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PUBLIC-PRIVATE PARTNERSHIPS AS CONVERGING OR DIVERGING TRENDS IN PUBLIC MANAGEMENT? A COMPARATIVE ANALYSIS OF PPP POLICY AND REGULATION IN DENMARK AND IRELAND

Ole Helby Petersen

ABSTRACT

The utilization of the public-private partnership (PPP) model as a means of delivering various types of asset-based public services and infrastructure is often seen in academic research as part of a globally spread public management reform trend. This view is often suggested with reference to the staggering amount of attention and public money, which is now being dedicated to the formation of PPPs worldwide. This article, however, proceeds from the observation that if we look beyond the reports from a small handful of primarily Anglo-Saxon countries, which have so far attracted widespread attention in the PPP literature, we observe a much more divergent and heterogeneous pattern in various national governments' policy and regulation for PPP and the amount of actually implemented PPP projects. By comparing the initiatives taken by the Irish government, which has embraced PPPs, with those of the Danish government, which has been PPP sceptic, the article draws on two in-depth country case studies to examine how and why PPPs developed so differently in the two countries. The research illustrates that whereas PPPs in Denmark have been subject to a loosely organized institutional framework with a number of fundamental policy and regulation issues being either unresolved or not very supportive to the uptake of PPPs, Ireland, on the other hand, now presides over one of the most ambitious PPP programs in the world, with major policy, regulation and procurement functions centralized within the Ministry of Finance and the Treasury. As research on PPPs continues to proliferate, this article illustrates that academic PPP literature would benefit from adopting a more explicit comparative focus to account for these significant comparative differences in national governments' PPP approaches.

Keywords *– Denmark, Ireland, multiple streams, policy, public-private partnerships, regulation*

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INTRODUCTION

The term partnership is now a dominant slogan in the rhetoric of public sector reform, arguably capturing that status from privatization which held similar dominance through the 1980s and 1990s. (Wettenhall, 2003: 77).

Public-private partnerships, especially in the area of infrastructure development, now represent a relatively new but increasingly ubiquitous organizational arrangement with international acceptance. (Johnston and Gudergan, 2007: 570).

Its advocates tout it as the epitome of a new generation of management reforms, especially suited to the contemporary economic and political imperatives for efficiency and quality. (Linder, 1999: 35).

Provision of new investment in infrastructure in Europe is increasingly being carried out under a range of PPP structures based on the principle of private sector risk taking participation in the provision of public infrastructure. (European Investment Bank, 2004: 3).

Every now and then a new and fashionable public management reform concept captures the attention of public administration scholars and policy practitioners alike. When this coincides with a political milieu which is favourable to policy change, it occasionally sets the agenda for widespread public sector reforms (Pollitt and Bouckaert, 2004; Barzelay and Shvets, 2006). While the New Public Management (NPM) was certainly such a concept (Hood, 1991; Lane, 2000), so is arguably also the notion of public-private partnership (PPP), which now enjoys widespread acclaim in modern public administration (Linder, 1999; Klijn and Teisman, 2003; Koppenjan, 2005; Ysa, 2007; Hodge and Greve, 2007). Based on the idea of collaboration and joint decision-making, the partnership idea has been seen as representative of a new generation of new public governance "overcoming the deficits of the earlier waves of privatization and marketization" (Hammerschmid and Angerer, 2005; see also Osborne, 2010). Hence, as argued by Teisman and Klijn (2002: 198), "Partnerships are seen as the best way, in the end, to govern the complex relations and interactions in a modern network society".

The concept of PPP has been defined in numerous ways, from loose (and somewhat vague) conceptualizations including almost any form of public-private interaction to the most narrow definitions of PPPs as contract based relationships specifying in detail the responsibilities and obligations of the respective partners (Linder, 1999; Wettenhall, 2003; Weihe, 2005). Perhaps the biggest difference in the literature is found between scholars who view PPP as a "language game" (Linder, 1999; Hodge and Greve, 2005), and those who think of it as a cooperative institutional arrangement involving shared risks, costs, responsibilities, resources and benefits over a long time period (Van Ham and Koppenjan, 2002; Klijn and Teisman, 2003; Koppenjan, 2005). Within the institutional perspective on PPP, a further distinction has been drawn between partnerships involving loose organizational relationships, as found in issue networks and policy communities, and PPPs characterized by tight financial and organizational relationships, as represented by various PPP/PFI (Private Finance Initiative) type arrangements (Flinders, 2005; Hodge and Greve, 2005). In the latter meaning, a public authority contracts

with a private company – a so-called Special Purpose Vehicle (SPV) – for various combinations of planning, procurement, construction, finance and operation of a major construction or infrastructure facility[1]. These long-term commercial PPP contracts for asset-based public services and infrastructure development are the exclusive focus of this article (Bloomfield, 2006).

The scholarly literature on PPPs has been rapidly developing over the past ten to fifteen years with significant inputs from numerous disciplines, including public administration (Koppenjan, 2005), public management (Ysa, 2007), construction management (Koch and Buser, 2006), legal studies (Tvarnø, 2006) and accounting (Grimsey and Lewis, 2002), just to mention a few. A large practice-oriented literature has also emerged, with significant inputs from private consultancy firms (e.g. Allen Consulting Group, 2007; Babcock and Brown, 2008), national PPP units (Irish Central PPP Unit, 2001; Danish Enterprise and Construction Authority, 2004; HM Treasury, 2006), institutions of the EU (European Commission, 2004; EIB, 2005), and international organizations (World Bank, 2006; IMF, 2006; OECD, 2008). This literature, with a predominance of Anglo-Saxon contributions (Hammerschmidt and Angerer, 2005), has to a large extent rehearsed the idea of PPP as a globally spread reform trend in public administration (e.g., Grimsey and Lewis, 2002; Ghobadian et al., 2004; Kwak, Chih, Ibbs, 2009). Indeed, the opening quotations describing PPPs as "a very-fashionable concept" (Wettenhal, 2003: 77), which "enjoys remarkable acclaim" (Linder, 1999: 35), and "with international acceptance" (Johnston and Gudergan, 2007:570), might perhaps lead us to assume similarity and convergence in PPP initiatives across countries.

More recently, however, scholars writing from a central-European and Scandinavian public administration tradition have increasingly noted that PPP reform initiatives have not been the same everywhere (cf. Greve and Hodge, 2007; Klijn, Edelenbos and Hughes, 2007; Petersen, 2010a). In some cases, governments have enacted comprehensive PPP policies and regulations and signed a substantial number of major schemes over the course of the last ten to fifteen years. This group, with an Anglo-Saxon and South-European predominance, includes the UK, Australia, Canada, Portugal, Spain and, more recently, also Ireland (Irish Ministry of Finance, 2009). A second group has also developed relatively comprehensive policy and regulation frameworks to guide and steer PPP activity, but signed a smaller number of actual PPP projects. These countries include France, the Netherlands, Germany, Greece, Hungary, and Poland (Babcock and Brown, 2008). Finally, some countries have reacted to the PPP concept with much skepticism and formed few or no concrete PPP projects. These include Denmark and the rest of Scandinavia, Austria, Belgium, Luxembourg and some of the new European Union (EU) member states. Thus, in reality, if we look beyond the testimonies from a small handful of countries that often display in the literature, we might say that national governments' reform initiatives for PPPs are in fact a highly divergent phenomenon across various national institutional settings.

In this article, I attempt to make a contribution to the understanding of these vast differences in national modes adopting the PPP reform trend, with a focus on Danish and Irish PPP experiences. The importance of studying PPPs in a comparative way arises both from an interest in understanding their similarities and differences and from an interest in the fundamental question as to why governments resort to PPPs in the first place (Hodge and Greve, 2005). The article's *explanandum* is authoritative decisions

about policy and regulation for PPP made by government departments and agencies entrusted with the formal authority to formulate and oversee the national regime for PPPs. The focus is on system-wide decisions, i.e. decisions that are relevant for the whole or for most of the regime, as opposed to regulations and processes found within a single department or agency (see also Barzelay and Shvets, 2006). Public administration scholarship has recently taken seminal steps towards developing comparative approaches to the study of public policy and public management reform (Barzelay, 2001; Pollitt and Bouckaert, 2004; Christensen and Lægreid, 2007; Pollitt, Thiel and Homburg, 2007). A significant contribution to this endeavor has been made by Michael Barzelay and associates (e.g. Barzelay, 2001; Barzelay et al, 2003; Gaetani, 2003) under the prescription of 'Institutional Processualism', for the research program's focus on policy processes and institutions in the study of public policy-making (Barzelay and Gallego, 2006).

In this article, I utilize this comparative research combined with Kingdon's (1995) multiple streams framework to study PPP policy and regulation in a comparative way.[2] The article addresses the following research questions: How did PPP policies and regulations develop, and how did they come to differ so significantly across countries which are similar in a number of other dimensions? These questions are examined in a comparative case study of the development of PPP policy and regulation in Denmark and Ireland over a ten-year period from 1999 to 2009. The empirical material utilized in the article has been drawn from a number of sources, including in-depth expert interviews with key organizational representatives (both public and private), a large amount of written material stored in a database, and Eurostat archive data containing key economic figures for the two countries (see Appendixes 1-3).

The comparative interest in Denmark and Ireland is sparked by their display of similarity on a number of dimensions, while the two cases differ on the outcome variable of PPP policies and regulations. Both countries are small open economies with a population of respectively 5.5 and 4.3 million inhabitants, and both are members of the EU, which makes them subject to a common set of regulations in relation to public procurement and on/off-balance sheet accounting and risk principles of risk sharing in PPPs (Eurostat, 2004; see also Petersen, 2010b). Moreover, both countries were late adopters of broader privatization measures, and they both officially launched PPPs in 1999. However, whereas Ireland has embraced PPPs and developed a comprehensive policy and regulation framework to support the implementation of PPP schemes across a broad range of procurement sectors, Denmark has been a skeptic and has only reluctantly developed policy and regulation in this area (Petersen, 2009). As a result of this, Ireland now counts around 70 major PPP schemes in various phases of planning and operation, thereby making the Irish PPP program one of the most ambitious in the world when taking size into consideration (compare with the UK's 59 million inhabitants). In Denmark, on the contrary, PPP policy and regulation have developed slowly and there are just five PPP schemes in the country to show for it and a few are being planned (Petersen and Vrangbæk, 2010). By analyzing Danish and Irish PPP cases comparatively, the article reveals two highly contrasting national accounts of PPP government-wide PPP policies and regulations, which I argue could form an inspiration point for future, much needed comparative PPP research.

