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## Multi-level Governance: An Introduction

Katherine A. Daniell and Adrian Kay

### Background

In an increasingly globalised and rapidly changing world, decision-making processes associated with the development, implementation and monitoring of public policies are becoming increasingly complex. Individual governments or government departments now rarely have all the power, resources and governance structures that are required to adequately respond to public policy challenges under their responsibility and effectively govern their constituencies. This means that they are required to work with, or seek the aid of, others from the public, private, non-government organisation or community spheres, and often across a range of sectors, to achieve their objectives. Understanding and managing the issues associated with governing across a range of boundaries are thus paramount to achieving positive public policy outcomes in today's environment.

In Australia, public debates about the constitutional status of the Australian federation, and how to create effectively functioning mechanisms for the distribution of power and resources between levels of government, do not always capture the complexity of the country's multi-level governance (MLG) systems. There are, therefore, both practitioners and academics working in the public policy, political science and associated fields that

are looking for conceptualisations of governance systems and processes that can bridge the boundaries of academic disciplines and governance practice in different policy domains. An expanded version of the concept of MLG, stemming in large part from the study and practice of governance in the European Union (EU) (e.g. Hooghe and Marks 2003; Bache and Flinders 2004; Enderlein et al. 2010), is increasingly attracting the attention of policymakers and academics around the world, including in Australia. This rapidly increasing usage may be due to its capacity to act as a mobilising ‘metaphor’, where the term is sufficiently ambiguous that room is left for individuals to attach their own meaning and criteria for success to it, hence maintaining their support for its use (Porter 1995; Mosse 2004). Examples of the use of the term ‘multi-level governance’ in the Australian context include Stilwell and Troy (2000), who use it to describe the issues associated with the coordination of urban development policies and plans across three tiers of government and with other sectoral policies; Painter (2001), who takes the standard EU definitions and uses MLG as a frame to examine collaborative federal institutions; and Fenna (2006), who, in his analyses of the uses of federalism, refers to MLG as a general term for systems of divided jurisdiction over a territory, of which federalism is just one type. More recently, the term ‘multi-level governance’ has also been appropriated in the feminist literature to provide an alternative, more flexible version of governance where power is shared between different tiers of government and with non-state actors, including international bodies, non-government organisations, community groups and private corporations (Haussman et al. 2010). It is also increasingly found in the environmental and natural resource management literature, along with the terms ‘adaptive governance’, ‘polycentric governance’ and ‘collaborative governance’, to emphasise the transfers of power and responsibility to a variety of stakeholders and scales of governance that do not fit typical government administrative boundaries (Marshall 2008; Lockwood et al. 2009; Pahl-Wostl et al. 2010; Daniell et al. 2011).

In all these contexts, the concept of MLG tends to refer to systems of governance where there is a dispersion of authority upwards, downwards and sideways between levels of government – local, regional, national and supra-national – as well as across spheres and sectors, including states, markets and civil society. However, beyond a broad consensus that effective governance increasingly requires coordination and continuous negotiation across multiple levels and sectors, there is little convergence on best practice models of how to design and effectively operate MLG systems for different contexts and policy issues.

This book stems from the premise that, without ideal models, a pragmatic, problem-driven approach to investigating MLG is required that can support improvement in public policy practice in Australia and further afield. The contents have been developed as a result of a ‘Multi-level Governance Symposium’ held at The Australian National University in 2010 and subsequent workshops in 2011 that brought together policy experts and practitioners from government and universities to consider distinctive features of existing and proposed MLG models for a range of key Australian policy challenges.

In this book, we first provide a number of chapters on different conceptual challenges of MLG, followed by case study chapters that range across social and environmental policy domains. The preliminary chapters on conceptual challenges present current theoretical challenges and issues related to the MLG concept, written in most part by political scientists and public policy academics. Each of the case studies then represent different periods or ‘snapshots’ of governance workings and negotiations at or through different points in time for particular policy issues or systems. They have typically been written by practitioner-academics from a range of public policy-related disciplines, who have been involved in the development of, and negotiations within, these MLG systems. Due to the two distinct sections of this book, we have chosen to provide the connections between these perspectives and, thereby, reveal what these two distinct viewpoints can add to our understanding of MLG and other governance systems and policymaking practices in general. This introduction thus provides a more general introduction into the concept of MLG and the types of themes and questions that the book addresses through its chapters. The final chapter of the book (*Daniell and Mercer, Chapter 18*)<sup>1</sup> synthesises these themes and presents a critical view of what the book can help us to understand about MLG and its practice in the Australian context, what forms it takes under different political regimes and how and why preferences for particular types of systems appear to come about, as well as how these governance systems can be researched in the future.

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1 References to chapters in this book are provided in italics.

Due to the lack of consensus on the use of the MLG concept, this introduction provides a definition for the dominant way in which we interpret the term that has shaped the analysis of the case studies. The key elements of each of the book's chapters, the key questions investigated and the aspects highlighted throughout are then discussed.

