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1

Analysing Criminal Justice Policy-Making: Towards a Policy Networks Approach?

Stephen Cope

This chapter examines the increasingly fashionable and salient concept of policy networks as a way of understanding criminal justice policy-making. More broadly, network analysis has been an increasingly prominent form of analysis in understanding economic, political and social life (Knoke, 1990; Law, 1992; Castells, 1996). Indeed Castells argued that 'as a historical trend, dominant functions and processes in the information age are increasingly organized around networks' (1996: 469). Networks are often portrayed as alternative forms of coordination to those of hierarchies and markets (Thompson *et al.*, 1991; Maidment and Thompson, 1993; Jackson and Stainsby, 2000). In ideal terms, whereas the principle of command underpins hierarchies and that of competition underpins markets, it is the principle of cooperation, stemming from shared interests and interdependence, that underpins networks. In reality, of course, a specific system may be characterised by a mix of these three coordinating principles, with perhaps one such principle dominant (Hay, 1998: 39). A network is simply a set of relations between interconnected actors; or, as Castells stated, 'a set of interconnected nodes' (1996: 470), and, as Knoke and Kuklinski wrote, 'a specific type of relation linking a defined set of persons, objects or events' (1991: 175). However, within the burgeoning literature on network analysis there is more agreement on defining than on delineating a network. For example, Castells stressed that networks 'are open structures, able to expand without limits' (1996: 470), and Jackson and Stainsby noted that they 'are clusters of relationships which span indefinite ranges of space and time' (2000: 11); but Frances *et al.*, argued that many networks 'are highly exclusive of outsiders' (1991: 14). Networks, as will be argued

later, can be both open or closed, though their 'boundary specification' is problematic and often 'poorly understood' (Knoke, 1990: 235). The question of determining what actors are inside (and for that matter, outside) a given network is critical in network analysis. Following Thompson, a network constitutes 'a specific set of relations making up an interconnected chain or system for a defined set of elements that forms a structure' (1993: 51). This chapter argues that the criminal justice system can be analysed as a network, and in particular, a policy network, and that such network analysis offers useful insights into how criminal justice policy is made.

There is now a rich vein of literature on policy networks, reflecting the embeddedness of network analysis in policy analysis as well as sociological analysis (Coleman and Skøgstad, 1990; Marin and Mayntz, 1991; Marsh and Rhodes, 1992a; Smith, 1993; Knoke *et al.*, 1996; Kickert *et al.*, 1997a; see Bogason and Toonen, 1998; Marsh, 1998a). The policy networks approach has been used extensively by political scientists as a way of understanding policy-making in government (particularly, intergovernmental relations and pressure group-government relations). This chapter accounts for the rise of the policy networks approach by assessing its contributions to understanding the policy-making process; illustrates this approach by examining the policing policy network; and evaluates the policy networks approach by assessing its strengths and weaknesses as a way of explaining policy-making.

The rise of policy networks

From government to governance

The rise of the policy networks approach coincided with the rise of governance, both as an empirical trend and as a theoretical perspective. In the words of Pierre (2000: 3):

Governance has a dual meaning; on the one hand it refers to the empirical manifestations of state adaptation to its external environment as it emerges in the late twentieth century. On the other hand, governance also denotes a conceptual or theoretical representation of co-ordination of social systems and, for the most part, the role of the state in that process.

Rhodes argued that Britain is no longer a unitary state but a "differentiated polity" . . . characterized by functional and institutional special-

ization and the fragmentation of policies and politics' (Rhodes, 1997: 7). Governance reflects the view that Britain is no longer governed from one place (if indeed it ever was), but instead is governed from many places. The traditional, and largely hierarchical and monolithic system of government, as depicted by the Westminster model, has been challenged as a result of globalisation, Europeanisation, privatisation and decentralisation (Jessop, 1993; Peters, 1993; Rhodes, 1994; Rhodes, 1997; Weller *et al.*, 1997; Cope, 1999). Following Pierre and Stoker (2000: 29–30):

Governing Britain – and indeed any other advanced western democratic state – has thus become a matter of multi-level governance. To understand the challenge of governing requires a focus on multiple locations of decision-making – in both spatial and sectoral terms – and the way in which exchanges between actors in those locations are conducted and managed.