The article proceeds as follows. S*ection 2* outlines the analytical framework, drawing on Kingdon's (1995) multiple streams model to study public policy-making. Method and research design is then presented in *Section 3*. *Sections 4 and 5* present case studies into how PPP policy and regulation in Denmark and Ireland, respectively, developed over the ten year period from 1999-2009. These insights are, *in Section 6*, analyzed through the lens of the multiple streams model to explain the differences between Denmark and Ireland's PPP policies and regulation. Finally, in *Section 7*, a conclusion to the article is provided.

ANALYSING PPP POLICY AND REGULATION: A MULTIPLE STREAMS MODEL OF PUBLIC POLICY-MAKING

The need to look at the policy and regulation aspects of PPPs has been identified by several scholars, such as Klijn and Teisman (2003), Ysa (2007) and Greve and Hodge (2010). However, most studies have hitherto been preoccupied with the performance of PPPs (e.g. Pollitt, 2005; Pollock and Price, 2008), technical/legal aspects (Grimsey and Lewis, 2002; Bing et al., 2005; Tvarnø, 2006), and conceptual/historical discussions (Linder, 1999; Wettenhall, 2003; Weihe, 2005), but have generally been less attentive to broader policy and regulation issues of PPPs (although see Klijn and Teisman, 2003; Flinders, 2005). Furthermore, studies dealing with policy and regulation issues of PPPs have typically operated with single country research designs (cf. Spackman, 2002; Reeves, 2003; Deakin, 2002; Klijn and Teisman, 2003; Flinders, 2005; Koppenjan, 2005; Johnston and Gudergan, 2007), whereas comparative approaches are generally rare in this field of research (although for a few notable exceptions; see Greve and Hodge, 2007; McQuaid and Scherrer, 2010).

We know from the comparative public administration literature on NPM and post-NPM that we should not expect a global convergence on a common and uniform reform idea or concept (cf. Barzelay, 2001; Pollitt and Bouckaert, 2004; Barzelay and Gallego, 2006; Christensen and Lægreid, 2007). This literature sees public sector reforms as shaped by a complex mix of national policy features, environmental pressures and historical and institutional context (Pollitt, Thiel and Homburg, 2007). Other attempts at analyzing and classifying public sector developments at national level include distinct welfare state approaches (Esping-Andersen, 1990) or differing models of capitalism (Hall and Soskice, 2001). In a more practice-oriented way, the OECD's PUMA project and the World Bank's Governance Indicators can also be seen as attempts to categorize and compare public sector developments at the national level. These macro-approaches, however, have been contested for presenting oversimplified and static pictures, while paying too little attention to the actors, interests and policy processes in which specific national trajectories of public policy-making and regulation are formed and implemented (Deakin, 2002).

In order to understand how and why PPP policy and regulation developed – and thus account for their similarities and differences in Denmark and Ireland – I will argue that we need to examine how PPPs were raised on the decision agendas of various policy actors and inspect how concrete decisions about PPP policy and regulation were taken in the two countries. Towards this endeavor, I draw on John Kingdon's multiple streams model (1995), a political science model of public policy making, which is supplemented

by Michael Barzelay's event-centered approach to public management policy-change (Barzelay et al., 2003). Kingdon's model was originally developed to understand the process of agenda-setting and seeking alternatives, and a number of scholars have subsequently argued that this model can also be utilized for analysis of the decision-making phase in policy-making (Zahariades, 1999; Barzelay and Gallego, 2006; Bundgaard and Vrangbæk, 2007). The model focuses on how the process is organized, and the implications of this for opening 'policy-windows' at particular points in time. It also focuses on the role of bounded rational policy entrepreneurs, although it has been criticized for not always being clear about their roles within the respective process streams (Sabatier, 1999: 5; Bundgaard and Vrangbæk, 2007).

Kingdon's model, with its focus on the flow and timing of policy decisions, is useful for examining the complexities of public policy-making and regulation. Drawing on the garbage can model of organizational behavior (Cohen, March and Olsen, 1972), it basically conceives policy making as characterized by ambiguity and bounded rationality (Zahariadis, 1999). By this token it offers a model of the policy process that is significantly more complex and less neat than the classic stages model of policy-making (Lasswell, 1956; DeLeon, 1999). The multiple streams model emphasizes the importance of three separate and distinct streams: a problem stream, a policy stream and a politics stream.

The problem stream is where a given situation is identified and formulated as a problem or issue that calls for political attention. A crisis or unforeseen event may arise; indicators might change, thus calling for changes in policies; or feedback from existing programs may indicate that action is needed (Kingdon, 1995:ch. 5). The perception of a situation as unwanted and within human capacity to control or change it is therefore a prerequisite for it to rise on the agenda. But rather than being a rational process, in which various issues are analyzed and listed according to objective criteria, the problem stream is characterized by an ongoing battle between various issues which cause it to capture the attention of people around the policy-making process (Zahariadis, 1999).

The policy stream is where ideas and alternatives float around, waiting to be turned into policy alternatives and proposals. Kingdon also refers to this second stream as the policy primeval soup (1995: 116), referring to the time before life when molecules floated around with an infinite number of combinations possible. Ideas are often developed and combined by experts and specialists in policy communities, whereas at other times ideas which are unrelated to these expert communities come to the fore. To be taken as serious alternatives, ideas must be technically feasible, but the logic is not necessarily rational in a narrow instrumental sense. Policy proposals are not necessarily built to resolve predefined problems; rather, the logic is quite the opposite. These proposals float around searching for problems in the problem stream to which they can be tied, and if such a coupling is successful, the chances that this issue will arise in prominence on the decision agenda are enhanced (Bundgaard and Vrangbæk, 2007).

The political stream comes third in the model, and although it operates separately from the other two streams, political events in this stream can reshuffle the environment in which problems and policies battle for attention. Examples of political events are swings of national moods, political turnover of governments or parliaments, and interest group pressure, all of which can cause certain issues and policies to rise or fall on the

decision agenda (Kingdon, 1995). Bargaining over alternatives rather than persuasion characterizes the political stream, and more attention is directed at obtaining winning coalitions than to assessment of the specific consequences of certain alternatives and policies. Thus, bounded rationality is also a precondition in this stream (Brunner, 2008).

As previously mentioned, the three streams are separate and distinct with their own logics, dynamics and dominant actors. But occasionally, the three streams meet and a problem is linked with a feasible solution that is salient in the political environment (Zahariadis, 2003). When this coupling takes place, it increases the likelihood of an issue rising on the decision agenda and turning into a decision – a policy, that is. For example, supporters of a given PPP policy may use a political context that is prone to market-based solutions in the public sector, while claiming that they present a solution to an existing problem of financing essential infrastructure development. If such a coupling is successful, a policy window opens, which makes a decision feasible (Kingdon, 1995; Travis and Zahariadis, 2002). However, policy-windows can be unforeseeable, and they can close again without any decisions being taken if policy-entrepreneurs are not successful in coupling the problem to a feasible solution that can be supported by the political environment. This makes the policy process inherently ambiguous and dependent upon the temporal coupling of the three process streams (Zahariadis, 1999).

The notion of three separate streams that each work on their own terms provides a useful framework for conducting analysis of the development of PPP policy and regulation, because it stresses that in order to foster policy-change, policy-entrepreneurs must couple a problem with a policy-solution, but also invoke support for the idea within the broader political stream. It should be kept in mind, though, that Kingdon's model was originally developed to explain major policy change within a North-American two-party system with changing majority rule of a single party, whereas policy-making in Denmark and Ireland is characterized by shifting coalition governments, which may render policy-change more incremental here than in the US system. Several scholars have illustrated the usefulness of the multiple streams model for a European context (cf. Zahariadis and Allen, 1995; Zahariades, 2003; Bundgaard and Vrangbæk, 2007; Brunner, 2008), and for the analysis of more incremental policy-change as well (Travis and Zahariades, 2002). The general points about attention as a limited resource and the temporality/timing as key features of policy-change thus seem relevant in a European setting too, although in the present cases I would expect a more incremental policy-change than the "irresistible movement that sweeps over our politics and our society, pushing aside everything that might stand in its path", which was originally envisaged by Kingdon (1995:1). In the section below, I discuss how I use Barzelay's event centered approach as a structuring device for keeping track of events and contextual factors that can influence the three process streams (Barzelay et al., 2003).

DESIGN AND METHODOLOGY

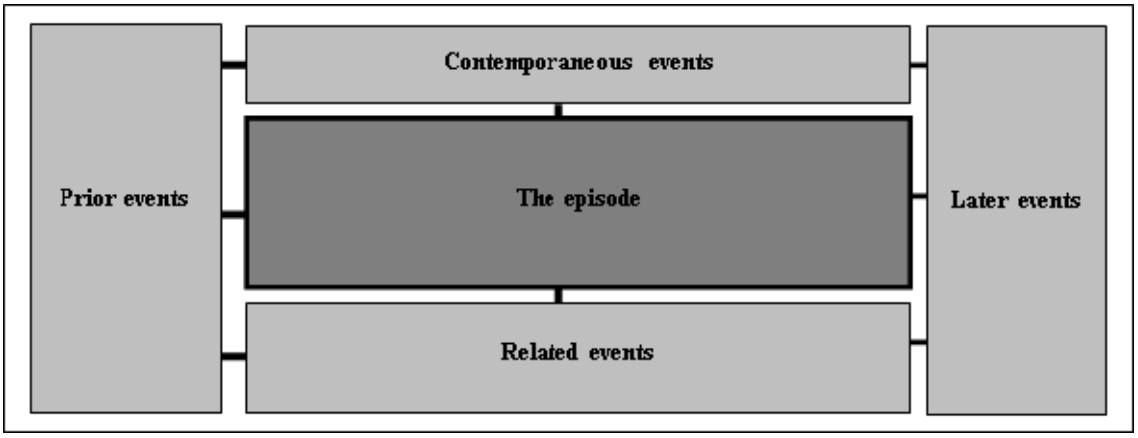
Creation of a proper data set on ten years of development of PPP policy and regulation in two countries required triangulation of data from a number of sources (Peters, 1998). First, primary documents were collected for all years in the period from 1999-2009. For the relatively simple two-country comparative setup of this very article, this exercise

involved the collection and reading of around 140 documents including policy statements, guideline material, legislation, government reports, legal framework contracts, etc. (see appendix 2 and 3 for an overview of the sources). In order to organize the material, all documents were stored in a database according to type of document, responsible authority and date of publication. The primary documents were used to establish a detailed picture of the central policy initiatives and regulations enacted for PPPs in Denmark and Ireland, respectively, and furthermore provided for a first, and rather rough, interpretation of the processes whereby PPP policy and regulation developed in the two countries.