## Defining MLG and its conceptual components: Systems of continuous negotiation for governing across boundaries

Unless otherwise defined by the authors of individual chapters, we take the European view of MLG processes, which can be defined as systems of 'continuous negotiation among nested governments at several territorial tiers' (Marks 1993: 392), where authority is not only dispersed vertically between levels of administration but also horizontally across different sectors of interest and spheres of influence, including non-government actors, markets and civil society (Bache and Flinders 2004). Following our earlier discussion on the complexity of public policy challenges, the need and appearance of these kinds of negotiation systems can be premised on the fact that 'governance must operate at multiple scales in order to capture variations in the territorial reach of policy externalities' (Marks and Hooghe 2004: 16; see also Daniell and Barreteau 2014 on issues of scale and externalities). These negotiation systems represent a form of flexible and adaptive governance where both formal and informal structures can be developed to engage stakeholders from a range of appropriate levels and spheres of influence for the negotiated development of mutually acceptable, collectively analysed and implementable policies. MLG, taking this definition, is not an umbrella concept that can be used in place of 'federalism', 'intergovernmental relations' or 'polycentric governance', even though many instances of governance analysed through these frames may resemble MLG's negotiated processes. Negotiations do not have to lead to consensus; they may operate in many modes, including accommodating, competitive or collaborative modes (Thomas and Kilmann 1974). This leaves the door open to consider to what extent each instance of governance or policy-specific governance systems in Australia's federalist system exhibits typical MLG characteristics, as well as how this alternative concept can add to existing Australian public policy scholarship.

In terms of typical forms of MLG systems, European scholars note two ideal types of continuous negotiation systems (Marks and Hooghe 2004). As Bache and Flinders (2004: 5) describe, the first type (Type I) commonly portrays characteristics and structures considered important in federalist thought, including stability of authority and clear lines of accountability due to only a 'limited number of non-overlapping jurisdictional boundaries at a limited number of levels'; the second type (Type II), portrays characteristics typical of some described in the adaptive governance literature where negotiation systems are constituted of 'a complex fluid patchwork of innumerable overlapping jurisdictions', which tend to be flexible and adaptable to meeting new policy demands. In light of these two types, it can be considered that MLG approaches to policy development and implementation can 'provide a more flexible mode of optimising the policymaking process by allowing multi-directional shifts both vertically and horizontally in decision-making authority and power' (Stein and Turkewitsch 2008: 26). Fostering such shifts can allow the investigation and development of 'appropriate' multi-level mechanisms for policy design and delivery, which are suited to manage specific policy issues and contexts, although to what extent such flexibility is desirable and can promote adequate accountability mechanisms can be seen to be strongly contested by some political and public service leaders, or at least be a significant challenge to existing accountability frameworks (e.g. APSC 2012; see also Bovens et al. 2014). Open negotiation systems can also foster arenas of policy experimentation and learning that can lead to greater innovation, increased problem-solving capacity and broadly beneficial and acceptable policies (Scharpf 1994; Swanson et al. 2010), even though risk-averse governments can see this kind of governance system as a threat to stability and maintaining control over the direction of policy development and implementation.

Thus, despite the conceptual power that policy analysis based on MLG systems can potentially bring, putting effectively functioning systems in place can pose a number of challenges. One of the first issues involves the maintenance of two values upon which many of our traditional governance systems were based: clear lines of accountability and representative democracy. Peters and Pierre (2004: 85) summarise this challenge as the potential 'Faustian bargain' of MLG, where there is potential that the 'core values of democratic government are traded for accommodation, consensus and purported efficiency in governance'. Often when negotiated multi-level systems develop organically or informally, their transparency

to external observers and the knowledge of who can be held to account for decisions that stem from the negotiations can be considered as less than desirable.

To effectively implement MLG systems that seek to overcome these issues, there are two further challenges that require attention. The first is understanding and developing systems that can fit and function within our legal systems. The second relates to understanding the importance of ‘meta-governance’ of MLG systems (see Jessop (2004) and Glasbergen (2011) or Daniell et al. (2010) and Daniell (2012) for a view on the similar concept of ‘co-engineering’) and how the development of organisational rules, guidelines and supportive mechanisms or incentives can be developed to aid and encourage the development of legal, accountable and transparent MLG systems for policy development and delivery.

## What can be found in this book?

Considering these definitions and already highlighted tensions and challenges found in different types of governance systems for developing and implementing effective public policy, this book seeks to contribute to both the theoretical and practical debates surrounding MLG. It also seeks to contribute to investigating the pertinence of using MLG as a theoretical and practical concept specifically within the context of Australian public policy.

As we have previously outlined, this book is structured in two parts. The first concentrates on *conceptual challenges* related to MLG in the Australian context. Specifically, in Chapter 2, *Kay* investigates MLG and how it compares to the study of Australian federalism; in Chapter 3, *Fawcett and Marsh* look at the linkages between network governance, MLG and Australian politics; in Chapter 4, *Mulgan* analyses the important issue of accountability in MLG systems through the example of Australian federalism; in Chapter 5, *Dugdale* looks at the mentality of governing in MLG systems or what he terms ‘multi-level governmentality’; and, in Chapter 6, *Kerr* investigates MLG as political theory, analysing the concept’s potential for reconsidering the relationship between sovereignty and cross-boundary governance.

The second part comprises three sections of case studies, which focus on the domains of *education and social policy*, *spatial and planning policy* and *environmental and agricultural policy*. Each case study makes an appraisal of the potential usefulness of the MLG concept in analysing and understanding different Australian public policy challenges and reforms. More or less directly, each case study addresses the questions of and provides information on:

1. the background or history of the policy or governance challenge
2. what levels/actors/sectors were involved – and hence, which boundaries were being governed across
3. what (and who) were driving the negotiations
4. timelines and resources involved over the case study period
5. the resulting policy actions or outcomes
6. to what extent the policy succeeded or addressed the governance challenge, and why
7. key points of interest
8. emerging questions.

The case studies range in temporal scope from historical pictures of how MLG systems have been enacted and reformed through time for certain policy domains (*Troy; Hogan*) to more distinct phases of negotiation for specific policy or governance reforms that have taken place under different governments over the past couple of decades (*Mercer and Jarvie; Iwanicki et al.; Jarvie and Stewart*) and individual MLG systems that have been driven by the private sector (*McNaughton and Lockie*). Others use a comparative approach across governance programs or institutional arrangements (*Andrews*), regional case studies (*Norman and Gurrans; Dale et al.*), policy sub-sectors (*Daniell et al.*) or countries (*Ross*) to draw conclusions about different instances of MLG systems and to provide suggestions for improving these systems in the future.