There is thus a highly complex and dynamic set of interdependent and consequently interconnected actors, cutting across different levels of government and different sectors of society, involved in governing. Governance, according to Kooiman, 'takes place in interactions between actors on micro, meso and macro levels of social-political aggregation' (1993: 41). Governments do not govern on their own; they increasingly rely on other actors to govern society. Gamble wrote (2000: 110–11):

The separation of governing as a process from government, a particular agent, explains the popularity of the term, governance. Governance denotes the steering capacities of a political system, the ways in which governing is carried out, without making any assumption as to which institutions or agents do the steering. . . . The state is always involved in governance, but often in an enabling rather than a directing role, helping to establish and sustain the institutions in society, including crucially markets, which make steering possible.

For Rhodes, networks are 'central to the analysis of governance' (2000: 54), and governance can be seen as 'self-organizing interorganizational networks' (1996: 660). Governance, then, is all about steering a myriad of networks, consisting of a maze of interconnected actors. It is 'a new process of governing' (Rhodes, 1997: 46).

From networks to policy networks

Policy networks are specific forms of networks within governance. The policy networks approach originated in an attempt to explain relations between central and local government (Rhodes, 1988), and between government and pressure groups (Smith, 1993). It stresses the importance of disaggregating the policy-making process into discrete policy sectors. Benson defined a policy sector as 'a cluster or complex of organizations connected to each other by resource dependencies and distinguished from other clusters or complexes by breaks in the structure of resource dependencies' (1982: 148). The power-dependence model of interorganisational relations is central in understanding the policy networks approach. This model assumes that all organisations are dependent on others for resources, and, therefore, organisations need to exchange resources for them to achieve their goals; such exchanges of resources involves bargaining within and between organisations (Rhodes, 1981: 97–133). This interdependence facilitates the construction of policy networks, because actors within a policy sector are dependent upon each other for resources and are thus connected together as a network.

The policy networks approach acknowledges that policy-making is not uniform across government, because network structures vary considerably between policy sectors. The number of interested policy actors, their goals and resources, and their consequent relations will depend significantly upon the different traditions, routines and environments of policy sectors, as well as issues within policy sectors (Harrop, 1992: 123–217, 273–77; Hughes, *et al.*, 1997; Marsh and Rhodes, 1992a; Smith, 1993; Gray, 1994: 120–133; Marsh, 1998a; Cope and Goodship, 1999). For example, the criminal justice policy network is increasingly multi-level, with the increasing influence of local authorities, private security industry, professional associations, pressure groups, the media, the European Union, the Council of Europe and, to a far lesser extent, the United Nations, thus making the network more resistant to a central steer. In contrast the social security policy network is hardly multi-level; central government (mainly the Department of Social Security and the Treasury) largely steers the array of local social security agencies in a centralised and hierarchical manner. As policy-making has become more complex, governments rely increasingly upon professional associations, pressure groups, think-tanks and private sector companies for the formulation and implementation of policies. Indeed Weir and Beetham argued that 'organised interests and professional groups play a

significant and often dominant role in government policy-making' (1999: 271). Following Kickert (1993: 275):

The control capacity of government is limited for a number of reasons: lack of legitimacy, complexity of policy processes, complexity and multitude of institution etc. Government is only one of many actors that influence the course of events in a societal system. Government does not have enough power to exert its will on other actors. Other social institutions are, to a great extent, autonomous.

Furthermore, government is not monolithic, and within government there exists many agencies, both elected and appointed, operating at different levels (e.g. local, regional, national, international), and with different goals and resources. In the words of Smith (1993: 50):

It is not the state that acts but state actors within particular parts of the state. the state does not have a unified set of interests. Different state agencies have various interests, and individuals within those agencies may also have conflicting interests.

Government is thus fragmented, making the task of centrally steering government itself difficult. For example, within central government there is much conflict between the Treasury and spending departments (such as the Home Office) over public expenditure decisions. Central government is limited to the extent that it can steer the criminal justice system (especially the courts and police service that enjoy a high degree of operational independence within their respective remits). This fragmentation within government reflects the lack of control that the core executive can exert over government. The core executive comprises 'all those organisations and structures which primarily serve to pull together and integrate central government policies, or act as final arbiters within the executive of conflicts between different elements of the government machine' (Dunleavy and Rhodes, 1990: 4). The core executive (embracing such actors as the Prime Minister's Office, Cabinet Office and Treasury) can only attempt to 'police the functional policy networks' (Rhodes, 1997: 14). The core executive is relatively weak, not strong, because 'power-dependence in policy networks is a cause of executive segmentation' (Rhodes, 1997: 15).