Next, to establish a detailed account of the policy processes, sequences of events, negotiations, and conflicts, several rounds of expert interviews were held[3]. In Ireland, face-to-face interviews were carried out in Dublin with the Central PPP Unit under the Ministry of Finance, the National Roads Authority, the National Development Finance Agency, and the Department of Education and Science in Tullamore. To supplement these official accounts, further interviews were conducted with the Irish Congress of Trade Unions and the Irish Business Confederation, in Dublin, and with the consultancy firm Ernst and Young, in Belfast. A parallel round of interviews was held in Copenhagen with the Danish government's PPP Competence Unit, the Tax Agency, the Ministry for Transport, and the Ministry of Finance. Here also, supplementary sources were interviewed, including Local Government Denmark, the Confederation of Danish Industry, the Danish Chamber of Commerce, the Danish Construction Association, and the Danish Transport and Logistics Association. All interviews were held face-to-face, and were taped to allow further coding and interpretation. Finally, in addition to primary documents and expert interviews, statistical measures of government fiscal key aggregates were sampled in order to establish an understanding of the economic background settings for introducing PPP policies in the two countries. For this purpose, the Statistical Office of the European Community (Eurostat) was sourced for comparative statistics on government key fiscal indicators (see appendix 1)[4].

In the subsequent process of data analysis, the interviews were used to fine-tune the initial interpretations established from the primary documents. In order to structure the case evidence in a systematic fashion, in this article I draw on a specific conceptual framework and methodological guide for event-centered case study research developed by Michael Barzelay et al. (2003), which is presented in Figure 1.

Figure 1: Barzelay's heuristic for ordering case material



Source: Barzelay et al. (2003:25).

The primary object of analysis is denominated as *the episode*. The current article contains two episodes, which are the development of policy and regulation in Denmark and Ireland, respectively, in the period from 1999-2009. Each episode is constituted by a number of *events*, that is, specific decisions about policy and regulation for PPPs. Furthermore, to contextualize and explain the episode, the concepts of *prior events* and *contemporaneous events* are introduced. Prior events occur before the primary object of study, the episode, and provide the background settings for studying the episode. Politico-economic background settings are for example prior events that condition the episode. Contemporaneous events occur in the same time setting as the episode, and are events that are not part of the episode but influence the events constituting the episode. Change in the political elite is an example of a contemporaneous event. Jointly, prior and contemporaneous events are sources of *explanation* for the episode (Barzelay et al., 2003), and they are used to provide theory-based explanations of Denmark and Ireland's developments of PPP policy and regulation. Further, *related events* occur in the same time frame as the episode, but are more affected by the episode than vice-versa. Concrete PPP projects, as signed by various national, regional or local public authorities, are examples of such related *events. Finally, later events designate* events that happen after the episode, which means that including the later events is merely relevant in the study of historic episodes, as noted by Barzelay et al.: "*Later events* are sometimes included in the study frame for purposes of exploring the contemporary relevance of historical episodes" (2003: 24 [italic in original]). Hence, in this article, where my focus is on explaining differences and similarities in the development of PPP policy and regulation with a focus on the present episode, the consequence is that I pay less attention to the later and related events in Barzelay's model (see also Figure 2 and 3 below).

To sum up, in this article I utilize Barzelay's heuristic as a structuring device, which is useful for keeping track of contextual factors that can influence the policy development. This is combined with Kingdon's framework for the analysis of agenda-setting, alternative seeking and policy-making. The specific method of the article is thus to analyze episodes (a series of policy decisions about PPPs within the time frame of the study) as a consequence of the successful temporal coupling by policy-entrepreneurs of the problem, policy and politics streams. In the following, I first outline the two case studies

utilizing Barzelay's event-centered method. This provides a detailed overview of the episodes, contemporaneous and prior events in the two cases. Next, I apply Kingdon's multiple streams model to examine the coupling of the streams and the role of policy-entrepreneurs in the development of PPP policy and regulation in Denmark and Ireland in the period from 1999-2009.

CASE 1: THE DEVELOPMENT OF DENMARK'S PPP POLICY AND REGULATION

The Episode

The concept of PPPs was launched in Denmark in 1999 by the social-democratic government headed by then Prime Minister Poul Nyrup Rasmussen (Danish Ministry of Finance, 1999). In the subsequent five years, from 1999-2004, a few government reports mentioned PPP as a means with which to invest in large-scale physical infrastructure projects (Danish Ministry of Economic and Business Affairs, 2002, 2003), but no concrete policies or regulations were formulated, and no money was earmarked for projects. Then, in January 2004, the Danish government launched its Action Plan for Public-Private Partnerships listing ten concrete initiatives to support PPPs in Denmark (Danish Government, 2004). Among these initiatives were a universal PPP testing requirement, the establishment of a PPP Competence Unit under the Ministry of Economic and Business Affairs and the launch of seven PPP pilot projects. The PPP Action Plan also included amendments to the state building legislation requiring that all construction projects above a threshold limit of app. €13 million be tested for PPP relevance. Furthermore, the local government sector was given financial support for the testing of PPP projects, and a special pool of money was set up to relieve local municipalities from a complicated set of budget restrictions on construction type projects (Danish Government, 2004).

The government's Action Plan for PPP thus encompassed a broad span and introduced a number of new initiatives, legislation and a dedicated PPP institution. But in reality the government was in fact ambivalent towards PPPs and, in a number of important aspects, overtly skeptical that PPP would in fact deliver value for money. To see how this was the case, we need only to scratch slightly at the surface of the policy rhetoric of the government's PPP Action Plan. The effect of the legislative amendment that introduced a universal testing requirement was in fact very limited because it only applied to construction type projects (buildings), whereas the infrastructure area was exempted (Danish Enterprise and Construction Authority, 2004). Furthermore, the testing requirement only applied to the central government sector, whereas the local municipalities and the regions, which in Denmark have the responsibility for central welfare areas including primary education, childcare, environmental planning and local roads, were exempted from this.

Regulations were thus in reality much vaguer than the pro-PPP policy rhetoric of the Action Plan indicated, and the testing requirement was far from universal. Examining further the role and competencies of the Danish PPP Competence Unit, we see that contrary to countries such as the UK, Ireland, and the Netherlands, where PPP units have been set up under the Department of Finance, the Danish equivalent was set up in the Ministry of Economic and Business Affairs. Being traditionally the little brother to the

Danish Ministry of Finance in most public sector reform issues, this institutional anchorage meant that the PPP Competence Unit was from the outset limited in its ability to coordinate government initiatives. Somewhat paradoxically, in the inter-departmental group on PPPs, which was created to coordinate policy initiatives across government departments, the Ministry of Finance leads the group. Furthermore, when scrutinizing the seven PPP pilot projects, the fact is that only one project has been signed (the Danish National Archive), whereas four pilot projects have been dismissed and two projects are at various stages of planning, but have not proceeded to the procurement phase. A close reading of the government's Action Plan reveals that the seven pilot projects were only *to be tested* for PPP relevance, and that it was not decided how many – if any – of the projects would in fact be carried out under a PPP scheme (Danish Government, 2004). The success rate for the government's PPP pilot projects has been very low – only one of seven projects has been signed – and with a total number of four projects signed and two under preparation, the total deal-flow must be characterized as very modest.

What this short review of the episode demonstrates is that after the introduction of PPP in a Danish context in 1999, the Danish government did in fact take no concrete policy or regulatory decisions for the next five years. When, in 2004, the PPP Action Plan was introduced, it indicated the Danish government's serious commitment to a pro-PPP policy program, but scratching at the surface of this policy rhetoric demonstrates that initiatives were in fact less ambitious. Regulatory ambivalence prevailed and competencies were split between the Ministry of Economic and Business Affairs, which has acted as a pro-PPP player, and the Ministry of Finance, which is much more skeptical towards PPP. This split between the two major departments is reflected in the institutional setup of the Danish regime for PPPs, where the Ministry of Economic and Business Affairs hosts the PPP Competence Unit while the Ministry of Finance presides over the inter-departmental PPP group.

Prior and contemporaneous events

What were the background settings for the introduction of PPP policy and regulation in Denmark? To answer this question, prior and contemporaneous events must be carefully examined (Barzelay et. al., 2003). Recall from the methodological section that prior and contemporaneous events are sources of explanation of the episode. Starting with the contemporaneous events, one of the often presented merits of the PPP model is that private capital investment in PPP relieves government spending burdens[5]. But logically, this argument would be more valid in contexts where the state of the economy imposes serious limits on government spending, whereas strong public finances and budget surpluses on the other hand would make private investment less of an incentive to governments.

Total government debt and annual government deficit/surplus provide two commonly used measures of a country's economic condition, and are also two central criteria underlying the Stability and Growth Pact of the European Monetary Union[6]. These two fiscal indicators respectively provide a measure of long-term and short-term budget performance, and thus a measure of the Danish government's capacity for publicly financing major physical investment projects in the period under examination. Drawing on data from the European Commission's statistical office (Eurostat), it becomes very clear that the Danish government's need to rely on private capital to finance major invest-

ments has been negligible. In the period from 1999 to 2010, Denmark's government sector produced an average annual surplus of 1.7 percent measured against GDP, compared to an EU average of -2.9 percent in the same period (Eurostat, 2011). Also, Denmark's general government debt was brought down from 58.1 percent in 1999 to 27.5 percent in 2007 (it thereafter rose to 43.8 percent in 2010 as a result of the global economic crisis, which compares to an EU average of 80.0 percent in the same year – see appendix 1).