In the first case study section on *education and social policy*, in Chapter 7, *Mercer and Jarvie* analyse the extent to which the negotiations around the Rudd Labor Government's 'Early Childhood Education Revolution' and work through the Council of Australian Governments (COAG) could be considered an exercise in MLG. Chapter 8 by *Hogan* looks at the governance of differences in hearing and how an epistemic model of MLG has historically been able to assume primacy over others in this policy domain in Australia. Chapter 9, by *Jarvie and Stewart*, investigates the

Howard Government's Murdi Paaki Aboriginal community development COAG policy trial in New South Wales and the structures, processes and skills required in this case for effectively working across boundaries.

The second case study section concentrates on different components of *spatial and planning policy* in Australia. In Chapter 10, *Troy* analyses the history of MLG in Australia's housing policy and the impacts of different periods of reform. In Chapter 11, *Iwanicki, Bellette and Smith* examine the MLG involved in integrating land-use development and natural resource planning in the Willunga region, South Australia, on the southern peri-urban fringe of Adelaide in the early 2000s. Chapter 12, by *Norman and Gurrán*, then looks at a range of contemporary regional solutions for addressing MLG challenges in Australian coastal and climate change planning. Chapter 13, by *Andrews*, analyses MLG in the Lake Eyre Basin and provides a comparison of the effectiveness of different types of structures for providing regional governance.

The final case study section focuses on issues of *environmental and agricultural policy*. In Chapter 14, *Dale, Ryan and Broderick* investigate natural resource management (NRM) in Australia as a form of MLG, looking specifically at the impacts of NRM policy reforms in Queensland and Tasmania and areas for enhancing future Australian NRM reforms. In Chapter 15, *Ross* provides a comparison of multi-level water governance examples from Australia and the United States, focusing on the Namoi region of New South Wales and the South Platte region of Colorado. Chapter 16, by *McNaughton and Lockie*, then specifically analyses the important roles that private actors can play in MLG, using the case of the international GLOBALG.A.P. standard-setting arrangements for agricultural and food products. In Chapter 17, *Daniell, Hogan and Cleary* investigate the need to break down the common 'one-size-fits-all' policy development and implementation approaches to rural and regional policy, and provide some specific priorities for how future policy initiatives could be enhanced through MLG.

The book concludes in Chapter 18 with a synthesis by *Daniell and Mercer* of the book's main contributions and a critical evaluation of the MLG concept's use and future in the Australian policy context.



## Use and contributions of MLG conceptualisations and theory to knowledge and practice

Through existing literature and the contributions in this book, we note that there are three principal types of uses to which conceptualisations and theory of MLG can be put. First, MLG can be used analytically, in order to better understand decision-making and policy processes. Second, it can be used empirically, as in the case of many MLG studies in the EU. Finally, it can be used normatively, in order to offer potential improvements to governance arrangements.

As we alluded to at the beginning of this introduction, the great appeal of MLG to scholars of European integration, and in the study of Australian public policy, is its ability to capture and simplify novel multi-scalar configurations of policymaking for analysis in which both formal powers and informal capacity to act are dispersed and redistributed. This can involve the creation of new institutions for new policy spaces within and across existing political–administrative jurisdictions, which may not always be counted as conventionally ‘public’ (see, for example, *McNaughton and Lockie*). Instead, MLG encourages us to think about the potential for hybridity in novel governance arrangements. For those who accept that the complexity of contemporary Australian policymaking is no longer captured adequately and usefully by a Commonwealth versus state dichotomy, MLG may provide a welcome means of casting light on an analytical terrain that contains the potential to improve policymaking.

At the core of MLG system theory are shifting interdependencies in policymaking, such that no level or scale of policymaking is able to effectively enforce its ambitions or requirements onto other levels in an ongoing and permanent manner. Instead, compliance is an outcome of negotiation and the ability of different actors at different levels to exert influence within those negotiations and to hold others within them to account for their actions over a specific period of time. This may, for example, require the development of complex policy coalitions that are able to steer these negotiations and subsequent reforms (Daniell et al. 2014; *Hogan*). All of the empirical case study chapters in this book explore and attempt to gauge the influence of certain actors, or groups of actors, and trace this through to the observed outcomes in their cases of MLG policymaking. The volume shows that the concept of MLG contributes

to an understanding of these influences as diverse – for example, processes driven and organised by different levels of government, private sector actors, community groups and researchers or other experts/professionals – and complementary or in conflict, but certainly not unidirectional in Australian policymaking.

The challenge for those seeking to deploy the concept in Australia is twofold: first, to consider the extent to which MLG contributes to an improved understanding of policymaking above and beyond governance conceptualisations already in more common use but also, second, to consider to what extent it helps the organisation of evidence and inquiry about how to improve policymaking processes and capacity in Australia.

At a conceptual level, MLG encourages us to think about governance arrangements for policy dilemmas that are no longer contained within the boundaries of a zero-sum ‘blame game’ between state and federal governments. It thus links to the studies in federalism that show how alternative conceptualisations of the roles and relative powers of these two levels of government, and how they influence each other or work together, can create very different policy development and implementation outcomes (Smullen 2014; *Kay*). Specifically, an ideal form of MLG holds the promise of policy learning as repeated interactions in novel arrangements, including beyond governments, to help transform interests, build trust and allow evidence to be used and respected in a less partisan manner. In doing so, this may contribute to a policy practice that is able to surmount the well-established roadblocks in Australian policy reform. In a less than ideal form, however, it could lead to undermining representative democracy and traditional mechanisms of accountability, and lead to new forms of stakeholder power-grabbing and a reduction in fairness of policy outcomes across the country due to individualised, rather than standardised and centralised, governance processes. In either case, we consider that better understanding the alternative values that are present in governance systems can be clearly addressed through the critical application of the MLG concept.

