# THE SOCIAL PROTECTION COMMITTEE AFTER THE ENLARGEMENT OF THE EU:

## Discursive Mechanisms of Organisational and Policy Adjustment and Contestation

By

Anna Horváth

A dissertation submitted to

Central European University,

Department of Political Science

In partial fulfilment of the requirements for the degree of Doctor of Philosophy

Supervisor

Uwe Puetter, Central European University

Thesis Committee

Dorothee Bohle, Central European University

Thomas Christiansen, European Institute of Public Administration/Maastricht University

Budapest

2009

I hereby declare that this work contains no materials accepted for any other degrees in any other institutions. This thesis contains no materials previously written and/or published by another person, unless otherwise noted.

# Abstract

The dissertation analyses the enlargement-induced changes of the organisation of the Social Protection Committee (SPC) and the content of policies the committee is dealing with. It identifies discursive mechanisms of organisational and policy adjustment and contestation. Since the impact of enlargement on voluntary or 'soft' coordination settings has neither been theorised nor empirically assessed comprehensively, this study contributes to the understanding of the process of enlargement-induced endogenous institutional change.

Analysing the SPC is relevant because it is the main vehicle of 'soft' coordination processes under the framework of the Open Method of Coordination (OMC) and thus is the main forum for discussing social policy issues at the European level. Therefore, its success or failure largely influences the future of social governance in the European Union (EU), including the potential of European coordination processes to influence national policy-making. The SPC was established by the Council of the European Union in 2000 in order to provide a forum for voluntary policy coordination in the highly contested areas of social protection and social inclusion. Thus, discussions in the SPC have to accommodate and consolidate diverse and sometimes contradictory ideas about the role of social policy, and have to do so in an institutional framework that builds on the self-commitment of its participants. This implies that the SPC is both institutionally and politically fragile. Consequently, its operation can be considerably affected by the enlargement of the EU, which greatly increased the diversity of ideas and social policy models.

The empirical analysis is structured by the framework of discursive institutionalisation, which is established based on the following assumptions. First, participating actors' – mainly SPC members' – perceptions and commitments towards the rules of procedures constitute the micro-foundation of institutional development and change. Second, in this context, enlargement can be conceptualised as a source of endogenous institutional change. Finally, changes in the organisation of interactions within a given governance arrangement – in this case, the SPC and the OMC – influence the policy outcomes of such interactions. The analysis follows an interpretive research design and relies on the method of interpretive process tracing that rests on the qualitative analysis of interviews and policy documents.

Based on the empirical findings, the dissertation concludes that institutional adjustments were made in the SPC after the enlargement due to the radical increase in membership. Such changes include an increasing reliance on written procedures and new limitations on discussion time, as well as agreements on a growing reliance on the working languages of the SPC. The large number of SPC delegates and the limited possibility to intervene in discussions also reinforced informal discourse coalitions. Thus, enlargement has influenced the institutional development of the committee. However, there has been no deadlock in decision-making and in agreeing on consensual documents, and no radical shifts have occurred in the policy agenda of the SPC either. The analysis shows that this was made possible by three main factors: new member states' commitments to the principles of learning and consensus-seeking, as well as their relative passivity in SPC meetings. These factors provide limitations for mechanisms of rule contestation: formalisation and fragmentation. Thus, the analysis demonstrates that the 2004 enlargement induced both mechanisms of adjustment and contestation, which simultaneously shaped the institutionalisation of the SPC.

# Acknowledgements

During this dissertation project, I received support from several people to whom I owe special thanks. First and foremost, I would like to express my gratitude to my supervisor, Uwe Puetter, whose enthusiastic support until the last minutes helped me to overcome the difficulties I encountered. He did not only give me valuable feedback on my writings, but also motivated me to work further and develop new ideas.

When thinking about and writing the thesis, I had the privilege of meeting several people in a variety of places. Discussions with colleagues and friends brought new ideas and directed my attention to new aspects of the research. I especially would like to thank Sandra Kröger, Thomas Pfister and Bart Vanhercke for our discussions. I am grateful for the financial support of the CONNEX network, which made it possible for me to participate in conferences, seminars, workshops, and most importantly in the European Research Colloquium. With the help of the Doctoral Research Support Grant of CEU, I could also spend three months at the European Institute of Public Administration in a great team. In particular, I would like to thank Thomas Christiansen for his invaluable comments on my writings. I also owe gratitude to the staff of the Observatoire social européen in Brussels and especially to Philippe Pochet for his support. My stay there was made possible by the grant of the RECWOWE network.