As a result of segmented government and fragmented governance, a myriad of relationships of mutual dependence exist between actors within government and between government and non-government

actors within a policy sector, involving exchanges of resources in the making of public policy. Following de Bruijn and ten Heuvelhof, a policy network is 'an entity consisting of public, quasi-public, or private actors who are dependent on each other and, as a consequence of this dependence, maintain relations with each other' (1995: 163). A policy network consists of a set of interdependent actors sharing a common broad interest and operating within a functionally defined policy area. Policy networks thus become '(more or less) stable patterns of social relations between interdependent actors, which take shape around policy problems and/or policy programmes' (Kickert *et al.*, 1997b: 6).

Different types of policy networks

Policy networks have been categorised and differentiated according to interests, membership, resources and dependencies. Rhodes developed a typology of different kinds of policy networks along a continuum ranging from a policy community to an issue network (1988: 235–366). He identified five different types of policy networks: policy communities, professional networks, intergovernmental networks, producer networks, and issue networks – see Table 1.1.

Policy communities are the most integrated type of policy network. They are characterised by limited membership of policy actors, involving perhaps a single government agency and a few privileged 'insider' interest groups insulated from other actors (including the public), and they 'are based on the major functional interests in and of government'

Table 1.1 Types of policy networks

Type of network	Characteristics of network
Policy community	Stability, highly restricted membership, vertical interdependence, limited horizontal articulation
Professional network	Stability, highly restricted membership, vertical interdependence, limited horizontal articulation, serves interest of profession
Intergovernmental network	Limited membership, limited vertical interdependence, extensive horizontal articulation
Producer network	Fluctuating membership, limited vertical interdependence, serves interest of producer
Issue network	Unstable, large number of members, limited vertical interdependence

Source: Adapted from Rhodes and Marsh, 1992: 183.

(Rhodes, 1990: 304). A policy community displays much continuity of policy, frequent interactions between participating policy actors, a high degree of consensus between actors, an exchange of resources between actors, and a 'positive-sum game' with all policy actors increasing their influence. Policy is thus made in a stable and regulated environment within which policy communities 'routinise relationships by incorporating the major interests to a "closed" world' (Rhodes, 1988: 390). For example, the judicial policy network constitutes a policy community in that policy is traditionally made by an exclusive and small set of actors, namely, the Lord Chancellor's Department, the Home Office, the courts' system, the Crown Prosecution Service and the legal professions (Raine and Willson, 1993). Only occasionally and sporadically is this relatively closed network of 'insiders' open to 'semi-outsiders' (such as the police, prison, probation and social services) and 'outsiders' (such as pressure groups and the mass media), and often only when a perceived crisis has occurred – for example, a miscarriage of justice – within this otherwise routinised world of judicial policy-making. That this policy network is a state-dominated policy community should not be surprising given that 'the maintenance of internal order through coercion and political socialisation is a primary state function' (McLeay, 1998: 110).

Issue networks are the least integrated type of policy networks. They are characterised by a 'large number of participants and their limited degree of interdependence' (Rhodes, 1990: 305). The membership of issue networks is fluid with actors freely joining and leaving the policy arena. An issue network displays a lack of continuity of policy, erratic interactions between participating actors (especially between government agencies and interest groups), a low degree of consensus between actors, a limited exchange of resources between actors, and a 'zero-sum game' with some policy actors gaining influence at the expense of other actors. Relations between government and pressure groups are more likely to be characterised by informal consultation and lobbying, conflict between policy actors, policy instability, and even 'policy messes' (Rhodes, 1988: 87). Issue networks embody 'relationships that are distinguished from the general pressure group universe' because their participating groups possess 'some interest in the area and minimal resources to exchange' (Smith, 1993: 65). They thus display regularised (albeit informal rather than formal) contact between many loosely connected actors. An example of an issue network would be that which emerged over gun reform in the aftermath of the Dunblane massacre in the mid-1990s. The Snowdrop Campaign was launched by many parents of the gunned-down children to restrict the possession and use of guns, which enjoyed

considerable popular support and media attention. The issue also attracted other interested actors, such as the Home Office, police service, and political parties, as well as the gun, sports and civil liberties lobbies. This inclusive and open network was characterised by a conflict of goals between many of the actors, and once the issue disappeared from the political agenda, after the Labour Government implemented some limited gun reform measures, the network also disappeared (though perhaps to return if and when another shooting-spree takes place).