It is thus not surprising that the empirical evidence from the EU about MLG’s contribution to policy capacity is also debated and contested. Stephenson (2013) summarises different generations of scholarship over 20 years of use of the MLG concept. Much of the celebration of MLG is in EU regional and cohesion policy, and the extent to which new spatial scales of policy thinking and novel sub-national arrangements of

implementation have been observed, as well as around the open method of coordination (OMC), which has enabled non-hierarchical policy development and coordination beyond constitutionally entrenched limits to policy integration. This OMC policy dynamic (see also *Kay*) and the perspective of moving beyond the nation state that it implies helps to analyse the plurality of policy reform processes and cast doubt on any claims that there is one jurisdiction that has all the answers. To what extent it functions effectively in practice and leads to these desirable outcomes in each instance – instead of policy gridlock, as some spectators of the recent European crises (both economic and linked to migrating refugees) may attest – is, however, certainly a topical area of popular and academic debate (e.g. Song 2011; Barcevičius and Weishaupt 2014).

As a contribution to this debate on MLG specifically in the Australian context, this book provides some insights into the potential for functional, task-specific MLG policy arrangements in Australia (i.e. there is a strong focus on Type II MLG from the aforementioned definitions), which, while relatively enduring, do not get locked in, creating sticky legacies for future policymakers to overcome. As *Fawcett and Marsh* point out, MLG and most studies associated with it also draw our attention to three important themes: moving beyond formal institutions, taking a multi-scalar focus and developing a more networked approach (see also Torfing et al. 2012). *Andrews* likewise points to Peters and Pierre's (2004) characteristics of MLG, which include a wide and diverse set of actors, being non-hierarchical (i.e. not controlled from above), not being constrained by formal agreements or rules (which means informal bargaining can be as important as formal power) and largely ignoring structure (instead focusing on process and outcomes). This implies a need to focus more on the politics of scale and the interests of different actors involved in processes of negotiation that lead to rescaling and new governance systems and institutions (especially informal) that are fit for the negotiated purpose and prevailing political interests (see also Mukhtarov and Daniell 2017 and discussion in *Daniell and Mercer*).

Whilst better policy outcomes – specifically those that 'fit' with local and differentiated needs among stakeholders – may be the driver of moving towards MLG, there is the normative question of accountability. Do novel, flexible and adaptable arrangements in response to changing policy challenges create an accountability deficit – in particular, by marginalising representative institutions of democracy in Australia? *Mulgan* considers this question and the extent to which accountability may be ensured.

The democratic deficit dilemma of certain MLG-type arrangements exists within Australian policymaking. However, as the concept expands its ambit to include international and global arenas (see, for example, *McNaughton and Lockie*), or to look at the potential for policy transfer, translation and learning across jurisdictions and cultures (e.g. Evans and Davies 1999; Daniell 2014; Mukhtarov and Daniell 2017; *Ross*), there is likely to be an ongoing theoretical and practical question to investigate in future MLG studies on the interplay of global governance institutions and extant domestic policymaking processes in Australia. On top of issues of accountability, this could also include novel investigations of sovereignty, as suggested by *Kerr*. The studies of advantages of Type I, Type II and hybrids of these ideal types in different policy areas is just one way of approaching some of these challenges (see, for example, the analyses of *Mercer and Jarvie* and *Ross*).

The last section of this introduction digs further into a number of these questions, highlighting some preliminary responses about the utility of MLG conceptualisations and understandings of practice in Australia, drawing on the contributions to this volume.

## MLG for Australia and abroad: Emerging themes and questions

The richness of the MLG concept and its relatively recent introduction into Australian public policy results in an abundance of research themes and questions to explore. Here we outline the seven themes and insights addressed in this volume, with example insights from chapters related to them. This discussion is expanded in a more critical manner in *Daniell and Mercer* at the end of the book, specifically looking at examples of additional governance systems and how these might allow us to further theorise on the usefulness of the concept for future research and public policy practice.

### Processes and structures for ‘governing across boundaries’

The first research theme of importance addressed in this book relates to how MLG is about the processes and structures for ‘governing across boundaries’ – specifically, around investigating *what types of processes*

*and structures are most effectively used for governing across boundaries and whether these differ for different types of boundaries?* An MLG viewpoint has also allowed consideration of not only how governing across boundaries occurs, but also for whom this is carried out and, subsequently, *who is involved* (Hooghe and Marks 2003; Kerr).

Each of the case study chapters provide a number of examples of more or less successful processes and structures. They also discuss who is involved in governing across a range of boundaries, typically different arenas of negotiation – such as COAG-driven working groups (e.g. *Mercer and Jarvie; Jarvie and Stewart*) or regional networks and structures (e.g. *Iwanicki et al.; Andrews; Dale et al.; Norman and Gurrán; Daniell et al.*) – a number of which will be discussed in the next research theme, and so are not detailed here. The boundaries that are governed across predominantly include levels of administration or spatial territories, but also include sectors and knowledge types (e.g. traditional indigenous/community knowledge, administrative knowledge, commercial knowledge, academic research). Research on cross-boundary (or multi-scalar) working and governance has been blossoming in recent years from both theoretical and practical points of view (e.g. Cash et al. 2006; Daniell and Barreteau 2014), but merging this with research on policymaking and politics is less common and could provide a fruitful avenue for Australian MLG research, as will be discussed in *Daniell and Mercer*.