I would like to thank all my interviewees for devoting time to answer my questions and sharing their views with me.

I am also grateful to the faculty and fellow PhD students at the Department of Political Science for commenting on my earlier drafts in departmental seminars and doctoral conferences. In addition, the Center for Policy Studies deserves special recognition, since participating in the MAGEEQ project taught me a lot about how to do qualitative analysis. I especially would like to thank Tamás Dombos, Andrea Krizsán and Violetta Zentai for our discussions. I also profited from talks with fellow doctoral students from other departments at CEU, for example in our open meetings.

I owe special thanks to Megan Thornton, who read several parts of the dissertation and helped to improve its language.

Finally, I am especially grateful to Gábor Koltay, who read all versions of the thesis and always showed me the main line when I thought I had lost it.

# Table of Contents

ix

# List of Graphs and Tables

# List of Abbreviations

| | |
|---|---|
| CAQDAS | computer assisted qualitative data analysis software |
| COREPER | Committee of Permanent Representatives |
| DG | Directorate General |
| ECOFIN | Economic and Financial Affairs |
| EES | European Employment Strategy |
| EFC | Economic and Financial Committee |
| EMCO | Employment Committee |
| EMU | European Monetary Union |
| EPC | Economic Policy Committee |
| EPSCO | Employment, Social Policy, Health and Consumer Affairs |
| ESF | European Social Fund |
| EU | European Union |
| EU-10 | European Union member states who joined on 1 May 2004 |
| EU-12 | European Union member states who joined on 1 May 2004 and 1 January 2007 |
| EU-15 | European Union members before 1 May 2004 |
| EU-25 | European Union members between 1 May 2004 and 1 January 2007 |
| EU-27 | European Union members after 1 January 2007 |
| ISG | Indicators' Sub-Group |
| JIM | Joint Inclusion Memorandum |
| MS | member state |
| NAP | National Action Plan |
| NGO | non-governmental organisation |
| OMC | Open Method of Co-ordination |
| SPC | Social Protection Committee |
| UK | United Kingdom |

# Introduction

This thesis examines the post-enlargement operation of the Social Protection Committee (SPC). The SPC is a committee in the multi-level architecture of the European Union (EU) operating within the framework of the Open Method of Coordination (OMC) since 2000 with the participation of national civil servants from social affairs ministries. It was established by the Council of the European Union after a long political debate in order to provide a forum for voluntary policy coordination in the highly contested areas of social protection and social inclusion. Thus, discussions in the SPC have to accommodate and consolidate diverse and sometimes contradictory ideas about the role of social policy, and have to do so in an institutional framework that builds on the self-commitment of its participants. This implies that the SPC is both institutionally and politically fragile. Consequently, its operation can be considerably affected by the enlargement of the EU, which greatly increased the diversity of ideas and social policy models.

The dissertation analyses the *enlargement-induced* changes of the *organisation* of the SPC and the *content of policies* the committee is dealing with. The aim of this thesis is to identify discursive mechanisms of organisational adjustment, as well as to examine the contestation of organisational rules and policies. Such an analysis is crucial because the SPC is the main vehicle of voluntary coordination processes under the framework of the OMC. Therefore, its success or failure largely influences the future of social governance in the EU, including the potential of European coordination processes to influence national level policy-making. Furthermore, as European level policy frames are being used in domestic contexts, it is important to examine how the different actors within the SPC participate in formulating such policy problems. In addition, since the impact of enlargement on voluntary or 'soft'

1

coordination settings has neither been theorised nor empirically assessed comprehensively, this study contributes to the understanding of the process of enlargement-induced institutional change.

      **The enlargement of the EU**. Before it actually took place, the 2004 enlargement of the EU – labelled as the 'Eastern enlargement' – was perceived as posing a significant challenge to the functioning of EU institutions (see e.g. Steunenberg 2002, Verdun and Croci 2005, Vobruba 2003) and the 'absorption capacity' of the EU (Amtenbrink 2008). Studies argued that the 'institutions and policies of the EU are in need of reform' (Verdun 2005, 9) and that 'mechanisms of governance need to be adjusted' in order to accommodate the enlargement to 25 member states (Verdun 2005, 20). This reform-orientation was already visible at the signing of the Treaty of Nice, and later in connection with the Constitutional and Lisbon Treaties. The main concern was the significant increase in membership of the various institutions, most importantly the Council of Ministers, the European Commission and the European Parliament, and the corresponding changes in decision-making rules (Wallace 2005).