A policy community exhibits characteristics of continuity, consensus, limited membership, significant resources held by all actors, and a relative balance of power between actors; and an issue network displays instability, conflict, wide and relatively open membership, an imbalance of resources, and unequal power between actors. The characteristics of these two types of policy networks are illustrated in Table 1.2.

Table 1.2 Characteristics of policy networks

Dimension	Policy community	Issue network
<i>Membership</i>		
Number of participants	Very limited, some conscious exclusion	Large
Type of interest	Economic/professional	Wide range of groups
<i>Integration</i>		
Frequency of interaction	Frequent, high quality	Contacts fluctuate
Continuity	Membership, values, outcomes persistent	Fluctuating access
Consensus	All participants share basic values but conflict present	A degree of agreement
<i>Resources</i>		
Distribution of resources within network	All participants have resources. Relationship is one of exchange	Some participants have resources, but limited
Distribution of resources within participating organisations	Hierarchical leaders can deliver members	Varied and variable distribution and capacity to regulate members
<i>Power</i>	There is a balance among members. One group may be dominant but power is positive-sum	Unequal power. Power zero-sum

Source: Smith, 1993: 60; Adapted from Marsh and Rhodes, 1992b: 251.

A policy community represents a relatively closed, consensual and tightly knit network of policy actors. An issue network embraces a relatively open network of actors loosely bound together by their (often competing and conflicting) interests being affected by a particular policy. Rhodes presented the different types of policy networks along a continuum, with policy communities at one end and issue networks at the other end. Professional networks, intergovernmental networks and producer networks, as intermediary networks, fall between these two ends of the continuum. This schema suggested a decreasing degree of integration from policy communities to issue networks, but Rhodes later accepted that this continuum may be confusing because these intermediary networks may display similar characteristics as policy communities or issue networks (Rhodes, 1997: 39). The distinction between policy communities and issue networks is based upon 'their integration, stability and exclusiveness' – see Table 1.3, whereas professional networks, intergovernmental networks and producer networks differ according to 'which interest dominates them' Rhodes, 1997: 39.

There is a further terminological dispute within the literature on policy networks, which is not surprising given the "“Babylonian” variety of different understandings and applications of the policy network concept to be found in the study of policy-making' (Börzel, 1998: 254). Dowding noted that the terms, 'policy community' and 'policy network', were not used consistently in the literature, thus resulting in terminological confusion (1995: 140). Some writers, such as Marsh and Rhodes (1992a), used 'policy network'; and other writers, such as Wilks and Wright (1987), used 'policy community' as the generic label. However, the debate over terminology is misleading, and amounts to 'a phoney war of words hiding a deeper conflict over the nature of social explanation and the role of state theorizing' (Dowding, 1995: 140). However, it is Marsh and Rhodes's usage of the terminology that has become 'accepted currency' (Jordan, 1990: 335), and consequently

Table 1.3 Continuum of policy networks

Policy community	Issue network
stable membership	fluid membership
highly insular	highly permeable
strong dependencies	weak dependencies

Source: Peterson, 1995:77.

Wilks and Wright's usage should be resisted. Thus, policy communities and issue networks are types of policy networks. These terms represent ideal-types, and consequently, it is important to apply them empirically to test their usefulness. The next section examines the policy networks approach in understanding the making of policing policy.

The policing policy network: a case study on police reform

The policy networks approach would begin by identifying the actors involved in the making of policing policy. The policing policy network consists of (at least) the following key actors:

- the Home Secretary
- civil servants responsible for policing in the Home Office
- National Criminal Intelligence Service (NCIS)
- National Crime Squad
- MI5
- HM Inspectorate of Constabulary
- Audit Commission
- police authorities
- Association of Police Authorities
- chief constables and other police officers
- Association of Chief Police Officers
- Police Superintendents' Association
- Police Federation
- European Police Office (Europol)