From the chapters, we can see that MLG cross-boundary working can be formalised to a certain extent through legislation (e.g. *Iwanicki et al.; Troy; Dale et al.; Ross*) or more informally developed using new or existing organisations and relationships (e.g. *Mercer and Jarvie; Jarvie and Stewart; Andrews*). However, most governance systems are hybrids of both – like they are between Type I/Type II MLG – especially when it comes to the construction of the negotiation arenas and who is personally involved in them.

Looking to the future, our chapters and other authors also note other structures of importance for governing across borders that deserve further investigation in the Australian context, including those related to performance monitoring and compliance (where legal or equivalent frameworks exist). Investigating such issues in the EU, for example, linked to OMC (e.g. De la Porte et al. 2001; Arrowsmith et al. 2004; *Kay*), has yielded useful research to inform policymaking across, and negotiations between, member states in a range of policy areas. Similar potential

exists for cross-boundary working between Australian states especially, as *Mulgan* notes, if common objectives can be agreed on. These negotiations can be complex (*Mulgan*), however, due to the variety of objectives and areas of interest requiring data for management purposes that may not match between levels of government and other stakeholders (*Dugdale*), which complicates the development of data collection and coordination systems.

In such a setting, the importance of private actors and markets, as well as the need to maintain some checks and balances on them (*Dugdale*), should not be overlooked. This means governments at different levels must, to some extent, engage in MLG systems and performance monitoring. Differences in existing data systems (e.g. across states or industry sectors) can also be a challenge to reporting on negotiated common objectives, but serious efforts in Australia on some policy areas have been occurring in recent years following work by the COAG Reform Council (e.g. the development of the ‘MySchool’ website<sup>2</sup> and national education testing). Some governments, however, continue to lack interest in acting upon performance indicators (McClintock 2012), at least in federal–state/territory agreements. Yet, this lack of willingness can alter when other stakeholders from outside government are involved and push for change (*Mulgan*), or when more innovative collectives of state and non-state actors run the processes for data management and systems interoperability (see *Dugdale*). Thus, there are a growing numbers of areas, such as in social and environmental policy, where having an overview of environmental conditions or social indicators across the country is helping to inform the development of MLG systems to cope with the diversity of situations and priorities identified, as well as empowering communities and other public and private actors in the governance system to act and invest in order to seek system improvements (see, for example, *Mercer and Jarvie* and *Dale et al.*). In areas such as natural resource management policy, some progress is being made towards nationally agreed targets (*Dale et al.*), but changes to funding arrangements, such as competitive grants from government for short-term projects, can decrease the ability to maintain local interest and ties long-term community/business funding to their identified priorities, and reduces collaboration and engagement more generally across levels and sectors.

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2 [www.myschool.edu.au](http://www.myschool.edu.au) [Accessed: 29/12/2014].

Some performance systems are developed for information only, whereas others may monitor adherence to standards or legislation, thus requiring complementary compliance systems to be developed. In many traditional MLG systems in Australia, policy and intergovernmental agreements are developed at higher administrative levels (e.g. federal, state), then implemented at lower levels (e.g. state, local), and it is at these lower levels that compliance mechanisms also have to be developed. Other actors, such as courts, may play a role in compliance, though this may be more developed in other countries such as the United States (e.g. *Ross*). When resources are not allocated or available for compliance monitoring and rectification, however, it can lead to policy failure, such as the appearance of slum housing in Australia (*Troy*).

## Mechanisms of authority sharing: Successes and failures

The second theme this book investigates relates closely to the idea of policy learning, hence questioning *what can be learnt from successes and failures of MLG systems, especially around the mechanisms of authority sharing and their ultimate impacts?* It is specifically through case study analyses that authors address this question, although there is room for additional research to contribute to this theme through theoretical investigations around the nature of authority (e.g. Barnett and Finnemore 2004), accountability (e.g. *Mulgan*), risk-sharing and uncertainty management (e.g. Matthews 2009) and what this means for working in ‘multi-accountable’ groups (e.g. Daniell 2012).

For example, as initial offerings to this theme from our case study chapters, we can see that the Commonwealth–state working groups on early childhood education (ECE) reform (*Mercer and Jarvie*) were successful in developing innovative working relationships, but some issues of authority to make decisions were encountered, seemingly due to the arrangement of federal and state public service officials working under a Commonwealth minister, where state ministers were not involved. This led to the requirement for significant communication from the work-group members back to numerous departments to reassess positions in the negotiations. Since high levels of trust were built, however, decisions from negotiations were still taken quickly while ensuring the required flexibility of the process. A similar approach across Australia between

federal government and the states to agree on regional NRM plans and resource allocation in the early 2000s also saw success and encountered challenges (*Dale et al.*).

Other successful strategies seen in the indigenous policy trial in *Jarvie and Stewart* included flexible budgeting and a range of inter-organisational mechanisms to drive the governance system and implementation of its decisions; intergovernmental and government–community networks with non-hierarchical structures that could involve rotating chairs and joint objective-setting/decision-making; and trust-building through ongoing and regular engagement and listening to others (see also *Mercer and Jarvie* on trust-building). On the other side, challenges that could lead to failure included instability in authorising environments (federal government or communities), including changing philosophical positions and structures in ways that do not help maintain relationships important for advancing the project, and the requirement of significant resources for collaborative approaches that may or may not finally provide value for money in terms of results, both politically and practically (*Jarvie and Stewart*).