This increase in membership was seen as a factor that could potentially make it difficult for actors to operate within the existing institutional frameworks the same way as they had done before. Several potential problems were listed. For example, many expected a 'deadlock' or even a complete failure of the decision-making practice of the Council of Ministers due to new difficulties in reaching consensual decisions[1]. Some even argued that 'after further enlargement, the EU institutions will be quite simply incapable of representing all EU members' since 'the sheer number of members will endanger the working capacity of all EU agencies and institutions' (Vobruba 2003, 41). Or else, since the increasing number of players also implied an increasing heterogeneity of policy positions, the formulation of

---

[1] On the importance of consensus in the Council, see Heisenberg (2005).

2

policies that could be acceptable and relevant for all member states was seen as becoming endangered (Scharpf 2002). Again from another perspective, the diverse identities and norms of actors from old and new member states[2] were regarded as potentially hindering the effective and efficient functioning of organisations (see Schimmelfennig and Sedelmeier 2002).

However, early studies on the impact of enlargement do not fully confirm these initial expectations (see e.g. Best et al. 2008, Hix and Noury 2006, Juncos and Pomorska 2007, Kurpas and Schönlau 2006). Although studies report particular changes, post-enlargement institutional developments are generally described as following the path of 'continuity and normality' (Sedelmeier and Young 2006). As it is reviewed by Stefanie Bailer, Robin Hertz and Dirk Leuffen (2009), potential hypotheses (oligarchisation, formalisation and adaptation) generated on the basis of sociological theories of group size[3] can only be partially confirmed by enlargement research. As the authors argue, there is basically no confirmation of the oligarchisation hypothesis (the development of power asymmetries between old and new member states) or of the formalisation hypothesis (formalisation of organisational procedures) in existing research; while the adaptation hypothesis (socialisation of new members into existing structures) is usually supported (Bailer et al. 2009).

Have the necessary institutional adjustments that were made to 'fit' the reality of an EU-25 been as successful as early research suggests? If yes, how could such relatively smooth transition from fifteen to twenty-five member states be possible? This latter question is usually neglected by existing studies that analyse the impact of enlargement on the functioning of specific organisational contexts within the EU. One of the reasons for this is that – although there are a few exceptions (see e.g. the framework of Best et al. 2008) –

---

[2] While the distinction between 'old' and 'new' member states can be regarded as outdated and can potentially reinforce differences that are no longer valid, for the sake of simplicity, it will be kept throughout the dissertation.

[3] For the sociology of group size, see especially the writings of Georg Simmel.

empirical studies on the effects of enlargement usually lack a solid theoretical foundation and conceptual clarification. In addition, empirical examinations that aim to map institutional changes often disregard the institutional and policy context in which adjustments take place.

The present dissertation contributes to this debate by overcoming these weaknesses of existing enlargement research through the analysis of the SPC. Based on a theoretically informed analytical framework, the empirical research answers the following research questions. First, how did the *organisation of the SPC* adjust to the radical increase in its membership after the 2004 enlargement of the EU? Second, how is it possible to theorise the relationship between *old and new members* and their respective attitudes towards the 'rules of the game'? Third, how do organisational changes have the potential to influence *policy developments* in light of such post-enlargement adjustments? With this last question, the thesis takes a step that is also usually missing from existing analyses on enlargement-induced organisational changes: it takes into account not only the governance, but also the policy context of the SPC.

Thus, based on the case study, the thesis explores *the micro-level foundations of enlargement-induced institutional change* as well as establishes *discursive mechanisms of organisational and policy adjustment and contestation*. The post-enlargement institutionalisation of the SPC is particularly significant for two main reasons. Firstly, being a committee operating within the voluntary framework of the OMC, the SPC is a central constituent of the increasingly important 'soft' coordination processes in the EU. Thus, if the SPC experiences problems after the enlargement, this can signal the failure of *voluntary coordination* in a larger and more diverse EU. Secondly and more specifically, the SPC was established after highly politicised discussions on the potentials of social governance in the EU. Dealing with the policy areas of social protection and social inclusion, it is the main forum for social policy discussions among all the member states at a European level with the

4

promise of counterbalancing economic or market-oriented cooperation. Therefore, its operation determines the success or failure of *coordinating social policies* at the EU level and influencing policy-making at the national level. These aspects are discussed in turn.