In times of stability, characterised by routine policy-making, these actors are the 'insiders' of the policy-making process. Parliament, the judiciary, the mass media and the public are the 'outsiders', influencing the policing policy agenda sporadically and normally only when policy-making has become unsuccessful, more politicised or crisis-ridden. The policing policy network exhibits the characteristics of a relatively tightly integrated and state-dominated policy community. However, this policy community is part of the wider criminal justice policy network, embracing a series of interconnected and overlapping policy communities and issue networks (such as judicial and penal policy networks comprising actors like judges, lawyers, probation officers, prison officers, social workers, academics and journalists). Moreover, as successive governments have adopted a multi-agency approach to tackle crime the policing policy network is increasingly connected to key actors in other

criminal justice networks, furthering the creation of a single criminal justice policy network. For example, in 1991 the Home Office established the Criminal Justice Consultative Council, comprising actors drawn from central government, the courts and the police and social services, as a way of 'sorting out the "rubbing points" in the system' (Hoddinott, taken from McLeay, 1998: 126). Furthermore, Rose claimed that under one former Home Secretary, Michael Howard, the Association of Chief Police Officers 'found itself in the unfamiliar position of actually being asked to draft Government policy' on certain criminal justice matters (1996: 327; see also Savage *et al.*, 1996: 103). McLeay claimed that 'the autonomy of the traditional policing policy state network has been challenged; "policing" has increasingly been subsumed into the broader sector of "criminal justice", introducing further influential agencies and, moreover, groups outside the state', and, as a possible consequence, 'policing policy in future becomes part of this wider sectoral network' (1998: 131). A policy network thus both comprises of sub-policy networks and forms part of wider supra-policy networks.

The police play a key role in policy-making because governments need their consent for many policies to be implemented. Ritchie commented that 'the Association of Chief Police Officers (ACPO) and the Police Federation are consulted about policing policy and new legislation ... [and are] ... seen as vital partners in the policy-making process' (1992: 204). However, in the early 1990s the previous Conservative Government attempted to restructure the policing policy network by overriding the traditional consultative mechanisms of making policy, and generally wanted to impose rather than negotiate reform. Leishman *et al.* argued that the Government 'attempted to use "despotic power", involving the capacity to implement its policy without consultation and negotiation with affected groups; rather than "infrastructural power", involving the capacity to intervene in society via its interdependent relationships with groups' (1996: 18–19; on the distinction between despotic and infrastructural power, see Mann, 1984). It introduced fixed-term contracts and performance-related pay for senior police officers, established new police authorities with increased patronage powers exercised by the Home Secretary, set national policing objectives to be achieved by the police, strengthened the role of the HM Inspectorate of Constabulary, and increased opportunities for the privatisation of policing functions (Leishman *et al.*, 1995, 1996; Cope *et al.*, 1996).

These reforms represented an attack upon the police, which constitute a significant part of the highly integrated and relatively powerful policing policy network that traditionally exercised a dominant influence

over policy-making. However, many reform measures were dropped or diluted because of parliamentary and police resistance (Leishman *et al.*, 1995). For example, the then Home Secretary, under pressure from the police, conceded that fixed-term contracts should be introduced only for senior and not all police officers and that he should not appoint the chairpersons of police authorities. The implementation of police reform was less than smooth, mainly because of resistance from the police (especially the Association of Chief Police Officers and Police Federation), supported by many in Parliament and local government. The Conservative Government was unable to stand firm against this campaign not least because of its small parliamentary majority.

The case study on police reform demonstrates that the Conservative Government was unable to implement fully its reform plans because of resistance from elsewhere within the policing policy network. It illustrates the interdependent world of the policing policy network embracing a few relatively powerful actors who together shape policing policy. The failure of the Conservative Government to get its reforms through Parliament can be understood by using the policy networks approach. The policing policy network is highly integrated as witnessed by the ease with which many of its constituent parts were welded together to block the reforms. The Home Office, and especially the Home Secretary, were left stranded as other formidable parts of the network mobilised political support amongst politicians and the media against its proposals. The mobilisation of the many actors within the policy network was facilitated by the hierarchical structure of the police, popular concern over rising crime rates, the small parliamentary majority of the Conservative Government, and government dependence upon the police to implement law-and-order and other policies. The reforms represented an attempt by the Conservative Government to restructure an obdurate policy network. However, the strength of the police within the policing policy network and the consequent weakness of the Conservative Government meant that the police reforms were always likely to be (at least temporarily) blocked. The case study demonstrates the difficulties in implementing reform in a policy arena dominated by a highly integrated and relatively closed policy community.

