger numbers of authorities, memberships that span complementary policy areas, and less stable relationships as the arrangements are changed in response to changing policy conditions (Hooghe and Marks, 2003: 237). Type 2 exhibits the most flexible and dynamic arrangements, in which many organisations can come together to cooperate to solve specific policy problems (compare with polycentric governance in Chapter 7).

They are best treated as ideal-types to help us explore visions for governance and relate them to specific countries only to some extent. For example, type 1 might describe the UK, while type 2 is often associated with Switzerland and the US (Box 8.3). However, for example, the UK really contains elements of both. On the one hand, MLG is a modest departure from state-centred politics in which regional and supranational governments have more powers, but in a relatively ordered system in which each level’s responsibilities are fairly clear. For example, the UK’s devolution of powers to Scotland was accompanied by an extensive list of its responsibilities and a set of concordats to ensure that the governments coordinated their activities. On the other hand, in practice, these responsibilities overlap continuously when governments produce different policy instruments to deal with the same problem (Cairney and McGarvey, 2013; Bache and Flinders, 2004a: 40). For example, measures to increase tobacco control are spread across EU, UK, and devolved governments (Asare et al, 2009; Cairney et al, 2012) and energy powers are increasingly shared (Cairney et al, 2019b). Further, Rhodes’ (1997) argument, that central government order has been replaced by a ‘patchwork quilt’ of organizations delivering services. The UK may be following a type 1 ‘vision’ but actually delivering type 2 in practice (Bache and Flinders, 2004b: 7; Hooghe and Marks, 2003: 234; 2001; Marks and Hooghe, 2000; Jessop, 2004; Peters and Pierre, 2004).
MLG and international comparisons
In some countries, we can find the direct application of MLG concepts and studies. For example, Daniell and Kay’s (2017: 4-6) edited volume on Australian policymaking uses ‘the European view of MLG processes’ to examine the effects of the blurry boundaries between formal power and informal influence, and the ‘dispersion of authority upwards, downwards and sideways’ (see also Horak and Young, 2012 on Canada). In others, we can use MLG and related concepts to compare political systems and the ways in which we study them. The benefit of a flexible MLG framework is that it helps brings together (a) the comparisons of unitary, federal and quasi-federal systems (Chapter 5), and (b) studies of federalism, drawn primarily from US experiences, and MLG drawn primarily from studies of the EU. We therefore need to be very clear on what we are comparing: the normative evaluations of forms of governance, discussed in Box 8.3; or, in the following sections, the different types of political systems (confederal, federal, quasi-federal), the literatures to describe their formal institutions and relationships, and the more abstract theories describing their policymaking dynamics.

Comparing political systems
The EU is unusual because it represents a modern-day confederacy, or a quasi-federal system, in which EU institutions resemble the executive, judicial and legislative branches (the European Commission, Court of Justice and Parliament) but member states retain some sovereignty on key issues of economic, social and foreign policy (Newton and Van Deth, 2010: 109; 2016; Burgess, 2006: 226; Hueglin and Fenna, 2006: 13–16). Yet, we should not treat the EU as a simple departure from a model or norm of federalism, since in practice, there are many different types of federalist arrangements.

Federalist states combine national government with a constitutional arrangement that guarantees a degree of sovereignty to sub-national governments. This sovereignty may be justified in two main ways: to allow local decision making to supplement ‘a distant centre of government’ in large federations such as the US; and/or, to address (often geographically specific) political divisions ‘based on language, ethnicity, religion, culture or history’ in systems such as Canada and Belgium (Newton and Van Deth, 2010: 111–13). Federations vary according to the number of sub-national governments, the balance of powers between national and sub-national governments, the extent to which their respective responsibilities are spelled out, and the role of legislatures. They also have a different balance between national and sub-national shares of tax receipts and public employees (2010: 110–11; McKay, 2000: 31).

There are three main consequences. First, the division between federal and other systems is often unclear. Many unitary states seem quasi-federal because they retain power at the centre but devolve significant policy responsibilities to certain populations (Newton and Van Deth, 2010: 114). Indeed, our rejection of the Westminster model, and the idea of one single type of federalism, suggests that political systems are more similar than they first appear. MLG relates as much to the unitary UK as it does, say, the federal US. Second, different federations may provide different analytical links to, and policy lessons for, the EU. For example, Scharpf (1988) explores the potential for the EU to
share with Germany a rather convoluted system of checks and balances which may stifle policy innovation (compare with Kitschelt and Streeck, 2003). Holland et al. (1996) draw similar links between inertia, federalism and environmental policymaking in Australia, Canada and the US. Church and Dardanelli (2005: 181) draw lessons for the EU on the move from confederalism to federalism in Switzerland (the ‘near perfect embodiment of the federal idea’). McKay (2000) draws lessons from Australia, Canada, Germany, the US and Switzerland to determine if the EU can operate successfully as a system with almost no responsibility for raising taxes. Scharpf (1997) examines the scope for EU economic integration to mirror the development of ‘regulatory competition’ in the US. Overall, the lessons from ‘federalism’ are there, but the sources are far and wide because MLG and federalism are very broad concepts to describe a huge variety of governance arrangements (Stein and Turkewitsch, 2008: 5).