So both short- and long- term fiscal indicators suggest that the private finance element of PPP would never have been much of an issue in Denmark, an interpretation that is supported in all interviews conducted for the purposes of this article. The Danish government in its Action Plan for PPP put it very clearly by stating that 'PPP is not an end in itself (....) PPP shall only be employed to support effective and good projects, not as a means of financial speculation' (Danish Government, 2004:12). Some major infrastructure projects that could potentially have been commenced as PPPs, including the Great Belt Bridge, the Oresund Bridge, and the Copenhagen Metro, were all financed as state-owned companies backed by state guarantees. So a number of the prior and contemporaneous events were not particularly favorable to a large-scale adoption of the PPP model in Denmark.

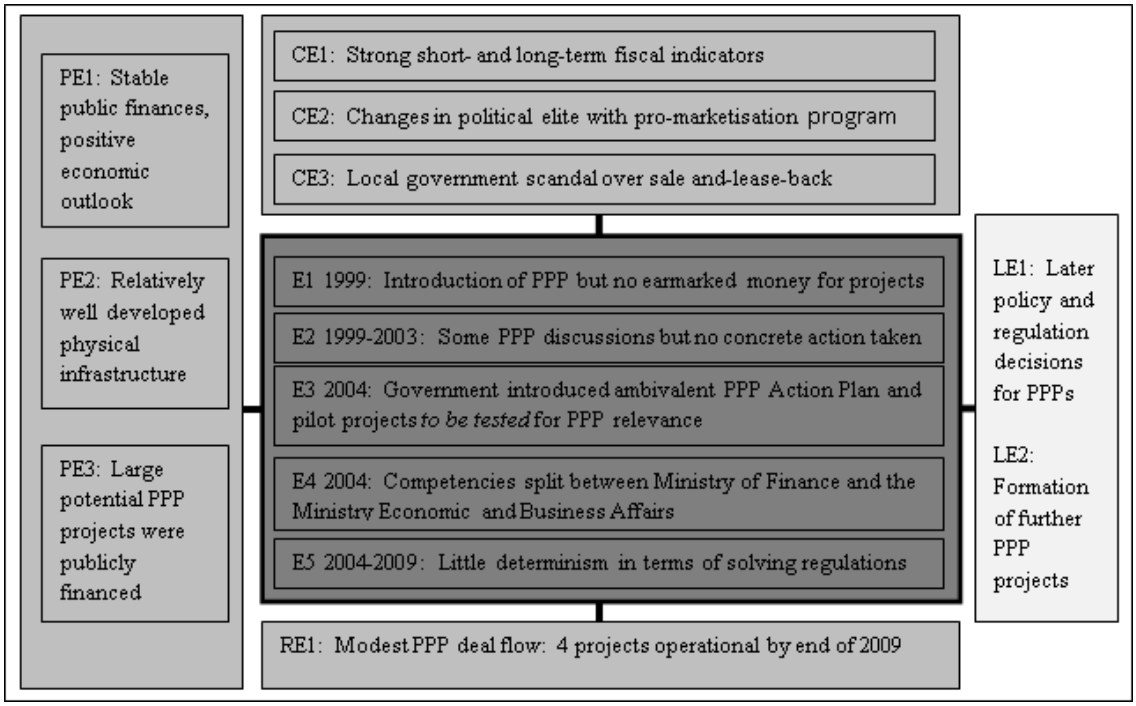
Another important contemporaneous event that pointed towards more use of PPP in Denmark was the change in the political elite, when the social-democratic government was replaced in December 2001 by a liberal-conservative government led by Prime Minister Anders Fogh Rasmussen. A keystone in this third-way inspired policy program was reliance on market-based solutions as the means with which to increase the quality and value-for-money of public welfare services (Danish Government, 2001, 2003). This shift in the political elite established a majority in the Danish Parliament officially in favor of contracting out and privatization, but it was the introduction of so-called free choice – a right to choose between public and private delivery of welfare services – that was most dominant in the policy program (Danish Government, 2001, 2003).

While a change in the political elite brought in a government generally in favor of market-based solutions and private involvement in public sector activities, another high profile contemporaneous event sent shockwaves through the political establishment. In the late 1990s and into the 2000s Denmark witnessed a massive local government scandal in the small municipality of Farum, a suburb of Copenhagen (see also Greve, 2003). The mayor, who had for years been praised as an entrepreneur and visionary in inventing market-based solutions, was brought before a court accused of fraud with public money and was later imprisoned. Farum had sold a number of public assets as so-called sale-and-lease-back arrangements, where private partners buy public assets and deliver the service for 20-30 years subject to an annual payment by the municipality. This practice released substantial amounts of money that the mayor of Farum would invest in new projects such as sports facilities, housing, etc.

However, central government regulations require that money released via leasing arrangements is reserved and can only be released gradually. This is to prevent large fluctuations in total public sector spending from year to year due to such leasing arrangements. Though by no means directly related to PPPs, the gigantic public outcry created

by the case led to a more general skepticism towards private finance models among government regulatory authorities. In the aftermath of the scandal, the regulation of local government procurement of PPP projects was amended in a way that made it overtly difficult for local municipalities to enter into PPP deals. Although Danish business and industry confederations have occasionally voiced criticism of the government's inaction within this policy area, for most of the time these organizations have not been taking a role as policy entrepreneurs in the same active way as has been seen in the Irish case (see below). Figure 2 summarizes the central events in the development of Denmark's PPP policy and regulation.

Figure 2: The development of Denmark's policy and regulation for PPPs



Note: Prior Events (PE), Contemporaneous Events (CE), Events constituting the episode (E), Related Events (RE), Later Events (LE).

CASE 2: THE DEVELOPMENT OF IRELAND'S PPP POLICY AND REGULATION

The Episode

The official launch of PPPs in Ireland can also be dated back to 1999, when the Irish Minister for Finance, Charlie McGreevy, announced eight pilot projects to be commenced as PPPs (Irish Government, 1999). These initiatives spanned across different sectors, including two school projects, one public transportation scheme, four road projects, and a waste treatment plant (Reeves, 2003). Institutional support for the Irish government's PPP program was given via the establishment of the Central PPP Unit in the Ministry of Finance, and furthermore, of an Inter-departmental Group on PPPs coordinating policies and regulations amongst government departments and agencies, and an Informal Advisory Group for informal talks with business confederations, trade unions,

and non-profit organizations (Irish Government, 2001). The government's institutional underpinning of the PPP program was strongly centered around the Ministry of Finance's Central PPP Unit which heads both the Inter-departmental Group and the Informal Advisory Group on PPPs. Already in 1998, Irish industry was actively pushing for a national PPP strategy, and in January 1998 the Irish Business and Employers Confederation (IBEC) and the Construction Industry Federation (CIF) made a joint submission to the Irish Government proposing the use of PPPs in the country (IBEC and CIF, 1998). The aim of the joint submission from IBEC and CIF was to persuade the Irish Government of the merits of PPPs, and later the same year it was followed up by an additional submission to the government.

The Irish government further endorsed PPPs in the National Development Plan (NDP) 2000-2006 (Irish Government, 1999). The plan launched investments in PPP projects far beyond the level indicated in the initial list of PPP pilot projects. The NDP set a minimum €2.35 billion target for PPP activities under the €22.3 billion total investments plan (Irish Government, 1999). The Irish government's commitment to the PPP model was thus from the outset backed by earmarked money for projects, and in 2001 the Irish Ministry of Finance could report that 134 PPP projects were at various stages of planning. This number was subsequently lowered when the Central PPP Unit decided only to include projects with an estimated capital value of more than €20 million in the accounting. As of April 2009, a total number of 69 PPP projects are reported to be at various stages of planning and procurement (Irish Ministry of Finance, 2009).

The Irish government's approach to PPPs has to a large extent been a gradual effort to centralize competencies in a few central government departments. In 2002 the Irish government introduced the 'State Authorities (Public Private Partnership Arrangements) Act 2002' that laid down a legal framework for state authorities and local authorities to enter into PPP deals (Irish Government, 2002a). Besides clarifying the legal basis for public partners to enter into PPPs with private partners, the Act removed the ability of local government to act independently when entering into PPP deals (Irish Government, 2002a). A further centralization of the Irish PPP program took place with the establishment of the National Development Finance Agency (NDFA) (Irish Government, 2002b). The NDFA, functioning from 1 January 2003, was to advise state authorities on the optimal financing of public investment projects, hereunder PPP projects, in order to achieve value-for-money for the public sector. State authorities mentioned in the 'National Development Finance Agency Act 2002' were hereafter obliged to seek the advice of the NDFA when planning major public investment projects, but it was still voluntary for state authorities to follow the recommendations.

This latitude was removed in 2005 when the NDFA was given the authority to procure and enter into PPP contracts on behalf of other state authorities. The NDFA subsequently hands over the projects to the relevant authority after the PPP contract has been procured and signed and the project has become operational (e.g. construction is finished) (Irish Government, 2007a). The NDFA thus changed its role from advisor to primary procurer of Irish PPP projects. Exempt from this Act are the roads and rail sectors as well as the local government sectors, where procurement is undertaken by the National Roads Authority (NRA), the Railway Procurement Agency (RPA), and the Department for Environment, Heritage and Local Government, respectively.

What this short presentation demonstrates is that the Irish PPP program has developed quite differently from the Danish case. Eight PPP pilot projects were announced from the outset, and earmarked money was dedicated to PPP in the National Development Plan 2000-2006. Institutional underpinnings of the PPP program were established at an early stage, and centered in the Central PPP Unit under the Ministry of Finance. Business federations and trade unions played an active role, and the voices were heard with the setup of the Information Advisory Group. We have also seen that the development of Ireland's PPP program has been marked by a gradual move towards more centralized competencies and procurement functions, and with clear restrictions on the leverage of other authorities to enter into PPP deals.

