

Confronting Social and Environmental Sustainability  
with Economic Pressure: Balancing Trade-offs by  
Policy Dismantling or Expansion?  
(CONSENSUS)

University of Konstanz (Germany) / Freie Universität Berlin (Germany) /  
University of East Anglia (UK) / University of Aarhus (Denmark) / Institut  
Barcelona d'Estudis Internacionals (Spain) / European University Institute  
(Italy)

**Guidelines for external experts to  
collect data on social and  
environmental policy**

# 1 Introduction and aims of these Guidelines

Thank you for agreeing to act as a key national data gatherer for the CONSENSUS (Confronting Social and Environmental Sustainability with Economic Pressure: Balancing Trade-offs by Policy Dismantling or Expansion?) research project. CONSENSUS is a multi-lateral, multi-institutional and multi-disciplinary project conducted by six universities in five countries under the coordination of Prof. Dr. Christoph Knill at the University of Konstanz. It is funded by the Commission of the European Union within the scope of the Seventh Framework Programme of the European Commission (2007-2013). Research activities officially started on March 1, 2008 and will take 36 months in total.

CONSENSUS aims to improve our understanding of trade-offs and synergies between economic, environmental and social aspects of sustainable development. In doing so, the project applies a selective focus in order to shed light on several issues that are of particular relevance in this respect - both in practical and analytical terms. In doing so, it systematically analyzes the interlinkage between different levels of economic pressure and social and environmental policy. In particular, the project focuses on whether economic pressure leads to deregulation and policy dismantling or whether it leads to an expansion and strengthening of existing policies in the environmental and social fields. This interlinkage between economic pressure on the one side, and environmental and social sustainability on the other, is analyzed on the basis of a systematic comparison of regulatory adjustments across different policy areas in 24 OECD countries. Focusing on two 'crucial' policy fields - social and environmental policy - allows us to study whether regulatory responses to economic pressures differ between these areas. Within the fields of environmental and social policy, we focus on those sub-fields that have been identified as priority areas of sustainable development.

The primary objective of CONSENSUS is a quantitative empirical assessment of social and environmental policy change in 24 OECD countries for a period of thirty years (1976-2005). In doing so, our main research question is to what extent can we observe patterns of social and environmental policy dismantling or policy expansion, and how do these patterns vary among countries and across time? In a second step, we complement our research by in-depth

case studies that are chosen on the basis of the results of the quantitative data analysis. Our objective here is to further elaborate, differentiate and test the theoretical model and to describe in detail the mechanisms by which economic pressure translates into policy expansion or policy dismantling.

In order to collect and provide national, historical data on the policy fields, we are employing academics or practitioners working in the field of social and environmental policy in our selected countries through freelance contracts.

The **main purpose of these guidelines** is to give background information, instructions and definitions for the data collection, so all the national experts can collect accurate and comparable data, which is indispensable for the validity and reliability of this study.

**HENCE, WE KINDLY ASK YOU TO READ THESE GUIDELINES  
CAREFULLY BEFORE STARTING THE DATA COLLECTION.**

### **Contact persons in case of further questions**

If you have any questions about these guidelines or data collection in general, please contact:

[PLEASE INSERT HERE YOUR CONTACT DETAILS]

### **When to Send the Collected Data?**

You are kindly requested to send the collected data **before September 15, 2008** to the contact person mentioned above.

## 2 Instructions and Specifications

### Observation Period

The entire observation period of CONSENSUS is **January 1, 1976 to December 31, 2005**. Over this period, we consider the development of certain social and environmental policies at the national level in the examined countries. The purpose is to detect whether policy expansion or reduction (i.e. ‘dismantling’) has taken place. **Respective data have to be collected for each year of the observation period.**

### What do we need from you?

CONSENSUS seeks to analyze policy change based on the use of **legislative output data**, that is, laws, decrees, or policy programs. For each year from 1976 to 2005 inclusive, we would like you to find the **legislation in the fields of social and environmental policy that was adopted or amended in those years**. Please note that you should collect legislative measures that were adopted or amended in the years under investigation; i.e. the date of adoption/adaptation is decisive rather than the date of entering into force of a certain law.