Comparing approaches to the study of political systems

The MLG and federalism literatures identify the absence of a single centre of government. Rhodes (1997: 1), describing governance, suggests, ‘there is not one but many centres linking many levels of government’ while Elazar (1971: 6), describing federalism, identifies ‘the diffusion of power among multiple centers which must cooperate in order to govern’.

This overlap of concepts and concerns has prompted some attempts to use federalist theory to compare the US and EU. For example, Keleman (2004) extends Majone’s (1993; 1994; 1996) argument that the EU is a ‘regulatory state’ to makes two main points. First, the vertical relationship (or the ‘politics of competence’) is similar in federal systems: most policymaking takes place at the federal (or central) level, while the responsibility for most implementation rests with the states (or sub-central authorities). Second, the extent to which the centre allows sub-central authorities the freedom to implement federal policy (the ‘politics of discretion’) depends on the levels of horizontal fragmentation within the central government. A highly fragmented system ‘encourages an adversarial, litigious approach to regulation’ (Keleman, 2004: 2). The competition between institutions makes them more protective of their authority and more likely to write detailed laws for the provinces to follow (what Keleman calls ‘regulatory federalism’). In contrast, a concentration of power at the centre encourages ‘discretionary federalism’ or a ‘less judicialized’ approach (2004: 2). Written laws are broad, allowing for more flexibility in application by lower level jurisdictions. For example, the fragmentation of power in the EU is high, so Keleman (2004: 2) predicts a form of regulatory federalism in which ‘inflexible rulemaking and litigious enforcement’ characterizes EU member state relations. Yet, the evidence is mixed: Kelemen confirms his hypothesis in environmental policy, but Asare et al. (2009) do not in tobacco policy.

To some extent, there is also an overlap in the study of intergovernmental relations (IGR). IGR explores the entanglement of policy issues when power is vested in more than one actor. As Keating (2005: 18) discusses, multi-level government issues are common to most states with the dual aim of devolving decisions but maintaining central/broad control when appropriate. Although many political systems outline in detail the policy domains of each level or type of government, the boundaries between policy areas
become blurred in practice. IGR explores these issues by highlighting country-level
differences according to institutional structures and the recourse to authority and formal
resolution. It asks: is it a unitary, union, federal or quasi-federal state? What is the strength
of the ‘centre’ and what is the frequency of formal dispute resolution? What is the role of
parties, executives and courts in IGR (Watts, 2007; Horgan, 2004; Hueglin and Fenna,
2006: 215; McEwen et al, 2012; Bolleyer et al, 2014)?

These IGR-led studies of federalism often diverge from MLG because the latter
focuses more on informal relationships and the blurry boundaries between actions taken
by policymakers and influential groups. It shifts our focus from formal institutions
towards less formal policy networks, based on the finding that most policymaking takes
place in specialized subsystems in which direct accountability for policy outcomes is
more difficult to identify (Stein and Turkewitsch, 2008: 10).

Comparing MLG and policy theories
MLG has more in common with policy theories that developed from the exploration of
bounded rationality and policymaking complexity:

No single actor has all knowledge and information required to solve complex,
dynamic and diversified problems, no actor has sufficient overview to make the
application of needed instruments effective, no single actor has sufficient action
potential to dominate unilaterally in a particular governing model (Kooiman,
1993: 4)

As described, MLG bears close resemblance to studies of subsystems. For example,
punctuated equilibrium theory (PET) (Chapter 9) identifies a similar starting point in
bounded rationality: there is not one, sole, comprehensively rational decision maker at
the heart of government; policymakers cannot consider all issues at all times, and they
ignore most and promote relatively few to the top of their agenda. Powerful interest
groups are able to operate in relative anonymity within specialist policy subsystems for
long periods. Yet, when policymakers focus on these issues, their levels of attention are
disproportionate and their response is ‘hypersensitive’. In many cases this shift can be
explained by an increasingly crowded policymaking process and the types of multi-level
governance now identified in the EU. When interest groups experience little success at
one level, they ‘venue-shop’, or seek influential audiences in other arenas (Mahoney,
2008). If they catch the attention of another venue, newly involved policymakers increase
their demand for information and new ways to think about and solve old policy problems.
In a process of government characterized by interdependence and overlapping
jurisdictional boundaries - in which many institutions can be influential in the same policy
areas - these innovations can be infectious. The actions of one often catch the attention of
others, causing a ‘bandwagon effect’ of attention and major policy change.