Some of these challenges are linked to ‘pure politics’ in terms of competing rationalities and scales of thinking that are prioritised by different governments (e.g. laissez faire) market approach, coercive/strongly regulation-driven government, bottom-up community pressure/driving a reactive government approach). One successful MLG initiative for agricultural standard setting, GLOBALG.A.P., led to business, rather than government, driving the standard-setting in response to community discontent/fear and the need to secure markets and consumer confidence (*McNaughton and Lockie*). Other authors identified that staff turnover and lack of expertise in multiple areas can also be a barrier to successful implementation of ‘integrated’ policies (*Iwanicki et al.*) and that regulation alone may provide a base standard for management but may not lead to further improvement of practices (*Dale et al.*) without other drivers (social or competitive/economic). It was also evident that different MLG systems can lead to similar outcomes (not necessarily optimal), as demonstrated in the United States/Australian integrated groundwater/surface water management issue in *Ross*, and thus most can likely be further improved through ongoing policy learning, adaptations and negotiations.



## Questions of MLG system visibility

The third theme investigated through the book relates to the issue of whether negotiations in MLG systems are in the political spotlight or occur under the radar, and to what extent this influences outcomes. For example, *are 'under the radar' or informal activities more conducive to a collaborative approach to governing?* Both theoretical and practical contributions to this theme are presented.

For example, accountability – or at least holding actors to account in MLG systems – can occur through outlets like the media and social networking. There could obviously be issues about ‘under the radar’ governing from such an accountability perspective, but it may also allow more effective progress and results, rather than processes and issues, to be assessed. This is less likely to hamper progress in the particular direction chosen by the collective. Such governance systems with multiple stakeholders can also be more open and transparent than traditional monolithic hierarchical structures (*Mulgan*). They can also facilitate the negotiation of individual grievances and then quickly move forward, thus providing ‘bottom-up’ instead of ‘top-down’ accountability (*Mulgan*).

Moreover, conceptualising accountability as being constructed in an ongoing fashion, including between partners in the MLG network, rather than being a forced condition of work, opens an important line of inquiry for Australian research. Internationally, this book provides the interesting case of private actors in governance (*McNaughton and Lockie*) where formal accountability or ‘standard adherence’ mechanisms and sanctions can be set up as both informal and/or legally binding if state actors make reference to such standards.

Similar processes of accountability development can also occur in MLG systems with high proportions of community actors, as in the Lake Eyre Basin community initiative (*Andrews*) where high trust and organising principles can be developed, but actions may end up being constrained by other initiatives in the operating environment. As *Andrews* notes: ‘MLG should now represent models that create new forms of accountability and empowered relationships between people and their institutions.’ In a complementary fashion, MLG can be seen and investigated as a process of authorising and legitimating particular actors (*Kerr*).

Preliminary insights from the contributions in this volume also lead us to postulate that much work that occurs ‘under the radar’ in MLG systems remains there because it is successful and generally welcome and is thus often not considered newsworthy or of academic interest (*Mulgan*). This book contributes to illuminating some of these kinds of negotiating systems (see, for example, *Jarvie and Stewart; Mercer and Jarvie; Iwanicki et al.; Andrews*). The findings from these Australian cases coincide with Bache and Flinders’s (2004: 199) EU analysis that ‘MLG is likely to be more evident in “low politics” issues, where the stakes are less significant and the politics are less fraught’, as noted by *Mercer and Jarvie*. *Jarvie and Stewart*, however, also note that working under the political radar can prove detrimental to the maintenance of good relationships with the bureaucratic and political hierarchy. There also remains the issue of who receives the political pay-off and if it can be made visible, as Commonwealth or state governments are typically less likely to act if there is no political gain (see, for example, *Troy* on these challenges, including budget allocations in the housing policy domain).

## Organisation of negotiation arenas

The fourth theme investigated through the book relates to the organisation of negotiation arenas for integrated policies – specifically, *who is involved in this organisation and what enabling conditions are required?* This can also relate to issues of meta-governance at both the macro (e.g. structural) and micro (e.g. individual actor) level.

From our chapters, we can see that some issue areas like climate change and agricultural trade and standards have global reach and immediacy, and so find that a greater range of state and non-state actors are involved in negotiations (and their organisation) at a range of levels, as it is rare that Type I governance solutions will work (see *Betsill and Bulkeley 2006; Fawcett and Marsh; Norman and Gurrán; Daniell et al.; McNaughton and Lockie*). Social policy areas typically require the involvement of community groups and frontline service providers (*Jarvie and Stewart; Hogan*), although the extent to which they may be engaged from the beginning of policy development varies (see *Mercer and Jarvie* on the COAG-dominated approach to ECE reform, and *Daniell and Mercer* for further discussion on this point), as can the eventual level of support for or resistance to the resulting policy. This leads to the importance of designing negotiation arenas to include community engagement (*Dugdale*). Specifically, trust

(and openness) can enable the development of ‘win–win’ outcomes, as there is generally a need for high trust to permit the effective functioning of MLG policy systems, especially in the implementation phase (*Dugdale*).

While it can be of particular use to have actors involved in the negotiation arena who have an interest in final outcomes, those organising the arenas may have a less prominent personal stake but a strong interest in ensuring negotiation effectiveness. How this is done and what procedural objectives are considered to be of importance can be linked to different mentalities of governing or ‘governmentalities’ (Foucault 2007) and hence different preferred governance or MLG negotiation systems (*Dugdale*). In our cases, we have evidence of negotiation arenas that are self-organised by communities, for communities, with support from government and specific facilitators or organisers (*Andrews*). There was one case where community and government champions were important in negotiations to align actions at different levels and across groups involved in the MLG system (*Jarvie and Stewart*).

