



Coordination practice

DEPARTMENTALISM IN CLIMATE ADAPTATION POLICIES IN GERMANY

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The case study introduces climate-adaptation policy, which is often regarded as a “wicked issue” and thus characterised by strong complexity, uncertainty and ambiguity. To cope with the complexity of the issue and to coordinate climate-adaptation policy, the German federal government established a distinct inter-ministerial working group that, however, failed to agree on wide-ranging measures to implement adaptation policies, mainly due to a lack of a joint problem perception reflecting strong departmentalism in the German federal government.



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Preface

This coordination practice is a result of research within COCOPS Work Package 5: The Governance of Social Cohesion: Innovative Coordination Practices in Public Management.

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The COCOPS project (Coordinating for Cohesion in the Public Sector of the Future) seeks to comparatively and quantitatively assess the impact of New Public Management style reforms in European countries, drawing on a team of European public administration scholars from 11 universities in 10 countries.

The specific objectives of Work Package 5 are:

- To search and identify emerging coordination practices and related steering instruments in public management in European public sectors.
- To compile a case study catalogue of such coordination practices with direct utility to public managers and the research community.
- To analyse the functioning of such coordination practices and to assess their value in countering public sector fragmentation and delivering public value.

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1. THE COORDINATION LANDSCAPE

Main country characteristics: GERMANY

General political-administrative structure

Germany is a federal country in which the division of competences between the federal level and the state level is organised according to specific functions. The federation is primarily responsible for the bulk of policy formulation, i.e. law-making, whereas the states are mainly charged with the implementation of policies. The states participate in federal policy-making through the second chamber of a legislative body composed of members of the state governments.

This functional division of competences has at least two consequences. Firstly, a considerable number of coordination activities are observable between the federal and state levels and also across the states. Vertical coordination efforts between the federation and the states vary between highly formalised arrangements, such as the mentioned legislative body, and rather informal activities, like regular contact to experts in policy domains (“brotherhood of experts”). Secondly, the delegated federal administration is comparatively small and restricted to a number of federal agencies.

Germany is a parliamentary democracy and can be classified as the cabinet-government type; hence the federal government is (generally) supported by a parliamentary majority. Federal governments are typically formed by at least two parliamentary parties which negotiate a coalition agreement subsequent to the general elections for the Parliament. Governmental stability in post-war Germany can be considered high.

The Federal Chancellor is elected by the Parliament, and it is part of the Chancellor’s prerogatives to decide about the allocation of portfolios and to appoint and dismiss departmental ministers. Three ministries, the Ministry of Defence, the Ministry of Justice and the Ministry of Finance are specifically mentioned in the constitution and are constitutionally protected guaranteeing their existence.

As in most other countries, the constitution barely provides specifications regarding the structure and organisation of the federal government. The constitution defines three principles according to which (1) the Chancellor exercises the authority to set general policy guidelines, (2) the Cabinet should decide collectively as a collegiate body and (3) departmental ministers independently perform the affairs of their ministries and policy domains (in the framework of the general policy guidelines). According to the traditional legal interpretation, these three principles are supposed to be equally respected during the day-to-day work of the government. According to empirical studies, however, the departmental principle has evolved as the most important one, hence, the single ministries are considered strong actors at the federal level.