Both PET and multiple streams analysis (MSA) (Chapter 11) describes a process
in which policy actors compete to set the agenda within multiple decision-making venues
(Baumgartner and Jones, 1993: 32). A large number of MSA studies of the EU describe
the importance of problem definition (Ackrill et al, 2013: 874-7). Actors exercise power
to frame policy problems to ensure that they are dealt with in a particular decision making venue. Since most policies can be influenced by more than one level of government, the relative involvement of each jurisdiction depends as much on how the policy issue is understood and portrayed as the powers and responsibilities of each jurisdiction (Ackrill and Kay, 2011; Sarmiento-Mirwaldt, 2013; Bache and Reardon, 2013; 2016). The analysis shifts our focus from formal institutions and intergovernmental procedures towards policy networks and the idea that most policymaking takes place in specialized subsystems. The identification of visible power relations is qualified by less visible competition to define policy problems and perhaps remove them from formal intergovernmental agendas.

MLG also relates to a family of concepts describing multi-centric policymaking, including polycentric governance (Chapter 7) and complexity theory (Chapter 6). The dispersal of power throughout a political system makes it difficult to track the effects of policy measures taken at one level of government when it travels through a series of other ‘centres’. While central government is powerful, its reach is limited in proportion to the size of the state. Its action in one area precludes the same degree of action in most others. Taken as a whole, these theories describe multiple sources of policy continuity and change. A degree of continuity can be found in the study of bounded rationality and policy networks. The lack of policymaker attention to most issues, combined with the tendency of governments to process policy in specialist policy subsectors containing civil servants and interest groups, suggests that we will not witness radical policy change in many instances (Richardson and Jordan, 1979). Further, when viewed from the top-down, the problem of governance is an inability of central government to carry out its own policies directly (Pierre and Stoker, 2000: 43). Rather, the proliferation of governance organizations may produce a ‘coordination dilemma’ (Hooghe and Marks, 2003: 239) and an increase in the number of ‘veto players’ may ‘make significant policy changes difficult or impossible’ (Tsebelis, 2002: 7). Yet, continuity is not inevitable; there are many sources of major policy change in the EU context: the EU may impose new policies on member states that they would otherwise not entertain; the diffusion of power and responsibility may encourage policy innovation in one territory, followed by emulation in the others (Hooghe and Marks, 2003: 236); and there is continuous potential for venue shifts to spark new interest in old problems.

Conclusion

The concept of multi-level governance is simple: governance refers to shared decision making and the blurry boundaries between formal and informal sources of authority, while multi-level suggest that these processes take place above and below the nation state. Yet, beyond this basic understanding, MLG is often difficult to pin down and apply systematically or meaningfully to policy studies. There are two main ways to do so. First, use MLG to help describe specific empirical developments. Second, think of MLG more conceptually, as a way to describe key policymaking developments in the abstract. In practice, we need to do both.

For example, we can tell the UK story in relation to the classic ideal-type Westminster Model, used generally to explain how policymaking power could be
centralised and held by a small number of people in the core executive. MLG describes a shift of power from the centre to different levels (EU and subnational) and types of governing actor (including executive agencies and quangos). MLG partly represents the choice to share power with other elected policymakers and the necessity of power diffusion in relation to its low coordinative capacity. The UK government appeared to exacerbate its lack of central control by privatizing the public sector, reforming the civil service, introducing quasi-markets and relying more on quangos. By no longer delivering public services directly, it became forced to cooperate with many organizations charged with the delivery of public services.

In this scenario, perhaps central government ministers once thought that they could make policy from the centre, and now they realise that they need to negotiate policy delivery with a wide range of other actors. Or, perhaps they remain caught in a vicious cycle, in which they try to reassert central control to maintain an image of government competence, only to find that their efforts are counterproductive. On the other hand, these measures helped produce a ‘lean’ state and the potential for the central government to regulate, performance manage, and intervene in an ad hoc way. Perhaps ministers are content largely to oversee public policy and avoid blame for poor outcomes as much as they can. In any case, we must conclude that the centre is not in control in the way that the WM suggests.

MLG also helps us understand the relatively new and quickly changing EU policy process. Much confusion stems from the object of study: a relatively complex policy process which is still developing and difficult to explain. In this sense, Hooghe and Marks’ (2003) types 1 and 2 can be seen as different lenses through which to study the same political process. We can study the EU as a set of well-defined competencies held by different governments, or a more complicated process of problem solving by many overlapping jurisdictions. On that basis, the MLG literature allows us to make meaningful comparisons between such new quasi-federal systems - the UK and EU - and more established federal systems such as the US. New studies of the EU connect to older studies of federalism that explore decentralized government, and questions regarding intergovernmental relations may be applied to the new EU context.

However, most importantly, MLG may be compared usefully to several other policy theories. We have seen in chapters 6-8 that MLG is part of a collection of concepts to identify multi-centric policymaking empirically and explore its practical and normative implications. Now, in chapters 9-11 we explore theories that began life in the federal US. All of these theories share with MLG a focus on bounded rationality, interest groups, subsystems and policymaking in multiple venues. They help us make sense of the cognitive and coordinative limits of policymakers in a policymaking context out of their control.