Other MLG processes have researchers playing an important role in driving innovation and/or the organisation of MLG systems (Daniell et al. 2014), yet, in order to gain maximum benefit over larger geographical areas, such as regions, more coordinated research bodies or brokers at these levels may be required to ensure adequate knowledge and consideration of innovation and investment across these areas (see *Dale et al.* and *Daniell et al.* for examples), rather than individual researchers driving innovation in one area around their own interests. Ideally, these regional research programs should be strongly linked to ‘end-user’ or community needs, with these stakeholders helping to set the research priorities and helping to follow the research through (e.g. in a participatory research set-up – see Barreteau et al. (2010) – with direct links then made to the use of this research and knowledge to help inform the decision-making processes and innovation in the MLG system). This has been the case in some of the regional bodies and negotiation arenas presented in *Norman and Gurrin*, such as the Canberra Urban and Regional Futures (CURF) initiative. Perceived failures across levels and scales to organise such negotiations in multiple or specific governance systems may, however, lead to a major shift in governance approach, such as a strong reversion to hierarchical and centralised control mechanisms and exclusion of non-government condoned entities (see also *Daniell and Mercer*), as discussed in the next section.

## Drivers of coordination and tension in MLG systems

The fifth theme of this book relates to the internal dynamics of MLG systems – specifically, *what are the drivers of coordination and tension in MLG systems?* Theoretical issues in this area include issues of legitimacy of, and trust between, participants of MLG systems (see *Kay*) and the ongoing tensions between Type I and Type II systems due to their advantages and disadvantages (see *Fawcett and Marsh*; Brown and Bellamy 2010; *Ross, Daniell and Mercer*).

For example, a potential lack of transparency in Type I negotiation processes (e.g. *Mercer and Jarvie*) is likely, as public servants are often bound by stricter codes of conduct over the release of information than other non-state actors. This can often lead to lesser involvement of community stakeholders and greater potential for conflict between governments and communities (*Ross*). Type II systems have the potential for more innovation but can also lack coherence and consistency across MLG systems, or have issues due to the lack of higher-level oversight (*Ross*).

A significant driver of tension within MLG systems, as alluded to in previous discussion, can be the different ideological origins of policies within and across administrations and stakeholder groups (*Troy; Hogan*); for example, a reliance on markets versus the need for state-funded welfare support, or a technological solution aimed to ‘fix a problem’ compared to a societal or person-focused intervention to appreciate and support difference. As Hogan notes, there can be a battle of ideas, politics and influence in negotiations and other governing processes that results in the subjugation of certain people, where ideas that do not benefit a minority come to dominate policy (*Hogan*).

Another similar tension can be the different experiences of policymakers versus implementers, who are often at lower administrative levels or external to administrations (*Troy*). In this case, a lack of mutual understanding can affect negotiations. The other associated challenge and cause of tension is that unilateral actions taken at one level or by one group of actors can undermine the value or position of a collective agreement if the results have strong impacts on the policy area under question, rendering inoperable the range of options initially considered (see *Troy* for an example of the Commonwealth push for home ownership that undermined the states’ room to manoeuvre on housing policy).

Other tensions and areas where coordination is typically necessary to work through issues are between territory- or jurisdiction-specific needs compared to general needs and priorities of a larger area jurisdiction (e.g. a water basin area versus a larger regional area). Tensions here, for example, have been observed between NRM developed by the federal government, regional systems of governance and ‘organically’ evolved community basin initiatives between regions, with agreed specific priorities (*Andrews*). The existence of regional and inter-regional systems indicates the national ‘one-size-fits-all’ structures do not function equally well for all territories (*Daniell et al.*).

Tensions can come from other issues, such as the relative weight of representational democracy versus participatory or deliberative democracy in MLG systems. This can lead to additional questions of research interest, such as *what are the advantages and disadvantages of voluntary (community) participation versus statutory frameworks for participation/partnership working in MLG systems?* On top of accountability and representation issues with different forms of participation in decision-making, it is clear that in many policy domains public participation is key to ensuring policy support, understanding and successful implementation. As *Iwanicki et al.* outline, public involvement and education are key for driving local reforms like catchment management, since the processes are little known and investments in engagement need to be made to bring the community along with the work. This can be trickier to do in larger geographical areas, however, as there can be a relative loss of community control under statutory or legislated frameworks and less flexibility to include issues of interest for the community (see *Andrews* for a comparative analysis on some advantages and disadvantages of different systems). Yet, over Australia’s public policy history, there have been examples of sophisticated public engagement campaigns linked to complex negotiations (see, for example, *Combet and Davis (2014)* on industrial relations policy) that warrant further investigation as MLG case studies.

## MLG system change: Entry points and the importance of individuals

The sixth theme treated through the chapters of this book focuses on the dynamics of change in MLG systems – specifically, looking at *what are the entry points into different MLG systems to bring about change and empower individuals?* Both theoretically and practically, this involves questioning

the role of the identity of individuals involved in MLG systems who are seeking to drive change, including those individuals (and/or organisations) involved in boundary spanning, facilitation or brokering.

In terms of the mechanisms used for driving change in our case studies, *Mercer and Jarvie* note that the chairing of complex groups by ‘outsiders’ (e.g. a consultant) in the state/Commonwealth reform group, as well as an initial cash injection from the Commonwealth to the states, helped to demonstrate good faith and helped to build trust in the governance/reform process. Other authors similarly note the importance of bringing in facilitators to work through different issues within and between groups for planning or the importance of brokering work to ‘join up the dots’ (e.g. *Jarvie and Stewart*; see also Sabatier and Jenkins-Smith 1999; Daniell et al. 2014). For example, individuals with expertise across multiple policy domains can act as knowledge brokers or boundary spanners to help bring actors and relevant information together (e.g. across catchment management and land planning, as in *Iwanicki et al.*).