	<p>The strong position of the single ministries results in the paradigm of negative coordination. In contrast to positive coordination, which is generally based on the idea that asking bodies for participation, contribution and input results in innovative and far-reaching coordination outputs, negative coordination implies least-common-denominator bargaining and can be described as follows: (1) The responsible ministry enjoys the policy initiative privilege – also excluding any hierarchical orders from one ministry to another or from the centre of government to ministries. (2) The bulk of coordination is performed at the section level of ministerial departments. (3) The division of responsibilities is strongly looked after by ministerial officials and thus commonly protected and reinforced – leading to the dominant normative understanding of coordination as “co-signature wars” between ministries. In general, government coordination is primarily oriented towards accomplishing individual departmental interests and less towards coherence within the government.</p>
<p>Coordination discourse</p>	<p>Overall, the public-sector-reform debate in Germany is not a salient issue of strong political debate; there is also no strong ideological divide between the political parties on the matter, mostly because it is not regarded as crucial for winning general elections. The German federal government has not been highly active in public-sector reform over the last few decades. Even though in each election period, the federal government has agreed on a public sector policy or programme, concrete reforms have been sparse, especially in the area of the New Public Management fashion. Reasons for that are diverse but can be traced back to specific features.</p> <p>Firstly, the above-mentioned division of labour between the federal and state levels often leads to many reforms being spilled over from the local to the Länder and eventually the federal level, reducing the overall reform pressure for federal governments.</p> <p>Secondly, the dominant <i>Rechtsstaat</i> tradition emphasises the importance of a legally-bound administration to assure legitimacy, implying weaker emphasis on efficiency and effectiveness in the public sector – which are widely regarded as key triggers of NPM-style reforms.</p> <p>Thirdly, the federal government initiated one of its wide-ranging administrative reform programmes in the late 1960s and early 1970s with the appointment of an external “Project Group Governmental and Administrative Reform” that scrutinised the federal government and issued several reform proposals. Yet, many of their proposals were not implemented and the general “planning euphoria” initiated by this project group faded away rapidly with the advent of the first economic crisis in the 1970s (mostly caused by the oil crisis) and the manifestation of a general and deeply-rooted discontent with wide-ranging administrative reforms. Put differently, the executive federalism and the mostly disappointing results of the extensive reforms in the 1970s made political actors believe that administrative reforms are not crucial to maximising votes in general</p>

	<p>elections at the federal level, and it demonstrated to administrative actors that intended and unintended consequences and effects might not be as promising as hoped in the first place.</p> <p>Fourthly, there is a general and rather uncontested notion among political and administrative actors (but also among the general public) that the federal bureaucracy performs well and delivers results – according to the requirements of a bureaucracy deeply rooted in a <i>Rechtsstaat</i> tradition.</p> <p>Lastly, the German unification absorbed most of the federal government’s reform capacities in the early 1990s when other Western governments carried out NPM reforms. However, the German federal government conducted privatisation programmes, partly leading to the liquidation of East German industries.</p> <p>The most recent administrative reform programme of the current federal government emphasises areas such as e-government and partnerships as priorities. It only rarely addresses direct interactions between administrative authorities or services and the citizens.</p>
Policy area	<p>This coordination practice concerns climate policy. Climate change firstly emerged on the agenda of German federal government in the late 1970s, when the Ministry for Research and Technology set up a large-scale climate-change research programme. At that time, the German Physics Society promoted nuclear energy as a way to address climate change and had established a working group on energy policy and supply. During the 1980s, ambitions to address climate change were mainly driven by both scientists and the federal parliament that had established two study commissions to obtain information on the scientific basis and expected impacts of global warming. Germany is often considered a “trend setter” in climate policies, taking a front role through “leadership by example”. Observers see this role stemming from a rather general consensus among parliamentary parties to combat climate change, from the commitment of every environmental minister and chancellor and from the general support of the wider public. Particularly in the early days, a leading role in international climate policy was considered an opportunity to jazz up Germany’s foreign image. Though political parties generally agree on a German leading role in climate policies, conflicts typically occur between economic and environmental interests, mainly regarding energy policies in general and the regulation of carbon-intensive and lignite industry in particular as well as with respect to the regulation of the German car industry.</p> <p>At the federal level, responsibilities and competences in climate policy are spread across seven ministries (Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU), the Ministry for Economic Affairs (BMWi), the Ministry for Finance, the Ministry for Food, Agriculture and Consumer Protection, the Ministry for Education and Research, the Ministry of Transport, Building and Urban Development and the Ministry for Economic Cooperation and Development. The most important thereof</p>