Prior and contemporaneous events

Starting with the prior events, the introduction of PPP in Ireland took place against a rather complex politico-economic background. 'Once the sick man of Europe' (Reeves, 2003:163), Ireland entered the 1990s as one of EU's least affluent economies. Though insignificant compared to the total size of national budgets, EU funds provide a significant source of capital investment for specific projects in less affluent regions of the EU. Throughout the 1990s Ireland relied heavily on EU Structural and Cohesion Funds as an additional source of financing the much needed investment in the country's physical infrastructure, which had long suffered from systematic under-investment (Reeves, 2003).

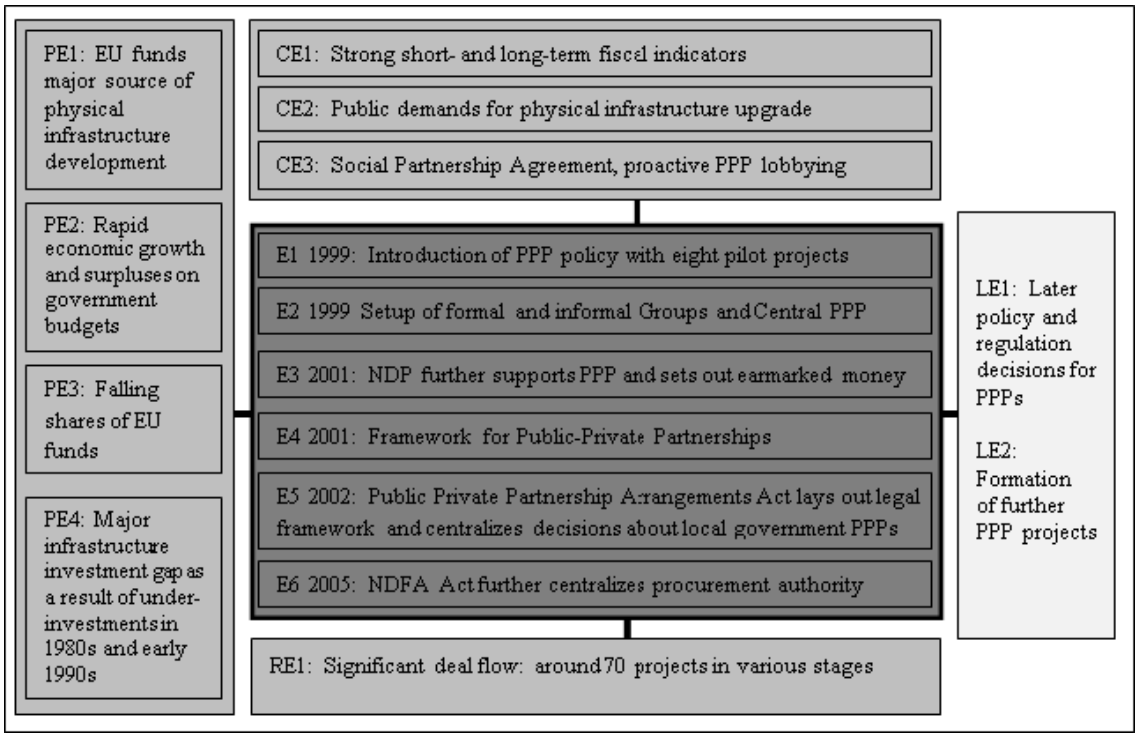
The Irish government estimates to have received a total of €17 billion from EU funds from accession to the EU in 1973 up until 2003 (National Development Plan, 2009), and in the ten years from 1989 to 1999 leading up to the episode, €11 billion was transferred from EU funds, much of which was invested in physical infrastructure. However, a decade of economic fortunes throughout the 1990s, and a general redistribution of EU funds in the late 1990s as the EU faced the eastern enlargement, significantly reduced Ireland's share of EU funds from 2000 onwards. Accordingly, Ireland's share of EU funds was reduced to approximately €4 billion under the NDP 2000-2006, and further to an estimated total of €3 billion under the current NDP 2007-2013 (Irish Government, 2007b: 16). So by the late 1990s, the Irish government was looking for alternative ways of financing investments in a physical infrastructure that, despite recent investment, was still considered to be underdeveloped.

One alternative would be to finance projects via the Irish government's purse – the so-called Exchequer. Assessing the feasibility of this option by using the same short- and long-term fiscal indicators as in the Danish case, we see that the Irish economy also experienced better times than the EU-average during this period (although the economic crisis has changed this: see Appendix 1). In the period from 1999 to 2007 (latest data before the crisis), Ireland's state sector produced an average annual surplus of 1.7 percent measured against GDP (compared to an average of -2.2 percent in the Euro area). Moreover, in the same period, Ireland's general government debt was brought down from 48.5 percent in 1999 to 25.0 percent in 2007, and after that it rose to 96.2 percent in 2010 (EU at 80.0 percent in 2010) (Eurostat 2011). So, whereas the falling shares of EU-funds in combination with an urgent need to upgrade the country's physical infrastructure prepared the ground for private finance investments through PPP projects, Ire-

land's government budgets displayed larger surpluses than most other EU countries in the years running before the economic crisis.

Nonetheless, the need for further investments in physical infrastructure and public buildings was recognized by the Irish government in the National Development Plan 2000-2006 and 2007-2013 (Irish Government, 1999, 2007b). The high political salience towards the issue reflects a more general public dissatisfaction with congestion and the state of the infrastructure. But the introduction and development of Ireland's PPP regime must also be seen against the backdrop of another contemporaneous event, namely the active pro-PPP lobbying from Irish business. To understand the impact of this contemporaneous event fully, we need to assess Ireland's Social Partnership Agreements which date back to 1987 (Irish Government, 2003). In these agreements, each in place for three years, the government, employers, trade unions, farming organizations and the non-profit sectors reach a consensus on major political issues for Ireland such as macroeconomic policies, wage settlement, public service quality, workplace relations, etc. (Irish Government, 2003). So when in 2001 the Irish government and partners from business and labor agreed on a Framework For Public Private Partnerships (Irish Government, 2001), it reaffirmed the Irish social partnership tradition and laid down some basic principles – rules of the game – guiding the further conduct of PPP policy and regulation in Ireland. Figure 3 summarizes the main events in the development of Ireland's PPP policy and regulation framework.

Figure 3: The development of Ireland's policy and regulation for PPPs



Note: Prior Events (PE), Contemporaneous Events (CE), Events constituting the episode (E), Related Events (RE), and Later Events (LE).

COUPLING THE STREAMS: POLICY WINDOWS, POLICY ENTREPRENEURS AND POLICY VETO-PLAYERS

It became evident in the case study section that the episodes evolved quite differently in Denmark and Ireland. Drawing on the multiple streams model, the following pages link the episodes with prior and contemporaneous events to examine how and why Denmark and Ireland developed such different policies and regulations for PPPs. I distinguish in the following between the decisions that led to the introduction of PPPs in Denmark and Ireland, and the subsequent decisions that led the two countries to further develop their PPP policies and regulation frameworks in different ways.

Denmark 1999-2003: The policy window remains closed

The Danish case displays a *political stream* and a *problem stream* that for a number of reasons were not very favorable to a large scale adoption of PPPs in the late 1990s. Neither prior nor contemporaneous events made the private finance element of PPP a particularly attractive argument due to the fact that the Danish government was able to finance projects out of the public purse – and as a matter of fact did so. Denmark witnessed a continuous and high level of economic growth throughout the period (PE1 and CE1 of figure 2), and in contrast to Ireland, EU funds had never been a substantial source of finance in the development of the country's infrastructure. Furthermore, Denmark's physical infrastructure was relatively developed with more need for minor and medium-scale renovations and maintenance rather than the erection of a great deal of new infrastructure (PE2), and a number of major potential PPP projects in the 1990s and early 2000s, such as the Belt Bridges and the Copenhagen Metro, had in fact been financed by public money (PE3). So the concept of PPP never really arose on the agenda in the problem stream.

The political environment was to some extent reshuffled when the liberal-conservative government assumed office in late 2001 with a pro-marketization policy program (CE2). In reality, however, the new government eventually came to focus more on traditional contracting out and free choice than on partnerships. In the *policy stream*, the Ministry of Finance was the single authority considering the potential use of PPPs in Denmark, but the interviews carried out for this research demonstrate that the ministry was indeed quite skeptical towards the PPP model. So there was no policy entrepreneur actively pushing PPP on the decision agenda, and as private investments in physical infrastructure never became a serious issue in the *problem stream*, the three streams were never coupled in a sufficient way to facilitate a substantial decision. The Ministry of Finance, being traditionally a very strong public sector modernization policy entrepreneur, chose to introduce the PPP model in one of the last chapters of a budget report read by few people outside government. Interestingly, the decision to publish a chapter on PPP came completely out of the policy stream with no link to either the problem or politics streams. The launch of PPP in 1999 in this sense mostly resembled a symbolic decision rather than a substantial one leading to policy and regulation for the use of PPPs in Denmark. As we have seen, no concrete initiatives were taken and no projects launched at this stage (E1), and the policy window remained closed until early 2004.

Denmark 2004-2009: Policy entrepreneurs, veto-players, and a half-open policy window

How, then, can the decisions taken by the Danish government when launching the PPP Action Plan in January 2004, be explained? To understand this, we must examine the fundamental change of roles that took place in the *policy stream* in the years between 1999 and 2004. After 1999, the Ministry of Finance gradually stepped back from the PPP agenda whereas the Ministry of Economic and Business Affairs stepped up to actively endorse PPPs in official documents and publications. By this underlying shift of roles, the Ministry of Finance's skepticism towards the long-term financial effects of PPPs gradually changed its role into an influential veto-player, whereas the Ministry of Economic and Business Affairs turned into an active pro-PPP policy entrepreneur (Kingdon, 1995). The changing role of the Ministry of Finance must be seen against the background of continued strong government budgets (CE2) and the local government scandal over sale and-lease-back arrangements, which resulted in amended regulations that considerably narrowed the scope for local governments' PPP projects (CE3).