With regard to the **legislative measures of interest, the following types** have to be considered:

- **national legislation** (i.e. laws adopted by the national parliaments)
- **national regulations/ decrees/ ordinances** (i.e. laws adopted by national executives in order to specify the content of respective primary legislation)
- **administrative circulars** (administrative documents which specify technical requirements such as data collection, inspection work or more detailed standards). **Administrative circulars** should only be included in so far as they define or specify regulatory standards or levels. **If these levels are already mentioned in other kind of national legislation, the circulars need not be collected.** This may vary from case to case and from country to country.

**Please consider only national laws and regulations, and not regional, local, or private regulations.**

In each year, there may be new legislation, modifications to old legislation, or no discernable legislative activity. For each piece of legislation you find, **we would like you to do the following:**

1. **Save electronically, or photocopy, the relevant legal document, and ultimately send the data as hard copies or electronic files compiled on a data CD**, containing your name, the type of policy (social or environmental policy) and the country, to the contact person named at the beginning of these guidelines.
2. Summarize the body of legal data that you have collected by setting up a list (**in English!**) or **timeline (see section 4 for a template)**. **This timeline should be comprehensive**, i.e. it should demonstrate that you have checked for legislative activity in each and every year, 1976-2005 inclusive. Gaps in the timeline therefore indicate that no discernable activity has occurred in the respective time period. These summaries are essential for our understanding of the legislative activities in each country and each policy section and help us to structure the data.
3. In screening and searching relevant legislative outputs, you should make use of **relevant legal commentaries and/or textbooks before screening the legislation**. This gives you a basic idea of the implemented legislative activities and helps you to reconstruct the legislative history. For this kind of secondary sources, **please provide us your bibliographic references** for facilitating the crosschecking of the data.

**Please be as inclusive as possible** in your survey, being aware, for example, of legislation which may revise general operating procedures while not specifically referring in its title to any of the social or environmental policy subareas set out below. In case of doubts, please still collect and/or copy the legislation.

### **More details about the policy fields**

As both social and environmental policy cover a broad range of subareas, we will restrict our analysis to **three main subfields** of each policy area.

#### **Social policy subfields**

- unemployment benefits
- pensions
- child benefits.

Within these broad subareas, we are again interested in specific aspects. Thus regarding **child benefits**, we focus exclusively on:

- financial support for couples/ individuals bringing up a child, comprising benefit levels, possible means-testing, indexation rules, age differentiation of benefits, and differentiations of benefits based on the number of children in the family. **Please note that we do not include issues of child care.**

With regard to **pensions**, we are interested in public schemes that provide benefits in the case of retirement due to age, which means that we only concentrate on:

- legislation regarding old-age pensions (i.e. no other pensions, such as early retirement benefits, disability pensions or widows' pensions) for 'standard' employees, that is, those working in the private sector (i.e. no civil servants, public employees or other specific professions, e.g. artists or independent professions)
- from this follows that we are interested in all rules regarding the benefit levels, pension age, duration of pension payments, coverage of old-age pensions, indexation, and possible means testing

With regard to **unemployment benefits**, we are exclusively interested in public schemes that provide

- compensation for 'standard' employees in the private sector (see definition above) in case of unemployment, but **no** social assistance schemes
- payments based on unemployment insurance benefits and/ or transfer benefits, which comprise benefit levels, waiting days, length of benefits, possible maximum level of benefits, eligibility criteria, indexation rules, and various requirements about being at the disposal of the labour market

### **Environmental policy subfields**

- clean air policy
- water policy
- nature conservation.

Analogous to our proceeding above, within these three subareas we concentrate on specific aspects. Hence, as concerns **clean air policy**, we are exclusively interested in three areas:

- legislation affecting the regulation of industrial emissions from stationary sources (excluding households)
- legislation affecting the regulation of emissions from mobile sources (e.g. cars)
- legislation affecting the regulation of air quality (defining maximum contents of pollutants in the air for various substances)

In terms of **water policy**, we are only interested in the following two areas:

- legislation affecting the regulation of industrial emissions into the water (excluding households),
- legislation affecting the regulation of water quality, that is, ground water, surface water, bathing, and drinking water

Of the three subareas, **nature conservation** is surely the most encompassing one. Thus, in order to restrict data collection efforts, we are merely interested in:

- protection of wildlife
- protected areas
- fisheries

If possible, could you also indicate the **most important reforms** in social and environmental policy during the observation period. In this context, could you also judge whether there were **tendencies of policy expansion and/or dismantling**.

