

Contents

1	Introduction	23
1.1	Research Question	24
1.2	Scope	25
1.3	Goals	27
1.3.1	Factors Influencing Implementation	27
1.3.2	Model(s)	28
1.4	Implications	29
1.5	Plan of the Book	31
I	Status of Implementation: Analyses and Insights	39
2	Problem at the Outset	41
2.1	Transposition	41
2.1.1	Germany’s Transposition Performance 1997 - 2006	43
2.1.2	Transposition of Environmental Directives	44
2.2	Infringements	44
2.2.1	Infringement Procedure	45
2.2.2	Infringements 1998 - 2004	46
2.2.3	Germany’s Infringement Record	47
2.2.4	Infringements in the Environmental Sector	48
2.3	Conclusion	50
3	Impractical Solutions	53
3.1	Patterns	53
3.2	EU Initiatives	55
3.2.1	’Firefighting’: SOLVIT and Package Talks	56
3.2.2	’Best Practice’ and ’Dressing the Bride’: Recommendations for Improvement	57

3.2.3	'The More the Better' and 'Obfuscation': <i>Better Regulation</i>	59
3.3	German Initiatives	61
3.3.1	'Echoing Management Strategies': <i>Moderner Staat - moderne Verwaltung</i>	61
3.4	Success Factors	64
3.4.1	Levels of Analysis - The Void in the Middle Range	64
3.4.2	Global Factors: Suggested Independent Variables	65
3.5	Conclusion	71
4	Complications	73
4.1	Implementation Research	73
4.2	Top-Down/Bottom-Up	75
4.2.1	Top-Down View	75
4.2.2	Bottom-Up View	78
4.2.3	Fusion Models	79
4.3	Methodology	81
4.4	Level of Analysis	83
4.5	Definition Implementation	85
4.6	Scope	91
4.7	Bias	93
4.8	Conclusion	94

II A Model of the Design Phase 97

5	LeibnizSystem	99
5.1	Logic-Based Systems	99
5.2	LeibnizSystem	103
5.2.1	Logic Tools	104
5.2.2	Data Preparation	108
5.2.3	Learning Logic	110
5.2.4	Creating More Options	115
5.2.5	Measuring Accuracy of Classification	116
5.2.6	Additional Functionalities	118
5.3	Conclusion	119
6	Setup of the Leibniz Model	121
6.1	Variables	121
6.1.1	Legislative Process	122
6.1.2	Players	127

6.1.3	Contents of the Directive	127
6.1.4	Variables in Leibniz	130
6.2	Assumptions	131
6.2.1	Subject of Evaluation and Separation Criterion.	132
6.2.2	Ideal Outcome, Threshold, and 0-Hypothesis	134
6.2.3	Assembling the Database	136
6.2.4	Division of Groups A and B	138
6.3	Conclusion	140
7	The Model	143
7.1	Scenarios	143
7.1.1	Four Scenarios	143
7.1.2	Interpreting Runs	144
7.2	Scenario Results	145
7.2.1	Low-Scenario	145
7.2.2	High-Scenario	147
7.2.3	HighLow-Scenario	149
7.2.4	LowMed-Scenario	151
7.2.5	Testing for Higher Accuracy	153
7.2.6	Just Separation or More?	155
7.3	Conclusion	157
8	Model Results	159
8.1	Variables	159
8.1.1	Frequency of Variables	159
8.1.2	Weighted Variables	161
8.2	Clauses	166
8.2.1	Proposition 1: Subject Matters and So Does Effort	166
8.2.2	Proposition 2: Give 'em Some Slack	169
8.2.3	Proposition 3: Too Many Cooks Spoil the Broth	170
8.2.4	Proposition 4: No Single "Traditional" DG Fares Better in the Lead, but Other Units Seem to Have an Advantage	170
8.2.5	Proposition 5: In Many Areas Member States Have Not Grown As Close As the Common Market Had Intended	172
8.2.6	Proposition 6: A Head Start Helps	173
8.2.7	Proposition 7: Extremes Take the Short End of the Straw	174
8.2.8	Proposition 8: Offset Complexity	176
8.2.9	Proposition 9: Include Key Players	177
8.2.10	What We Did Not Find	177