Meanwhile, in the *political stream*, the pro-marketization government was still attempting to increase the involvement of private business in the public sector. Thus, when the PPP Action Plan was published in 2004 and seven pilot projects were announced (E3), the political environment was now more favorable to PPPs than it had been in 1999, and an underlying shift in the *policy stream* had taken place, whereby a pro-PPP policy entrepreneur materialized. But continuous growth in the short- and long-term fiscal indicators (CE1) still limited the prospects for private finance of public projects, and the *problem stream* was thus more or less unchanged. The interviews in fact demonstrate that the central ministries in the process leading up to the launch of the PPP Action Plan had serious difficulties in identifying relevant PPP projects. So the policy solution was clearly there and the political stream provided a supportive environment for PPP initiatives, but the problem which the solution could be linked to was still not so obvious.

The result was that the PPP Action Plan was launched with a tentative problem to be solved – to see if PPP would deliver value-for-money and innovation in major construction and infrastructure schemes compared to traditional procurement models (Danish Government, 2004). This was illustrated by the fact that the seven PPP pilot projects were only to be tested for PPP relevance, in contrast to Ireland, where the government's pilot projects were actually to be commenced as PPPs. As an influential supplement to the Ministry of Economic of Business Affairs, which took the role as policy entrepreneur in this process, the Ministry of Finance actively engaged as a veto-player attempting to limit the scope of the PPP initiatives. This evident conflict between the two dominant actors in the policy stream resulted in the formal oversight of the policy and regulation framework being split between the Ministry of Finance, which came to host the Interdepartmental Group on PPPs, and the Danish PPP Competence Unit being placed under the Ministry of Economic and Business Affairs (E4). The Competence Unit was given responsibility for general competence building, guidance material and disclosure of information and guidance of local municipalities engaging with PPPs (E4), but major initiatives would have to be coordinated in the Interdepartmental Group, which was (and still is) hosted by the Ministry of Finance. When serious regulatory difficulties, such as tax and value-added tax for PPP projects emerged, this disagreement among central actors seriously hindered an effective resolution of these issues which were only

slowly resolved after long negotiations among the various regulators (E5). Indeed, the tax and value-added tax issue has never been finally resolved as no generic solution has been found, which means that Danish PPP projects still have to be evaluated on a case-by-case basis before a PPP contract is signed (Petersen, 2010a).

The gap between the positive policy rhetoric of the PPP Action Plan and the subsequent reluctance towards solving fundamental regulatory challenges for Danish PPP projects can thus largely be interpreted as a result of disagreement among central actors in the *policy stream*, a *political stream* which favored market-based solutions but was mostly occupied with other marketization issues and did not intervene in the specific PPP policies and regulations, and a *problem stream* in which a problem that PPPs could be linked to was never really identified. This resulted in the development of PPP policy and regulation which built on the formulation that PPPs might increase value-for-money and innovation in major construction and infrastructure schemes, but few concrete initiatives to promote the actual implementation of PPPs in Denmark. The related events in Figure 2 clearly mirror this interpretation: the Danish government continues to endorse PPPs in various policy documents and speeches, but meanwhile, more than ten years after the introduction of PPPs and six years after the PPP Action Plan, only four PPP projects have become operational, and a few more have been signed. Let us now turn to the Irish case to conduct the same analysis.

Ireland 1999-2001: Temporal coupling of streams and influential policy entrepreneurs

In Ireland, in the late 1990s, the *political stream* was significantly more favorable towards the introduction of policy and regulation which supported a large scale use of the PPP model. EU funds had constituted a major source of finance for infrastructure projects (PE1 in figure 3), but a rapid economic development (PE2, CE1) combined with the eastern enlargement of the EU, resulted in Ireland facing significantly falling shares of EU funds by the late 1990s (PE3). Moreover, in contrast to Denmark where PPPs never rose to a high point within the *political stream*, the political environment was fuelled by public dissatisfaction with the major physical infrastructure gap (CE2) which had developed due to significant underinvestment during the economic upturn (PE4). Thus, in the *problem stream*, the relatively poor condition of the Irish physical infrastructure compared to other European countries, which Ireland now matched in terms of prosperity and often surpassed in terms of growth rates, increasingly came to be identified as a major problem for the government (CE2).

Meanwhile, in the *policy stream*, the major business organizations were actively lobbying for a more active role for private business in addressing the infrastructure gap (CE3), and Ireland's tradition of actively including business and labor organizations in major policy programs gave the private policy entrepreneurs an institutionalized platform for direct access to the Irish government, where PPP could be proposed as the preferred policy solution to Ireland's infrastructure gap. The successful role of the Irish business organizations was manifested when these partners were invited by the Irish Government to join the Informal Advisory Group (E2) that was set up to counsel the Central PPP Unit and the Inter-departmental Group on PPPs. In direct line with the active role of Irish business and the establishment of the Informal Advisory Group, the Framework for PPPs was launched in 2001 (E4), basically stating that all major policies and regulations were to be discussed among the partners in the group. Thereby, the three

streams were coupled at this particular point to open a policy window which resulted in the introduction of ambitious PPP policy and regulation to support implementation of PPPs in Ireland, and eight concrete pilot projects through which to test the PPP model (E1). Moreover, in the National Development Plan 2000-2006, a rolling seven year plan for major investments in services and infrastructure, the Irish government earmarked a substantial amount of money for PPP projects (E3).

Ireland 2002-2009: Policy and regulation centralize Ireland's PPP framework

In the further development of Ireland's PPP program, a number of decisions were taken to gradually centralize procurement competencies in central government, and particularly in the Ministry of Finance and the Ministry of Local Government. After introducing PPP policy and regulation from 1999-2001, concrete PPP projects were now under the remit of planning. Moreover, with the Public-Private Partnership Arrangements Act (E5), clear legal conditions for public authorities entering into PPP deals were laid out, and local government use of the PPP model was made subject to approval from the Ministry of Local Government. Regulatory competencies were thus from the very early phase centered at the national level, and in 2005 procurement competencies were further centralized with the National Development Finance Agency Act (E6), which gave the agency the competencies to procure projects on behalf of other departments and agencies (except for roads and railways). Why did this centralization take place?

Part of the explanation can be found in the *political stream*, where the current state of the infrastructure continued to be an issue with high saliency on the political agenda. Furthermore, the business organizations which actively pushed for PPPs before 1999 kept the issue high on the decision agenda by publicly criticizing the government for being too passive in the subsequent process. Moreover, as the government initiated the planning and procurement of the first PPP pilot projects, it turned out that it would be more complex to carry out these projects than first anticipated. One thing was that the PPP model was new, which significantly increased the transaction costs and the time involved in planning the projects. Another factor was that some of the first pilot projects ran into difficulties with the EU's accounting regulations for PPP projects, which the Statistical Office of the European Societies (Eurostat) launched in early 2004 (Eurostat, 2004). These EU regulations basically required that PPP projects could only be regarded as private – and thus taken off the government's balance sheet – if the majority of risks was in fact transferred to the private partner. This was an important issue for the Irish government because, as we have seen, PPP was launched in a situation where the government actively tried to replace public investments in physical infrastructure with private investments provided via the PPP model.

Thus, as infrastructure deficit continued to be a major issue in the *problem stream*, the Irish government and the Ministry of Finance now actively engaged to open another policy window to set a solution in place which could further support Irish PPPs by making sure that such projects were removed from government balance sheets. This coupling of the streams to change Ireland's PPP policy and regulation subsequently happened twice. The first time was with the 2002 PPP Act, which removed the leverage of local authorities in terms of planning and signing concrete PPP projects (E5). By this token, the Irish government could control the flow of the deal, ensure that risks were sufficiently transferred to make the projects private, and thus safeguard itself against the

criticism from business federations that it was doing too little to implement PPPs. The second time was in 2005, when a government-wide PPP procurement organization – the National Development Finance Agency – was established to take over the planning and procurement of most local and central government PPP projects, with a few exceptions within roads and railways (Irish Government, 2007a). We thus see that the three streams were coupled on several occasions, each time to open a policy window in which further PPP initiatives were taken to gradually centralize Ireland's PPP policy and regulation and concrete procurement functions within a few central government departments and agencies.

NATIONAL SIMILARITIES AND DIFFERENCES: THE TWO CASES COMPARED

How, then, do the two cases compare? Denmark and Ireland both officially launched PPPs in 1999 and are both subject to a common set of EU regulations on public procurement, risk transfer and on/off-balance sheet accounting. However, despite these and other similarities, PPP policy and regulation has developed very differently in the period in the two countries. Barzelay's event centered approach was utilized as a methodological heuristic to break down the cases in a number of events arising from the empirical analysis of the data collected for the two case studies (Barzelay et al., 2003).

The analysis of the context events (the prior and contemporaneous events) revealed that the launch of PPPs in Denmark took place against a combination of strong fiscal indicators, a relatively built-up infrastructure, the existence of a well-tested and successful public building-model, and a local government scandal relating to the sale and lease-back model, which generated a general unease with private finance arrangements within the Danish government. In Ireland, the fiscal indicators were also relatively strong, but Ireland moreover faced a major infrastructure gap due to years of underinvestment in the country's physical infrastructure. Furthermore, EU funds were declining due to the forthcoming enlargement, and public demands for an upgrade of Ireland's physical infrastructure were rapidly increasing. Thus, despite their relative similar points of departure in terms of fiscal indicators and being late adopters of PPPs, the systematic breakdown of the context events illustrates a number of differences in the background settings against which PPP policy and regulation developed over time in Denmark and Ireland (see Table 1).