### 3 Final Comments

Please keep the following in mind:

- Consider national regulations, and not regional, local, or private regulations.
- As concerns the list, please be as explicit as possible, i.e. please indicate the type of legislation from which you got your information (law, decree, regulation, ordinance etc.), including the relevant reference (year, source).
- You are kindly requested to send the data before September 15, 2008 to the contact person indicated in section 1 of these guidelines.
- You are most welcome to visit our project homepage on: <http://www.uni-konstanz.de/FuF/Verwiss/knill/index-e.php>
- If you are interested in receiving a continuous update of our project results please ask us to send you our policy briefs.

***Thank you very much for your cooperation and provision of expertise!***

## 4 Templates

### 4.1 Time line example:

The country of 'Ruritania'

Environmental Policy, Part 1: clean air policy

Year	Type of legislation	Name	Objective	Data supplied
1976	no legislative activity			
1977	no legislative activity			
1978	no legislative activity			
1979	Law	Clean Air Act	Emission controls	CAA_1979_ruritania.doc
1980	no legislative activity			
1981	no legislative activity			
1982	no legislative activity			
1983	no legislative activity			
1984	Circular	Cabinet Act A/381, Issue 939/J/1984	Operating procedures	Hardcopy Nr. 1 ENVIRONMENT
1985	Law	Clean Air Act (amendment)	Air quality standards; emission controls	CAA_1985_ruritania.doc
1986	no legislative activity			
1987	no legislative activity			
1988	no legislative activity			
1989	no legislative activity			
1990	no legislative activity			
1991	no legislative activity			
1992	no legislative activity			
1993	Law	Environmental Protection Act	Framework Law	Law1_AIR_ruritania.doc on CD

1994	no legislative activity			
1995	no legislative activity			
1996	no legislative activity			
1997	no legislative activity			
1998	no legislative activity			
1999	no legislative activity			
2000	no legislative activity			
2001	no legislative activity			
2002	no legislative activity			
2003	no legislative activity			
2004	no legislative activity			
2005	no legislative activity			

## 4.2 Other concrete examples: Social Policy

### Part 1: UNEMPLOYMENT BENEFITS

(Regulation of eligibility, benefit levels, duration of benefits etc.)

Year	Type of legislation	Name	Objective	Supply
1994	Law	Law 2224/1994	Definition of level of unemployment benefit	Law1_UNEMPLOYMENT_greece.doc on CD
...	...	...	...	...
...	...	...	...	...

### Part 2: PENSIONS

(Pension age, pension levels, access to pension payments etc.)

Year	Type of legislation	Name	Objective	Supply
1988	Law	Pensions Law	Allows all women insured by IKA with unmarried children under 21 years of age or children unable to work to claim a pension at age 55	Hardcopy Nr. 1 SOCIAL
...	...	...	...	...
...	...	...	...	...

### Part 3: CHILD & FAMILY BENEFITS

(Regulations referring to payment made to eligible families etc.)

Year	Type of legislation	Name	Objective	Supply
1989	Ordinance/ Decree	147/1989	flat-rate allowance for children who are not supported	Law2_CHILD_greece.doc on CD
...	...	...	...	...
...	...	...	...	...

## 4.3 Environmental Policy

### Part 1: CLEAN AIR POLICY

(Emission regulations, air quality standards, definition of concrete limit values etc.)

Year	Type of legislation	Name	Objective	Supply
1986	Law	Environmental Protection Act	Framework Law	Law1_AIR_greece.doc on CD
1987	Circular	Cabinet Act 98, GG Issue 135A/1987	Air quality standards	Hardcopy Nr. 1 ENVIRONMENT
...	...	...	...	...

### Part 2: WATER POLICY

(Regulations of emissions, water quality standards, definition of concrete limit values etc.)

Year	Type of legislation	Name	Objective	Supply
1977	Regulation	743/1977	Protection of the Marine Environment	Regulation2_WATER_greece.doc on CD
...	...	...	...	...
...	...	...	...	...

### Part 3: NATURE CONSERVATION

(Regulations referring to protection of wildlife, habitats and conservation in general)

Year	Type of legislation	Name	Objective	Supply
1981	Decree	4371981	Study and Execution of various forest-related techniques	Hardcopy Nr. 2
...	...	...	...	...
...	...	...	...	...