Individuals with in-depth historical and local knowledge of past work/policies can also be invaluable change agents to support policy learning and to help avoid repeating policies that had previously failed; they have insights that can help to select policies that are more likely to be locally viable for implementation. These individuals may be people in positions such as ‘project officers’, working under stakeholder steering committees, who do the hard work of engaging people in the process and providing this bridging service (e.g. *Andrews*). There is, however, also a need to support widespread change in developing the skills of all actors involved in the MLG system in engaging across boundaries. This can, for example, be built through the process of negotiating and partnership working, as discussed in the case of *Jarvie and Stewart*, although they also highlight the importance of ongoing support of a champion and leadership – collaborative rather than directive – so that others in the system are not alienated.

Not all MLG systems are collaborative and, thus, some individuals – such as ministers, engineers or other intermediaries (e.g. *Ross*) – have key decision-making powers or capacities to formulate plans that shape the rest of the MLG system and negotiations, thus acting as key agents for system change.

Regional-level groups (e.g. catchment boards) can also help drive coordination in MLG systems both vertically and horizontally, including acting as facilitators between state and local levels (e.g. *Iwanicki et al.*; *Norman and Gurrán*; see also *Andrews and Dale et al.*). Yet, this is also one of the messiest and most contested areas of policy development, as regions or regional governance may also find themselves subject to changing policy environments in the formal levels of government (see, for example, *Daniell et al.*). Personal relationships and networks with people in other levels of governance/spheres can help to get things working, as trust exists already (*Iwanicki et al.*). Individuals can also hold multiple roles, especially in Type II systems, having a position at, say, a local and regional level, while being the local representative on a national body. Many of the seemingly more successful and connected regional groups form organically as part of Type II systems with voluntary membership (e.g. local governments, universities or community groups). This allows groups with specific targeted interests, such as climate change adaptation or coastal planning, to build a coalition large enough to seek change, but small enough to maintain close connections to local issues, priorities and knowledge (*Norman and Gurrán*). Such groups also tend to promote more experimentation in governance systems, as will be discussed next.

## Experimentation and innovation: Driving MLG forward

The final theme explicitly addressed in this volume relates to innovation and how this can drive public policy forward. In particular, there are questions to investigate, such as *what is the experimental or innovative potential of certain types of MLG systems?* And *what can be learnt from the successes of innovation in certain areas and the potential failures for these innovations to be taken up and extended across broader MLG systems?* These questions again relate to policy learning in a different, more systematic way, where potential policy solutions can be experimented with and evaluated, or left to emerge and be learnt from.

From the contributions of our authors, it can be considered that the fluidity of goal-setting in MLG systems may lead to an intensification of policy innovation, creativity and entrepreneurialism of actors (*Dugdale*). It can also be seen that innovation may be easier in arenas where there is not a long history of adversarial politics/strong positions and media interest in the debate. Hence, in ECE policy, in comparison to schools policy, it was easier to openly investigate new and more innovative solutions to issues (*Mercer and Jarvie*). Authors also noted that small innovative programs

can make a difference to the people involved, but expanding them against a dominant policy landscape (including values and resourcing) means that their ultimate spread, expansion or fate may not be assured (see examples in *Andrews* and *Hogan*, as well as in Daniell et al. 2014). Where there is no strong opposition group, however, MLG innovations may have greater take-up and spread, as occurred with the private European agricultural standards system 'EurepGAP'. This system first expanded to have global reach in GLOBALG.A.P. and is now reintegrating and supporting national and local 'gap' systems in both developed and developing countries, showing the MLG system's capacity for both responsiveness and innovation (*McNaughton and Lockie*), as well as the power of non-state actors within them.

It was also seen that with changing authorising environments, innovations at more local levels can be short-lived (e.g. integration of catchment management and land planning in *Iwanicki et al.*), although strong voluntary coalitions of groups with similar issues and objectives may help to maintain alliances and continue to drive innovation through difficult political times (e.g. *Norman and Gurrans; Andrews*). In terms of MLG system types, it is generally considered that there is greater (or at least easier) innovation potential from Type II or nested (polycentric) systems, due to their adaptation and flexibility potential. This is shown in the examples of a regional board driving change up and down the nested system in *Iwanicki et al.*, and a regional community initiative supporting the development of an intergovernmental agreement in *Andrews*.

Recent research, however, also shows that more centralised Type I systems may have solid potential for innovation, including by developing a culture of policy experimentation and trials across the system that can be learnt from before final policies are developed and rolled out. This has, for example, been the case in China (e.g. Daniell et al. 2014), where the Chinese national government has the willingness and resources to take an experimental approach. In some policy areas, such an approach has also been used in Australia (see, for example, *Jarvie and Stewart* on Indigenous policy trials and *Daniell et al.* on the drought policy trial). However, there remains the challenge of having a long enough term of government and strategy to actually learn from such trials, complete further testing and policy development and have the resources for eventual broad scale rollout.



Australian public policy and MLG systems thus have some unique challenges, some linked to cultures of relative government risk-aversion and short-term thinking (Daniell 2014) and others linked to rapidly shifting political frameworks and national leaders in recent years, as will be expanded upon in *Daniell and Mercer* at the end of this book. Yet, by considering different meta-governance systems that can create the enabling conditions for greater risk-taking, entrepreneurialism and learning from both successes and failures (see also Matthews 2009, 2013), more effective MLG systems of Types I and II and hybrid varieties may be created and reformed over time to enhance and drive Australian public policy forward more effectively.

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