Table 1. Overview of context, policy entrepreneurs, and the three streams

	Denmark	**Ireland**
Context events (prior and contempo-raneous events)	Strong short- and long-term fiscal indicators Public infrastructure relatively well-developed: few relevant projects An existing well-tested public model: two major bridge projects and the Copenhagen Metro financed by public bonds and guarantees A local government scandal over sale and lease-back infuse reluctance among government regulators	Medium-strong short- and long-term fiscal indicators Major infrastructure gap as a result of years of under-investments EU funds a major source of physical infrastructure development Fiscal transfers from the EU in decline because of the EU enlargement

Problem stream	1999-2003: No clear problem identified in terms of financing Denmark's physical infrastructure development; a well-tested model already exists 2004-2009: Problem still not identified. Policy entrepreneurs attempt to redefine the problem in terms of improving value-for-money and innovation of major construction and infrastructure projects	1999-2001: The poor condition of Ireland's infrastructure is increasingly seen as a major problem 2002-2009: Ireland's infrastructure gap is still defined as a major issue. Several of the first pilot PPP projects run into problems with EU regulations regarding the on/off-balance sheet issue
Policy stream	1999-2003: Inspired by the UK PPP/PFI experiences the Ministry of Finance officially launches PPPs. No coupling with problem or political streams 2004-2009: A seemingly ambitious PPP Action Plan launched, but regulations remained unresolved and few projects were implemented	1999-2001: An ambitious PPP program is launched with 8 pilot projects, institutional underpinnings in the Ministry of Finance, and money earmarked for PPP projects 2002-2009: Further PPP policy and regulation launched which centralizes policy and procurement functions within the Ministry of Finance and the Treasury
Political stream	1999-2003: Low political attention to PPPs. The incoming liberal-conservative government announces a pro-marketization agenda but focuses more on free choice and traditional contracting out than on PPPs. 2004-2009: Rising political attention to PPPs but still more focus on free choice and traditional contracting out	1999-2001: Combination of context variables make the political environment favorable to private investments in public infrastructure (off-balance sheet) 2002-2009: Combination of context variables still make the political environment favorable to PPPs
Policy window	1999-2003: Policy window remains closed. PPPs are only symbolically launched in Denmark 2004-2009: Policy window is semi-open, but the three streams are only loosely coupled	1999-2001: Policy window stays open. Several decisions are taken to launch PPP policy and regulation and pilot PPP projects 2002-2009: Policy window opens occasionally to launch new policy and regulation which centralize Ireland's PPP program
Policy entrepreneurs and policy veto-players	1999-2004: The Ministry of Finance officially launches PPP but takes no concrete action 2004-2009: The Ministry of Economic and Business Affairs and the PPP Competence Unit take over the role as policy entrepreneurs. Policy veto-players: The Ministry of Finance Private business organizations: low activity, few initiatives, no formalized institutional platform for dialogue with the government	1999-2001: Ministry of Finance, Central PPP Unit and business federations are important policy entrepreneurs 2002-2009: Ministry of Finance, Central PPP Unit, National Development Finance Agency and roads and rail authorities Policy veto-players: No veto-players Private business organizations: high activity, several submissions, a formalized institutional platform for dialogue with the government

Kingdon's (1995) model provides an analytical framework for the analysis of the streams and for examining the role of policy entrepreneurs and policy veto-players (Greve and Hodge, 2007) in the development of Ireland and Denmark's PPP policy and regulation. In Denmark, as a result of the context within which PPPs were introduced, no clear problem was identified in the problem stream, which PPP as a solution in the policy stream could potentially be linked to. Moreover, in Denmark the political attention to PPPs was generally low, and although the incoming liberal-conservative government announced a focus on marketization and private sector involvement, the focus was more on free choice (in the delivery of welfare) and traditional contracting out. Ac-

cordingly, the streams were not coupled in any sufficient way to open a policy window, which resulted in a merely symbolic launch of PPPs in Denmark, with no policy and regulation initiatives and no concrete projects announced. This was very different from the Irish case, where a clearly identified problem – to remedy Ireland's major infrastructure deficit – became a major issue in the problem stream as Ireland saw its share of EU funds dropping. In the meantime, the political stream was highly influenced by the popular dissatisfaction with the state of the infrastructure and strong lobbying from the Irish business federations. Accordingly, under the influence of strong policy entrepreneurs from within government and the private sector, the three streams were successfully coupled to open a policy window which stayed open for a long time, during which several decisions were taken to launch comprehensive PPP policy and regulation and money was earmarked for PPP projects.

In reality, the Danish government took no concrete PPP initiatives before 2004, with the launch of the PPP Action Plan. The launch was in itself somewhat paradoxical, because a problem was still not identified in the problem stream. However, the Ministry of Economic and Business Affairs and the PPP Competence Unit, which in the meantime took over the Ministry of Finance's role as policy entrepreneurs, now attempted to redefine the problem as a matter of improving value-for-money and innovation in major public construction and infrastructure projects. Not least because of a rising attention to PPPs in the political stream, the policy entrepreneurs this time partly succeeded with coupling the streams and opening up a policy window in which the PPP Action Plan was launched. Underlying the launch of the action plan was a rising conflict of interest between the two policy entrepreneurs and the former policy entrepreneur, the Ministry of Finance, which had changed its role from entrepreneur to policy veto-player. Accordingly, in the aftermath, when the Ministry of Economic and Business Affairs and the PPP Competence Unit struggled to open yet another policy window in which further PPP policies could be launched and Denmark's unclear PPP regulations could be resolved, the Ministry of Finance attempted to dissemble the three streams by arguing that Denmark's strong finances made private finance through PPPs largely redundant.

This was, indeed, very different from the Irish case, where the problem stream was fuelled both by the infrastructure gap and by the fact that some of the first pilot PPP projects (for example Cork School of Music) ran into serious problems with the EU's regulations of PPPs, most importantly in relation to removing PPPs from government balance-sheets, whereby investments made though the PPP route would not affect General Government Debt (Kay and Reeves, 2004). Accordingly, as the political stream continued to be supportive to a large-scale adoption of PPPs, a number of further decisions were taken in the subsequent period. In 2002 and again in 2005, new legislation was launched, which centralized PPP procurement competencies within the National Development Finance Agency under the auspices of the Treasury. By this token, the central policy entrepreneurs gained control over PPP policy and regulation as well as the concrete procurement and signing of PPP contacts in all sectors except roads and railways, where the EU per definition defines that these concession PPP schemes can be registered off the balance sheet because the private partner bears the majority of risks (Eurostat, 2004; Petersen, 2010b). A successful coupling of the three streams thus produced a number of decisions which step-by-step embedded Ireland's PPP program within the Ministry of Finance and the Treasury, in contrast to the Danish case, where policy

and regulation competencies were split between the Ministry of Economic and Business Affairs and the PPP Competence Unit serving as policy entrepreneurs, and the Ministry of Finance as a strong policy veto-player (Greve and Hodge, 2007).

CONCLUSIONS

Over the past fifteen years, public-private partnerships have become an increasingly popular means of organizing major construction and infrastructure projects with reference to various forms of design-build-finance-operate-maintain (DBFOM), design-build-operate-maintain (DBOM) and design-build-operate (DBO) models. As a result of this development, PPPs are now subject to growing attention in academic literature and policy practice alike, and ever more public and private resources are now being directed to the formation of PPPs. However, there seems to be at least two different interpretations of this phenomenon. The first, which is often rehearsed in academic literature as well as in policy practice, is that PPP is indeed a new form of public governance with international application and acceptance. This claim builds, sometimes implicitly but often explicitly, on the idea of national convergence – some would say policy learning – towards a common and uniform PPP approach, inspired primarily by Anglo-Saxon PPP experiences. The second, which is found less frequently in the literature and even more seldom in official government documents, is that underneath the reports about PPPs as a phenomenon with universal acceptance, we do in fact see a more heterogeneous and divergent pattern in the actual attempts being made by governments to form PPPs.

However, few academic studies have focused on how and why national similarities and differences have developed over time. This is partly due to the observation made by Greve and Hodge that so far "much of the literature has been preoccupied with the performance of PPPs and the legal aspects of PPPs", whereas less attention has been centered on the broader policy and regulation aspects of PPPs (Greve and Hodge, 2010: 158). The other reason is that this field of research, although international in its character, has hitherto been dominated by studies operating with single case or single country research designs, with a few notable exceptions (e.g. see Greve and Hodge, 2007; Ysa, 2007). As this research field moves along, there is clearly a need for comparative research designs and more academic reflection about how and why, within a global upsurge of PPP activity, we see these significant and enduring national differences.

A modest contribution towards this endeavor has been attempted in this article by studying the development of PPP policy and regulation in Denmark and Ireland. Despite their similarities in a number of dimensions, within a time-period of just ten years, PPP policy and regulation developed very differently in these two countries. Whereas PPPs in Denmark are subject to a loosely organized institutional framework with a number of fundamental policy and regulation issues being either unresolved or not very supportive to the uptake of PPPs, Ireland on the other hand now presides over one of the most ambitious PPP programs in the world, with major policy, regulation and procurement functions centralized within the Ministry of Finance and the Treasury. The use of Barzelay's event-centered method and Kingdon's framework for policy analyses allowed me to

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analyze how and why these differences developed over time. A major reason, it turned out, was the politico-economic background settings against which PPPs were introduced in the two countries. Denmark's strong public finances and well-built physical infrastructure made private finance through the PPP model largely redundant, whereas Ireland by the end of the 1990s faced a major infrastructure gap and declining shares of EU funds. Accordingly, whereas the three streams were only loosely coupled in Denmark to generate a semi-open policy window, the streams in Ireland were coupled on several occasions to create a policy window through which a number of PPP policies and regulations were launched.

While I would not claim generalizability in the findings derived from two case studies (Yin, 2003), the research findings have a number of important implications, which should be further scrutinized in future research. The first relates to the objectives pursued by governments engaging in PPP activity. This is important because PPPs are often seen as a tool for the accomplishment of innovation, value-for-money, mutual added value and collaborative advantage (Huxham and Vangen, 2004; Klijn and Teisman, 2005). Based on the comparative analysis, it seems that the primary rationale for forming (or not forming) PPPs was a macro-economic one in Ireland, with a focus on placing major infrastructure investments off government balance sheets, whereas Denmark's strong public finances and well-built infrastructure made such a maneuver largely redundant. This clearly raises a number of crucial questions relating to why governments in reality form PPPs, which should be further investigated in academic literature. A second implication from the comparative analysis is the importance of policy entrepreneurs as well as policy veto-players in decisions about PPPs. Whereas the findings in relation to the Irish case are in line with the common interpretation of the role envisaged by the policy entrepreneur in coupling the problem, policy and political streams, a main finding from the Danish case was that PPP policies and regulations were largely impeded by the predominance of a strong policy veto-player. As research on PPPs moves on, with an increased focus also on broader policy and regulation aspects, there is a need to further scrutinize the role of policy veto-players, especially in countries which have adopted more reluctant PPP approaches. Ideally, such research would contribute to a further understanding of why some countries have embraced PPPs, but equally importantly, also why other countries have been much more skeptical.

