

Joint-Decision Making: An Alternative To Centralisation / Decentralisation

Abstract

The text presents the concept of joint-decision making as an idea and alternative to the already established concepts of centralisation and decentralisation in federal studies. Whereas the notions of centralisation and decentralisation seem to be well established in federal studies, the idea of joint-decision making seems to count only as a German speciality or a German feature of federal studies. This paper further explores this idea and concept, drawing upon the German case as well as suggesting it is worth expanding beyond it.

Introduction

It is an open question, if a clear and long-lasting location of competences (or powers in North-American parlance) on the central or decentral territorial level of decision making is needed in any political system. In other words, from time to time an adjustment of the location of competences may be required in order to preserve a stable democratic political system. At the same time, competences also need to be fixed for preserving a stable political system. This paradoxical situation of change and stability exists for all political systems, no matter if competences are fixed in constitutions or not. This also means that political system without written constitutions, like the United Kingdom and Israel, face similar challenges particularly when

compared to federal systems. Therefore, the question if decisions about change and stability in politics are taken on a territorially defined central or decentral level is at the heart of all political systems (Benz et al. 2016b). Even if a permanent solution should be found as to where to locate competences (on a central or decentral political level), the question remains: What competences should be placed on a central or decentral territorial level? At this point arguments vary. There are a number of advantages and disadvantages that occur when locating competences on a (de)central territorially defined level. Another possibility beyond centralisation and decentralisation of competences exists. At least in the German and European Union (EU) realm the idea of joint-decision making is apparent in many instances. A growing number of other political systems have also recently begun to discover the idea of joint-decision making. The additional concept of joint-decision making stands beside the concepts of centralisation and decentralisation. Hence (de)centralisation and joint-decision making are by no means mutually exclusive or an antinomy, but interrelated and can co-exist beside each other. The suggestion of establishing a political system of joint-decision making seems to be a way out of the zero-sum game between (de)centralisation.

In classical texts about joint-decision making (Scharpf et al. 1976), the concept is often presented as an alternative to the issue of the centralisation and decentralisation of competences. Indeed, joint-decision making contradicts the general idea of transparency with the clear location of competences because all territorial levels are involved in the financing and execution of policies. Whereas in the classical example of the work about joint-decision making the financing was or is the task of the central (upper) territorial level, the execution of policies or policy making was or is the task of the decentral (lower) territorial level. This situation, for instance, is the case in German federalism as well as the EU. Indeed, joint-decision making combines a certain amount of autonomy and community for the solution of different problems. In the German context, Fritz Scharpf and colleagues argued that joint-decision making engenders better efficiency in dealing with problems about common goods, joint products and external effects (costs). Whereas finding solutions to those problems requires the cooperation of federal and federated entities, federal and federated entities also need to preserve their autonomy in other contexts. The question, therefore, remains: What mix is needed to ensure they are effective and legitimate? All political systems thus need to determine on their own in what contexts autonomous solutions and in what contexts common solutions are needed or wanted for achieving efficient and legitimate solutions for problems at stake. Throughout time, the mix of autonomy and community needs to be balanced anew.

Terminological Clarification

The core definition of joint-decision making (Politikverflechtung) can be found in German language in publications many years ago from Fritz Scharpf et al. in 1976:

“...bei dem zwar einerseits die Entscheidungsautonomie der dezentralen Entscheidungseinheiten eingeschränkt wird, bei dem jedoch andererseits die umfassenden Entscheidungseinheiten (Bund, Länder, Europäische Gemeinschaft) nicht gesamte Aufgabenkomplexe an sich zogen,...” (Scharpf et al. 1976: 29)

In a corresponding translation, this means that embracing decision units (like the federal government in Germany, Länder or

the European Community / Union) did not attract every embracing competence. The autonomy of decentral political units was restricted to those competences the central and decentral level could agree on. This therefore means that there are no exit strategies or opting out solutions in a joint-decision making system. For none of the governments, be it a central government, decentral governments or any other governmental actor would be able to pursue its own policies.