	<p>is the BMU with its overall responsibilities for international climate policy, mitigation and adaptation policy. Mainly because competences for (conventional) energy policy rest with the BMWi, this ministry has also assumed relevance and forms the BMU's typical counterpart.</p> <p>German climate policy is featured by the domain-specific distinction between mitigation and adaptation. Whereas German climate policy traditionally focuses on mitigation policy, i.e. targeting the causes of climate change by focusing on emission reduction, adaptation policy, i.e. establishing measures to prepare for the adverse effects of climate change, assumes a latecomer position on the agenda of the federal government.</p> <p>This divide is also reflected organisationally in the structure of the BMU, which holds the main responsibilities in both mitigation and adaptation policy as competences for mitigation are allocated in the so-called "climate division" whereas responsibilities for adaptation policy are vested in a section (<i>Referat</i>) of the division responsible for water management (see below).</p>
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2. COORDINATION PRACTICE: Departmentalism in climate adaptation policies in Germany	
2.1. Substance	
Country	Germany
Area	Central government
Main characteristics of the practice	In 2008, the federal government decided to establish an inter-ministerial working group on adaptation policy (IMA) to develop an implementation plan for the National Adaptation Strategy staffed with ministerial bureaucrats of all ministries. Adaptation policy is considered a cross-cutting policy affecting the responsibilities of several federal ministries. In this context, IMA has been established to enable cross-ministerial coordination in the implementation of the National Adaptation Strategy. Hence, IMA strives for horizontal coordination across all federal ministries.
Background and initiation of the practice	IMA was established to include all federal ministries in adaptation policy-making as climate change is considered a policy area affecting the competences of all ministries. The German federal government had announced the development of federal adaptation policies in an overall programme aiming at reforming energy and national climate policies. By then, German climate policy had been focused on mitigation, and adaptation had been considered an inappropriate approach to address the problems caused by climate change. Whereas mitigation aims to tackle the causes of climate change, adaptation refers to measures to cope with the impacts of a changing climate. However, both international agreements in the context of climate change (United Nations Framework Convention on

Climate Change, Kyoto Protocol) and the EU urge national governments to develop national adaptation policies. The National Adaptation Strategy was approved by the federal government in December 2008. This formal document announced the establishment of IMA including all ministries to develop an implementation plan for the adaptation strategy.

Not surprisingly, the environmental ministry became the leading ministry during the formulation of the National Adaptation Strategy and the subsequent implementation plan. The National Adaptation Strategy has originally been developed by a specialised unit in the Federal Environmental Agency (UBA) in close cooperation with the environmental ministry, which, moreover, consulted with the ministries for transport, agriculture, economic affairs and health.

In 2007, the responsibility for adaptation policy within the environmental ministry was transferred from the so-called “climate division” to the division “Water Management, Waste Management, Soil Conservation”. The “climate division” now focuses on mitigation policy and international climate policy, i.e. international negotiations and financial assistance mechanisms. Responsibilities regarding adaptation policy were transferred because the water division had already worked on specific water-related adaptation issues, mainly related to EU-level initiatives with respect to water and adaptation.

Empirical data on inter-ministerial working groups in German federal government is generally rare. The most comprehensive account dates back to 1968, and the latest available survey (from 1976) counted 180 inter-ministerial committees. Inter-ministerial working groups are often established on an ad-hoc basis (even though some seem to be permanent) to either jointly prepare drafts, or to solve inter-ministerial conflicts. They typically refer to specialised tasks or topics and are established at different echelons of ministerial hierarchy. In the field of climate policy, two other (rather permanent) IMAs (one on CO₂ reduction and one accompanying the work of a scientific advisory body on environmental change) exist next to the one described here.

IMA was established to overcome departmental egoism and to resolve potential conflicts by including all other federal ministries right from the beginning. Hence, IMA was established to cope with a problem of horizontal coordination that is typical for politico-administrative systems characterised by a strong departmental principle. Negotiation as the basic coordination mechanism inside IMA results from that principle because all ministries are considered equal.

After cabinet had announced the establishment of IMA, the administrative state secretary of the environmental ministry informed his colleagues in other ministries that IMA was going to be set up. Subsequently, the responsible head of division in the environmental ministry invited his colleagues to join the group.