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NOTES

[1] This form of PPP embraces the alphabet soup of design-build-finance-operate-maintain (DBFOM), design-build-operate (DBO), build-own-operate-transfer

(BOOT) and build-operate-transfer (BOT) models, which illustrate the variety of models that exist under the partnership umbrella.

[2] It should be noted that Barzelay's approach has been presented in several papers and has been developed over time. Thus, in 2003 (Barzelay et al., 2003), it was merely a methodological heuristic for ordering case evidence, whereas in 2006 (Barzelay and Gallego, 2006), it was developed into an integrated analytical approach. In this paper, I primarily utilize Barzelay in the former way – as a methodological heuristic for ordering the case evidence – whereas Kingdon's framework (1995) provides the theoretical inputs to the analysis. This also means that in this paper I do not make use of Baumgartner and Jones (1993) and Levitt and March (1988), which Barzelay and Gallego (2006) combine with Kingdon (1995). This choice has been made to limit the number of theoretical concepts in the subsequent case analysis, and in line with this I therefore do not claim to apply the full version of 'Institutional Processualism' in this paper, but rather an abridged version of this research program.

[3] Interviews varied from approximately 60 minutes to 90 minutes.

[4] http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1090,30070682,1090 _33076576and_dad=portaland_schema=PORTAL, searched on 23 March 2009.

[5] When the UK introduced its PFI programme in 1992 the explicit purpose was to attract private capital investment (see also Spackman, 2002).

[6] Though Denmark has so far decided not to join the Euro, it has committed itself to these fiscal stability criteria.

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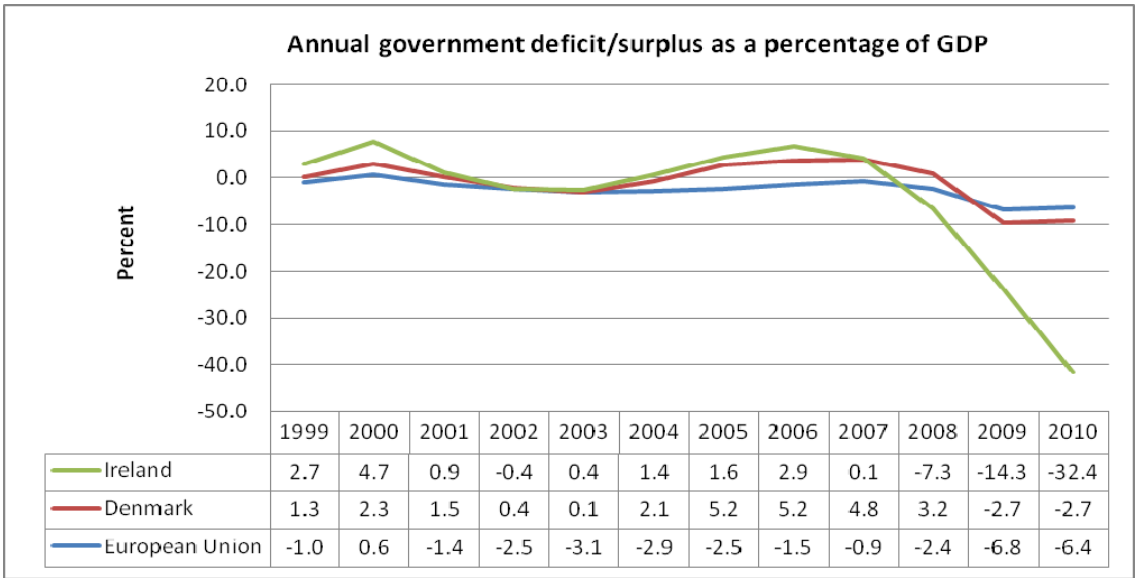
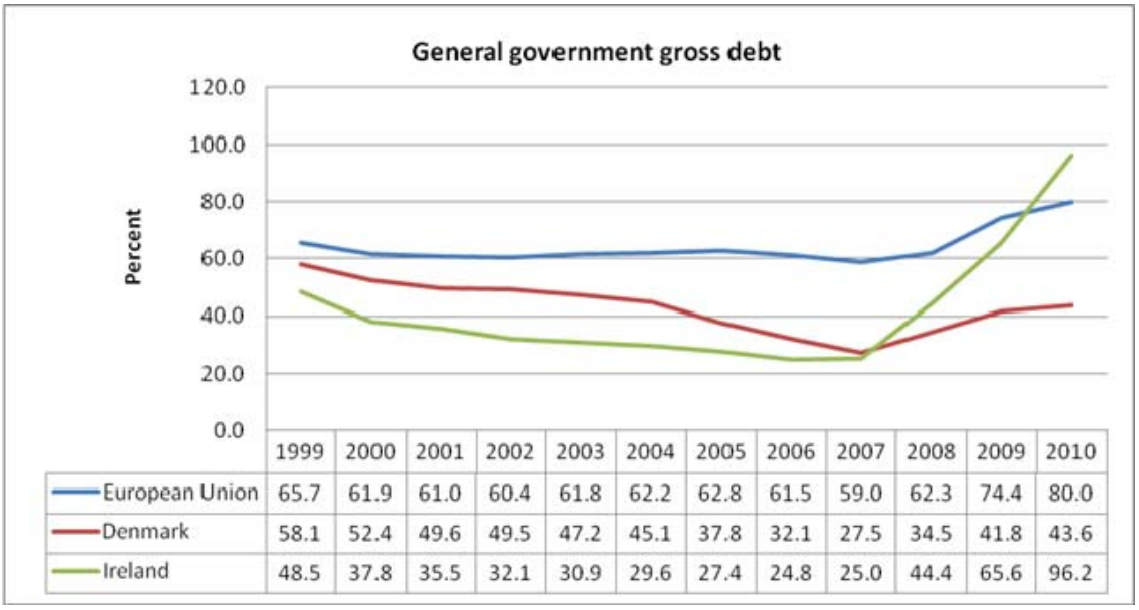
APPENDIX 1: EUROSTAT GOVERNMENT STATISTICS



	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Ireland	2.7	4.7	0.9	-0.4	0.4	1.4	1.6	2.9	0.1	-7.3	-14.3	-32.4
Denmark	1.3	2.3	1.5	0.4	0.1	2.1	5.2	5.2	4.8	3.2	-2.7	-2.7
European Union	-1.0	0.6	-1.4	-2.5	-3.1	-2.9	-2.5	-1.5	-0.9	-2.4	-6.8	-6.4



	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
European Union	65.7	61.9	61.0	60.4	61.8	62.2	62.8	61.5	59.0	62.3	74.4	80.0
Denmark	58.1	52.4	49.6	49.5	47.2	45.1	37.8	32.1	27.5	34.5	41.8	43.6
Ireland	48.5	37.8	35.5	32.1	30.9	29.6	27.4	24.8	25.0	44.4	65.6	96.2

Source: Eurostat 'Government statistics' data (searched 18 August 2011): Available from http://epp.eurostat.ec.europa.eu/portal/page/portal/government_finance_statistics/data/main_tables

APPENDIX 2: SUMMARY OF EMPIRICAL SOURCES (THE DANISH CASE)

Expert interviews

- Danish PPP Competence Unit, 6 October 2008, Copenhagen, Denmark.
- Danish Tax Authority, 6 October 2008, Copenhagen, Denmark.
- Danish Construction Association, 6 October 2008, Copenhagen, Denmark.
- Danish Ministry of Finance, 8 October 2008, Copenhagen, Denmark.
- Danish Chamber of Commerce, 8 October 2008, Copenhagen, Denmark.
- Local Government Denmark, 10 October 2008, Copenhagen, Denmark.
- Danish Ministry of Transport, 15 October 2008, Copenhagen, Denmark.
- Danish Ministry of the Interior, 21 October 2008, Copenhagen, Denmark.
- Danish Transport and Logistics Association, 22 October 2008, Copenhagen, Denmark.
- Confederation of Danish Industry, 28 October 2008, Copenhagen, Denmark.

Policy papers

- Danish Government (2001). Vækst, velfærd – fornyelse [Growth, welfare - innovation].
- Danish Ministry of Economic and Business Affairs (2002). Vækst med vilje [Dedication to growth].
- Danish Goverment, Danish People's Party, Danish Social-Liberal Party and Christian People's Party (2003). Trafikaftalen af 5. november 2003 [Trafic Agreement of November 5th 2003]
- Danish Government (2003). Vækst, velfærd – fornyelse II: Supplerende regeringsgrundlag [Growth, welfare – innovation II: Supplementary government platform].
- Danish Government (2003) Investeringsplanen [Investment Plan]
- Danish Ministry of Economic and Business Affairs (2003). Staten som bygherre [The government as building manager].
- Danish Ministery of Economic and Business Affairs (2003). Handlingsplan for en mere virksomhedsnær offentlig sektor [Action Plan for a business responsive public sector]
- Danish Government (2004). Handlingsplan for Offentlig-Private Partnerskaber (OPP) [Action Plan for Public-Private Partnerships (PPPs)].
- Danish Government (2005). Nye mål – regeringsgrundlag VK-regeringen II [New Goals – Government Platform II]
- Danish Ministry of Economic and Business Affairs (2007). Bedre og billigere byggeri [Better and Cheaper Building Activity].

Legislation, government orders and other binding decisions

- Danish Ministery of Economic and Business Affairs (1971). Lov om statens byggevirksomhed m.v. (Statsbyggeloven).[Law about government building activity]. Act. No. 228, 05/19/1971.
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- Danish Enterprise and Construction Authority (2004). Bekendtgørelse om anvendelse af offentlig-privat partnerskab (OPP), partnering og oplysninger svarende til nøgletal [Government order on public-private partnership (PPP), partnering and key indicators]. Government order no. 1394, 12/1/2004.
- Danish Ministery of Economic and Business Affairs (2005). Lov om ændring af lov om statens byggevirksomhed m.v. [Amendment to law about government building activity]. Act. No. 413, 06/01/2005.
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