The fall of policy networks?

The policy networks approach has become the dominant approach in understanding policy-making in government. It is superior than the

largely arid constitutional and institutionalist accounts of policy-making that stress the role of institutions (such as the cabinet and civil service) in the making of policy (Smith, 1999). These accounts, such as the sterile debate on prime ministerial versus cabinet government, largely fail to capture the complexity and interdependence of actors involved in shaping public policy. Neither the prime minister nor cabinet governs, for example; but instead a series of interconnected policy networks comprising interested and interdependent actors drawn from inside and outside government shape policy, though mediated by the core executive. Policy-making in government is fragmented, though there is interdependence within the fragments. The policy networks approach acknowledges such fragmentation between policy sectors and the influence of key actors transcending government and non-government agencies in shaping policy. The approach appreciates the myriad of formal and informal relations between interdependent actors within the complex world of multi-level governance.

Though the policy networks approach provides useful insights into how policy is made (and not made), there is an emerging critique of its validity (Dowding, 1994, 1995; Kassim, 1994; Mills and Saward, 1994; Klijn, 1996; Evans, 1998; Hay, 1998; Peters, 1998; Hay and Richards, 2000). Dowding believed that the term, 'policy network', is 'essentially metaphorical' relying on a set of images to visualise relations between actors within a policy network (1995: 137). Börzel argued that 'the concept of policy networks as a specific form of governance does not constitute a proper theory' (1998: 263). The policy networks approach is useful in understanding the policy-making process, but there are limits to its usefulness. It is far better at describing than explaining policy change. The approach is useful in making sense of a seemingly complex and chaotic policy-making process, often characterised by inclusion and exclusion of actors, interdependence of actors, and exchange of resources between actors. However, the policy networks approach cannot provide answers to questions about the formation of preferences of actors and the distribution of resources between actors. For example, it failed to explain why the Conservative Government wanted to reform the police but was insufficiently powerful to fully implement reform. The policy networks approach is useful in understanding how things get done (or not done) but not very useful in understanding why things get done (or not done). Nonetheless, the approach captures, by describing without explaining, the complexity and interdependence of the policy-making process. There is much empirical evidence that policy networks exist as sets of 'relatively stable relationships which are of non-

hierarchical and interdependent nature linking a variety of actors, who share common interests with regard to a policy and who exchange resources to pursue these shared interests acknowledging that co-operation is the best way to achieve common goals' (Börzel, 1998: 254). However, this evidence only confers the policy networks approach with descriptive and not explanatory power. The final part of this concluding section surveys the main criticisms levelled at the policy networks approach and evaluates the responses from proponents of the approach.

The rescue of policy networks?

Notwithstanding a few definitional and methodological quibbles, there are three key lines of argument against the policy networks approach, which have, to varying extents, been countered by its crusading supporters. Critics of the policy networks approach have argued that the approach does not pay sufficient attention to the formation of policy networks, networking within policy networks, and transformation of policy networks.

First, how do policy networks form? There was an assumption in the earlier literature on policy networks that policy networks were given entities; they just existed. This assumption was far more apparent in the discussion of the more stable policy communities than the more fluid issue networks. However, there was little discussion, never mind explanation, of how and why policy networks form. Baggott noted that the policy networks literature offered 'little explanation of how policy networks emerge' (1995: 26). Following Hay and Richards, the idea of a network 'is neither a neutral nor an uncontested concept' (2000: 12). They argued that 'decisions to participate in networks are, in some sense, strategic' (2000: 13), and posited the following three strategic and contextual conditions for network formation (2000: 17):

- (i) the recognition of the potential for mutual advantage through collective (as opposed to individual) action, i.e. a positive-sum game for all those participating in a particular network form;
- (ii) the recognition of the potential for enhancing the strategic capacities of participant organizations through the pooling of strategic resources...;
- (iii) the recognition and/or establishment of the conditions of network feasibility...

This criticism, though valid, does not make the policy networks approach redundant, rather it highlights a significant omission in the

earlier literature, which, to a certain extent, has been rectified in the later literature. Marsh and Smith admitted that policy networks 'are structures that cannot be treated as given' and 'are inscribed with other structural divisions' (2000: 7). For example, in a study of trans-national local authority networking, Benington and Harvey argued that a complex set of factors accounted for the formation of such networks including the recognition of mutual benefits by those participating actors, such as the European Commission and local authorities (1998: 159–163). Similarly Nunan explained the formation of the packaging waste policy network as a result of the Department of the Environment, as the lead actor responsible for implementing the European Community's directive on packaging and packaging waste, consulting with only a limited number of actors drawn from the packaging industry and excluding other actors that held divergent views to those of the packaging industry, until the embryonic policy network was established (1999: 627–9).