Hence the establishment of IMA was a political decision taken by cabinet,

	<p>which was consequently transferred to the administrative level by a classic hierarchal process. Establishing IMA was not contentious but considered a hall-mark to increase comprehensive communication in adaptation policy.</p>
Time frame	<p>Formally, IMA was established in 2008 by cabinet approval to the National Adaptation Strategy. However, IMA had an informal predecessor since early 2007. After the announcement of IMA's establishment by the administrative state secretary of the environmental ministry and following the invitation by the responsible head of division, IMA met in May 2009 for the first time. There is no formal agreement on whether IMA is a temporary or a permanent body. Although it was established to deliver an implementation plan, which was approved by cabinet in August 2011, it does not seem to be dissolved in the near future. With the approval of the implementation plan, cabinet requests that IMA evaluates the adaptation strategy and the implementation plan by the end of 2014.</p>
<p>2.2. Structure and actors</p>	
Basic features	<p>IMA was formally established at the level of heads of divisions, and they constitute its main members. This formal group is supported by a group of heads of sections and officials that compose IMA's main actors in the day-to-day work. Apart from the leading role of the environmental ministry, IMA has no formal organisational structure; hence, all ministries involved are considered equal members.</p> <p>As IMA's initial task was to develop an implementation plan for the National Adaptation Strategy, its work does not refer to a certain group of users or clients but rather to the federal dimension of adaptation policy. As mandated by a cabinet decision, IMA is on the one hand based on a top-down mandate, on the other hand, however, and as mentioned above, IMA represents a formalisation of an informal group that had existed since 2007. IMA's work does not directly involve legal instruments as IMA is only supposed to develop suggestions that need to be approved politically.</p>
Main tools	<p>IMA works in regular meetings and discussions. IMA met at the level of heads of divisions to decide on milestones of the procedure and the first draft of the report. The report itself was discussed and compiled in the meetings of heads of sections and section officials.</p> <p>IMA has neither an own budget nor a particular amount of money assigned to fund adaptation measures, which instead are supposed to be funded by ordinary departmental budgets. According to the cabinet decision, by which IMA's implementation plan was approved, IMA now is supposed to work on an indicator-based system according to which the plan's implementation can be assessed. As mentioned above, IMA is responsible to provide an evaluation report of the implementation plan by the end of 2014.</p> <p>It is quite difficult to assess the inner mechanisms of IMA. Firstly, it is not</p>

	<p>easy to gauge the room of manoeuvre of the single ministries' representatives within IMA. In general, representatives of federal ministries are known to protect their ministries' turfs, not least because many ministerial careers are still taking place within one single ministry. Moreover, the organisational structure characterised by a strong hierarchy and clear internal division of competences fosters turf protection and reluctant behaviour in inter-ministerial coordination activities. Hence, it can be assumed that most members are not interested in having a lot of discretion to negotiate within IMA, at least as long as the issue is not a top priority of the political leadership. In turn, all participants are interested in coming up with suggestions that do not interfere with their actual work. Thus, members can report "successful completion" to their heads when coming "home". Secondly, it is also tricky to assess the level of conflict or harmony within the group. In retrospect, however, the modest results of IMA, which did not manage to come up with substantial adaptation measures (see below) and, hence, did not succeed in overcoming departmentalism can be interpreted as indications of conflicts. The implementation plan itself shows a lack of joint problem perception in the group (see below).</p>
Main actors	<p>IMA involves all federal ministries at the level of heads of divisions and heads of section as mentioned above. The BMU is the "leading ministry" and presides over IMA. The responsible section on "General, international and European issues of water management" has prepared the meetings with support of a specialised unit on adaptation of the UBA. The leading section in the environmental ministry is part of the above-mentioned division for water management. Members from the others ministries have mainly been from those units responsible for international climate policy or protection or from the ones responsible for sustainability issues. The Chancellery sent a representative from the unit on sustainable development and even the Press and Information Office was represented by a member working on public affairs. Most of the ministries participated regularly.</p> <p>Being the "leading ministry" is an administrative instrument familiar to and deeply entrenched in the German federal government. The "leading ministry" is the main responsible ministry in any issue initiating and organising coordination processes. Being the "leading ministry" of an inter-ministerial working group refers to arranging the framework in form and content. However, the leading ministry does not imply a hierarchical superior position. Due to the departmental principle of Art. 65 of the constitution, all ministries are considered equal. Hence, neither the leading section nor the representative of the Chancellery has a hierarchically superior position which would enable them to instruct the other participating ministries. Thus, working procedures within IMA rather reflect a network-like structure.</p> <p>When the leading section asked the other participating ministries, in autumn 2009, to report on adaptation measures already in place, the other</p>