Starting from this definition the concept of joint-decision making was adjusted into horizontal, vertical or compound decision-making structures (Benz et al 1992). The compound structures were the initial idea for developing the concept of joint-decision making and the horizontal and vertical structures of decision making were added later to the initial concept.

Moreover, the concept of the joint-decision trap gained prominence in public and academic discourse with the definition that a factual joint-decision trap has an elaborated meaning that “systematically (...) inefficient and inadequate problem-solving” takes place. At the same time, the federal system is unable to “change the institutional conditions of its decision-making logic” (Scharpf, 1988: 271). Hence the absence of the joint-decision trap. This is because the political system is unitary (and not federal), but does not mean that political performance is per se better. The quality of political output does not directly relate to the fact that a system of joint-decision making works or does not work (for the case of the joint-decision trap).

Joint-Decision Making and Federal Studies

The concept of joint-decision making is closely related to federal studies because it relates to different levels of decision- and policy-making. Furthermore, testable hypotheses can be derived from the general concept of joint-decision making. The concept was latter made more specific by Fritz Scharpf himself, but also by other scholars, with a particular focus on why joint-decision making is prone to being unable to produce suitable solutions for political problems ending in the joint-decision trap (Politikverflechtungs-Falle) (Scharpf 1988). In reality, there indeed exists a joint-decision trap, but Fritz Scharpf himself laid down that this is only one possibility among several possibilities. Political actors circumvent the joint-decision trap

regularly, and are thus rarely caught in the joint decision trap.

Sharpening Focus

Discussions about joint-decision making (Politikverflechtung) started in 1976 with the book of Fritz Scharpf, Bernd Reissert and Fritz Schnabel. Later the concept was narrowed down to the joint decision trap (Scharpf 1988). But the concept was also broadened and a horizontal dimension was analysed in greater depth (Benz et al. 1992). Case studies about Germany (Scheller / Schmid 2008) and the EU (Falkner 2011) gather in edited volumes, so that many policies are covered for Germany and the EU. A case study about school policy deals with party politics and joint-decision making in Germany (Heinz 2015). Also, the concept of joint-decision making is applied in the Literature to Canada (Painter 1991), the EU (Peters 1997) and

Scandinavia (Blom-Hansen 1999). Usually main discussions with regards to joint-decision making are related to exploring whether a policy, an institutional system or an institution itself is trapped in joint decision making or not. Few examples, however, are known and acknowledged to show that political actors are indeed trapped in joint-decision making. In addition, the focus of the academic literature lies more on the joint-decision trap and not in joint-decision making, although the trap only rarely occurs.

Contemporary Debates

The topic of joint-decision making is a middle range theory as Fritz Scharpf himself declared many times, because it covers the German case and the case of the European Union / Community. The application of the concept of joint-decision making has been relatively rare in scholarship limited to Germany, Canada (Painter 1991) and Scandinavia (Blom-Hansen 1999). It seems worthwhile, therefore, to widen this research agenda and apply the concept of joint-decision making to other federal states. For the German case, the concept is still of practical relevance, although many forms of coordination have changed over time, but no formal or institutional reforms took place. For example, joint tasks were heavily debated in the past, but

they still are also of practical importance at least for German politics.

Concluding Reflections

To conclude, it can be said that Joint-decision making is a characteristic of the German and European federal political system. It enables also a way out of the enduring question of the European Union / Community if there should be more or less centralisation or decentralisation. An answer in favour of Joint-decision making would be that the mix of centralization and decentralisation would be dynamic so that negative aspects would be diminished and positive aspects of (de)centralisation would be increased. But against this statement, the concept of joint-decision making had to face demand for abolishment in the forefront of the first federal reform in Germany.

At least in the cases of Germany and the EU the situation seems to be far away in terms of abolishing joint-decision making, because that was publicly postulated in the past. Obviously joint-decision making proved to be more robust than expected beforehand. Hence, future research would need to discover joint-decision making also in other institutional contexts that is to say in other federal systems.

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