Secondly, how do policy networks work? In the earlier literature little attention was paid to the dynamics of policy networks. Writers instead spent more time mapping out the key actors, and their relations, within a given policy network, and noted the interdependence of the identified actors (especially within policy communities). Such entrenched interdependence, it was argued, was a significant obstacle to government-sponsored reform, because governments cannot govern alone. However, more recent literature has paid far more attention to the 'nuts-and-bolts' of the workings of policy networks. For example, more recent literature has looked at the networking strategies of key actors within policy networks (Kickert *et al.*, 1997a; Bogason and Toonen, 1998; Nunan, 1999; Cloke *et al.*, 2000; Hay and Richards, 2000; Rhodes, 2000: 72–6); and examined methods to identify and measure relations within policy networks (John and Cole, 1998; Milward and Provan, 1998; Marsh and Smith, 2000).

However, the policy networks approach is meso-level in that it examines relations between actors within the state, and also between state and non-state actors, in making public policy (Marsh, 1998b: 15). The approach is firmly consistent with the neo-pluralist tradition from which it stemmed, that stresses the significance of pressure groups in the policy-making process and the importance of disaggregating the state to explain policy-making. The policy networks approach is weak at understanding how individual actors set goals and exchange resources in their pursuit of goals. For example, Dowding argued that 'the explanation lies in the characteristics of the actors' within a policy

network and not with the characteristics of the network itself (1995: 142). Moreover, the policy networks approach, though seeing policy networks as 'structures of resource dependency' (Marsh, 1998b: 11), is weak at placing such structures within wider structures (such as economic structures) that shape patterns of power-relations between actors within policy networks. Increasing globalisation, Europeanisation, privatisation and managerialisation of policy-making have had a significant impact on policy networks (including the criminal justice policy network) (Cope, 1999), yet the policy networks approach largely regarded these developments as exogenous factors impacting upon a policy network, without unravelling how these factors actually impact upon a network and, moreover, how actors within a network impact upon these so-called exogenous pressures. For example, the new public management-reform agenda facing the police service to a significant extent emanated from the Association of Chief Police Officers (Savage *et al.*, 1996, 1997), thus blurring the extent to which managerialisation of the police service is an exogenous or endogenous factor. The approach, if it is to fully explain policy-making within governance, needs to embrace more micro-level and macro-level forms of theoretical analysis. Following Marsh, the policy networks approach 'has little utility as an explanatory concept unless it is integrated with macro-level and micro-level analysis' (1998b: 15). This multi-theoretic form of analysis is beginning slowly to take shape (Börzel, 1998; Daugbjerg and Marsh, 1998; Hay, 1998; Marsh, 1998c: 192-7; Hay and Richards, 2000; Marsh and Smith, 2000).

In response to this criticism, Marsh and Smith developed a dialectical model of policy networks, acknowledging that 'networks are structures which constrain and facilitate agents' and that 'the culture of a network acts as a constraint and/or opportunity on/for its members' (2000: 5). However, unlike the earlier exposition of the policy networks approach that tended to assume that network structures largely determine policy outcomes (Marsh and Rhodes, 1992b: 262; Rhodes and Marsh, 1992: 197), they argued that both structures and agents matter. They noted that 'outcomes cannot be explained solely by reference to the structure of the network; they are the result of the actions of strategically calculating subjects', but they added that 'these agents are located within a structured context, which is provided by both the network and the broader political and social-structural context within which the network operates and those contexts clearly affect the actor's resources' (2000: 6-7). The dialectical model of policy networks acknowledges that (Marsh and Smith, 2000: 9-10):

- The broader structural context affects both the network structure and the resources that actors have to utilize within the network.
- The skill that an actor has to utilize in bargaining is a product of their innate skill and the learning process through which they go.
- The network interaction and bargaining reflects a combination of the actor's resources, the actor's skill, the network structure and the policy interaction.
- The network structure is a reflection of the structural context, the actor's resources, the network interaction and the policy outcome.
- The policy outcome reflects the interaction between the network structure and network interaction.