	<p>ministries were quite reluctant. It became obvious that many other ministries had not developed any measures beforehand. As no extra funding was provided to develop adaptation measures, ministries remained reluctant. Whereas from the environmental ministry's point of view (at least from the leading section within the ministry), adaptation had evolved as a politically salient issue, the other ministries appeared more reluctant and not willing to politically commit. The differing salience perception contributed to internal conflicts and turf wars.</p>
<p>2.3. Impacts and effects</p>	
	<p>IMA has not been living up to expectations as it has not been able to overcome departmental conflicts and interests. It drew up a draft version of the implementation plan in March 2011, and a final version was approved by cabinet in August 2011. This implementation plan, however, was formulated rather vaguely. IMA was criticised for its lukewarm and superficial report lacking substantial suggestions. The report reflects on-going conflicts within IMA and hence between ministries and a lack of a joint problem perception. Hence, classic coordination problems such as turf wars and a lack of joint problem perception prevailed, i.e. agreement on the well-suited problem-specific measures has not been achieved. These coordination problems resulted in lowest-common-denominator bargaining with the classical output of non-innovative, minor suggestions. IMA reflects the strong role of single ministries within the German federal government resulting in prevailing and powerful departmental egoism hampering inter-ministerial conflict-solving.</p> <p>In other words, a reliance on IMA as an organisational arrangement to achieve positive co-ordination proved insufficient. Instead, this particular working group's plan reflects lowest-common-denominator bargaining. It appears that IMA was not able to develop a joint problem perception and hence a joint understanding of adequate measures to agree on. Quite in contrast, it appears that the represented ministries protected their turfs and only agreed on suggestions that all ministries could accept, hence minor ones. This example reflects strong departmentalism that can be considered typical of German federal government.</p>
<p>2.4. Lessons learned and policy recommendations</p>	
	<p>Coordination practices have not gained a lot of attention in Germany; hence no discussion on coordination in climate policy has been raised within federal government. However, from a public-administration research perspective, two lessons can be drawn from the experience regarding IMA. Why did IMA not manage to deliver encompassing and joint measures to implement the National Adaptation Strategy? And under what conditions could an inter-ministerial working body be more successful?</p>

	<p>Firstly, the example of IMA shows that establishing a formal body for coordination involving all responsible organisations does not guarantee encompassing or “innovative” coordination output as the notion of positive coordination implies. However, the example of IMA implies that a mutual lack of understanding can persist even when bodies agree to participate, when each of them is equally asked for suggestions and when the setting is open for negotiation.</p> <p>Successful coordination requires a joint problem perception, which is a pre-condition to agree on coherent measures considered adequate and reasonable by all participating organisations. Therefore, successful horizontal coordination depends on the ability of all participating ministries to develop a joint definition and understanding of the problem. Such a joint problem definition in the first place means a joint view on the salience of the issue at hand. Hence, a joint salience perception is the first step towards a joint problem definition which – in turn – is a pre-condition to jointly develop truly horizontal suggestions.</p> <p>Hence, inter-ministerial working groups are highly likely to fail in overcoming departmentalism if the participating ministries insist on their particular points of view. Coordination efforts in “turf-war environments”, i.e. negotiation mechanisms between equal participants in the absence of a hierarchy and without clear incentives for decision-making, are often featured by mutual attempts of persuasion rather than mutual commitments to compromise. In turn, inter-ministerial working groups are more likely to succeed if they seek to reach a consensus on what the problem is about and how relevant it is as a first step towards compromising on measures to solve the respective problem.</p>
<p>2.5. Further information</p>	
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