8.3	Conclusion	177
9	Regression Results	181
9.1	Regression	181
9.2	Choice of Regression	182
9.3	Performing Regression	185
9.4	Tests Applied	186
9.5	Regression Results	190
9.6	Accuracy	193
9.6.1	Error Reduction	193
9.6.2	Troubleshooting the Models	194
9.7	Conclusion	195

III Factors of the Implementation Process: Survey and Interviews 197

10	Survey Setup	199
10.1	Instruments	199
10.1.1	Economic Perspective	200
10.1.2	Political Science Point of View	202
10.1.3	Choice of Instruments	203
10.1.4	Research Hypotheses	203
10.2	EU ETS	205
10.3	Survey Design	208
10.3.1	Survey Target Population and Response Rate	208
10.3.2	Survey Process	209
10.3.3	Survey Presentation	210
10.3.4	Survey Questions	211
10.3.5	Scaling	214
10.3.6	Designing the Survey Questionnaire	215
10.4	Conclusion	215
11	Survey Results	219
11.1	Overall Results	219
11.2	Groups	222
11.2.1	Main and Least Concerns	225
11.2.2	Intragroup Agreement	227
11.2.3	Skewness	228
11.2.4	Intergroup Dis/-Agreement	229

11.3	Regions	230
11.3.1	Main and Least Concerns	233
11.3.2	Intergroup Agreement	235
11.3.3	Skewness	236
11.3.4	Intragroup Agreement	236
11.4	Members	237
11.4.1	Main and Least Concerns	240
11.4.2	Intergroup Agreement	240
11.4.3	Skewness	241
11.4.4	Intragroup Agreement	242
11.5	States	242
11.5.1	Main and Least Concerns	245
11.5.2	Intergroup Agreement	246
11.5.3	Skewness	247
11.5.4	Intragroup Agreement	247
11.6	Conclusion	247
12	Additional Insights	251
12.1	Governments	251
12.2	Feedback	254
12.2.1	Instrument in General vs. Set-Up	254
12.2.2	Lack of Understanding of the Industry	259
12.2.3	Time-frame/Timing	261
12.2.4	Impact of the System	262
12.2.5	Good Experience	264
12.3	Conclusion	264
13	Interviews	269
13.1	Preparations	269
13.1.1	Designing the Questionnaire	269
13.1.2	Assembling the Questionnaire	282
13.2	Selection	284
13.3	Conclusion	286
14	Interview Results	287
14.1	Issue Tree	287
14.2	Hypotheses	295
14.2.1	Hypothesis 1: The Process of Implementation	295
14.2.2	Hypothesis 2: Incentivization	299
14.2.3	Hypothesis 3: Flexibility: Buffers and Process Management	306

14.2.4	Hypothesis 4: Federalism	312
14.2.5	Hypothesis 5: Information Flow: Communication and Knowledge Management	319
14.3	Conclusion	323
14.3.1	Overview of Results	323
14.3.2	Fitting the Factors Together	324

IV A Model of Implementation 331

15	Model Parameters	333
15.1	Process	333
15.1.1	Option: Segmentation	334
15.1.2	Option: Non-Segmentation	336
15.2	Actors/Assumptions	341
15.2.1	Actors	341
15.2.2	Behavioral Assumptions	342
15.3	Constraints	345
15.4	Driving Forces	347
15.5	Existing Models	348
15.5.1	Syntheses Models: Sabatier and Mazmanian 1981	349
15.5.2	Policy Networks: The ACF	351
15.5.3	Garbage Can Models	355
15.6	Conclusion	359
16	Implementation Model	361
16.1	A New Model	361
16.2	The Process	363
16.3	Determinants	365
16.3.1	Risk Parameters	365
16.3.2	Risk Hedging Factors	366
16.4	Actors	369
16.4.1	Hierarchy	371
16.4.2	Interaction	371
16.5	Behavior	374
16.5.1	Organizational Limits	375
16.5.2	Limits of Appropriateness	376
16.6	Model Results	378
16.6.1	Model Settings	378
16.6.2	Results for Extremes	379

16.6.3	Results for Difficult Implementation	381
16.6.4	Results for Moderately Difficult Implementation	384
16.6.5	Sample Application	386
16.7	Conclusion	391
17	Conclusion	393
17.1	Goals	393
17.2	Factors	395
17.3	Models	396
17.3.1	Design Phase Model	396
17.3.2	Implementation Model	397
17.4	Further Research	399
V	Appendix	431