Marsh and Smith explicitly argued that relations between actors within a policy network, the structure of a policy network and the wider structural context surrounding a policy network are 'interactive or dialectical' (2000: 10), thus accepting that micro-level and macro-level, as well as meso-level, forms of analysis are necessary in understanding how policy networks work.

Thirdly, how do policy networks change? In the earlier literature it was easy to leave with the impression that policy was made by a relatively exclusive set of interdependent and entrenched actors within a policy network, and that because policy-making was closed, routinised and stable, policy change was very difficult. Hay and Richards observed that policy networks are often portrayed as 'static, indeed torpid phenomena' (2000: 2), and that a policy network is often seen as 'a static and invariant structure' (2000: 4). This impression was not consciously sought by the proponents of the policy networks approach, who have long noted, particularly within issue networks, that policy change takes place as a result of both endogenous and, moreover, exogenous pressures (Marsh and Rhodes, 1992b: 257–61; Rhodes and Marsh, 1992: 193–7; Smith, 1993: 76–98). However, what was problematic was not the misplaced criticism that the policy networks approach denied that change takes place, but that the approach fails to sufficiently explain change within policy-making. If change is brought about by endogenous and/or exogenous pressures, then, the policy networks approach lacked theoretical power to explain such changes, not least because 'the distinction between exogenous and endogenous factors is difficult to sustain' (Marsh and Smith, 2000: 7). As a meso-level approach, it found itself in 'no-man's land'; it did not have the conceptual tools to explain policy change and consequently failed to understand how policy networks sponsor, resist and react to change by precisely specifying

'the mechanisms through which change occurs' (Smith, 1993: 97). In response to this static representation of policy networks, Hay and Richards developed a strategic-relational model of policy networks that recognised 'the observable sequence of network formation, development and termination' (2000: 5). Marsh and Smith offered a dialectical model of policy networks recognising 'a dialectical relationship between the network and the broader context within which it is located' (2000: 7). Both of these refinements of the policy networks model represent significant advances in understanding and explaining change within policy networks.

In conclusion, the policy networks approach is a very useful way of understanding policy-making within governance. However, its earlier conception was flawed, as outlined above, and in response to these (and other) criticisms the policy networks approach has been significantly refined. By drawing on other theoretical perspectives, plus some 'back-peddalling', the later conceptions of the policy networks model provides a relatively robust and sophisticated theory of policy-making. The policy networks approach, as a result of concerted empirical application and considerable theoretical critique, has moved from descriptive to explanatory analysis. More generally, Bevir and Rhodes used an anti-foundational approach as a way of rescuing the policy networks approach, which reduces academics to story-tellers rather than truth-spreaders, and argued (1999: 227–8):

an anti-foundational epistemology does not treat institutions as given facts. It is a commonplace observation that even simple objects are not given to us in pure perceptions but are constructed in part by the theories we hold true of the world. . . . The social science model of networks treats them as given facts. . . . An anti-foundational approach posits that networks cannot be understood apart from *traditions*. The individuals whose beliefs, interests and actions constitute a network, necessarily acquire the relevant interests and beliefs against the background of traditions. . . . In short, an anti-foundational approach turns the current approaches to networks on their head, by insisting that networks are enacted by individuals in part through the stories they tell one another, and cannot be treated as given facts.

Rhodes further argued that 'governing structures can only be understood through the beliefs and actions of individuals' (2000: 86). The policy networks approach, therefore, is simply 'a narrative interpreted

through tradition' (Bevir and Rhodes, 1999: 230), which may be challenged by other stories but there is 'no expectation there will be the one "true" account' as all stories are 'provisional' (Rhodes, 2000: 85–6). Rhodes conceded that defining governance as 'self-organizing inter-organizational networks is...stipulative', and the policy networks approach relies on the construction and application of 'an ideal type' (2000: 66). The task ahead is less about furthering the narrative of policy networks, and more about comparing rival narratives and constructing meta-narratives as a way of understanding policy-making. However, the policy networks approach is a very useful antidote to the belief that governance is government; more often government is only part of governance, and sometimes governance is 'governing without Government' (Rhodes, 1997: 47). The policy networks approach challenges and indeed rejects the simplistic and misplaced belief that governments govern. The extent of government within governance of, say, criminal justice is an empirical question.

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