**Soft governance after the enlargement**. As was mentioned above, the SPC is an intergovernmental committee that was established by the Council of the European Union (hereinafter referred to as the Council) in 2000 in order to facilitate policy coordination within the framework of the OMC. The OMC is a non-binding, voluntary and consensual process that allows for coordination between EU member states, the European Commission (hereinafter referred to as the Commission) and relevant stakeholders. The OMC builds on instruments such as the exchange of best practices, establishing guidelines and common targets, defining indicators, national reporting, and the monitoring of progress (European Commission 2001; see also chapter 1). The policy areas in which it is applied are most importantly employment, social inclusion, social protection, and education – all linked to the Lisbon Strategy. These are areas in which EU member states have not been willing to give up national competences, but which are affected by economic regulations and cooperation.

The SPC is the main 'vehicle'[4] for exchanging information among EU member states and the Commission in the areas of social protection and social inclusion. In other words, this committee is the main forum for policy coordination among member state representatives where delegates discuss and debate about policy objectives, guidelines and opinions. The main tasks of the SPC include monitoring the social situation in the different member states, promoting the exchanges of information, and preparing reports and formulating opinions on diverse subjects and initiatives (Council of the European Union 2000c, 2004). This implies that the SPC is the site where 'much of the consensus-building within the OMC' takes place (Armstrong 2003, 181). In addition, committee members represent a central link between

---

[4] See the Social Inclusion website of DG Employment, Social Affairs and Equal Opportunities of the European Commission: http://ec.europa.eu/employment_social/spsi/social_protection_committee_en.htm (last accessed 30 January 2008).

national and European administrations. This has two important aspects. On the one hand, the SPC is 'an interface between the Commission and the Council' (Armstrong 2003, 181; see also Borrás and Jacobsson 2004), thus between the Commission and member states. As such, it is the forum which shapes the European agenda. On the other hand, committee members play a crucial role in influencing the position of national bureaucrats in charge of policy-making about the OMC process as a mode of governance and the policy issues it deals with. Hence, SPC members influence the potential of the OMC also through persuading or discouraging national civil servants about its significance (see also de la Porte et al. 2009).

All this implies that possible enlargement-induced changes within the SPC influence the development of the OMC, because the SPC as a forum involving both the Commission and the member states is 'driving the process forward through the search for consensus' (Armstrong 2003, 194). Furthermore, institutional adjustments have the potential to influence the 'evolution' of voluntary or soft modes of governance in general (see also Hartwig and Meyer 2002). Thus, studying the SPC is crucial because (1) due to the important and central role of the SPC, the organisation of interactions within the committee influences the institutional framework of the OMC and its potential impacts on the national level, and (2) due to the importance of the OMC as a soft governance practice, the development of this process contributes to the evolution of voluntary or so-called 'new' or 'soft' modes of governance in general.

**Social governance after the enlargement**. As was referred to above, the SPC is dealing with the issue areas of social protection and social inclusion. The first policy area in which the SPC has been involved is social inclusion, which was followed most importantly by the adequacy and sustainability of pension systems and health and long-term care. These policy areas are interesting for several reasons. First of all, social protection and social inclusion are 'politically highly sensitive' issues where the competence of the EU has always

been questioned (Kröger 2006, 1). Mary Daly (2007) describes social policy within the EU as 'fitful', since there are 'periods of intense activity followed by times when social policy is hardly spoken of' (Daly 2007, 2). The launching of the Lisbon Strategy in 2000 meant a new opportunity 'to realise a model of social policy organised around social exclusion as the problem definition' (Daly 2007, 3).

In the context of the Lisbon Strategy, the OMC was chosen as the 'policy-making methodology' in this field (Daly 2007, 3). Therefore, and due to the relative absence of more binding regulations, the OMC as informal 'soft law' (see chapter 1) is the main governance instrument through which EU member states coordinate their social policies. This implies that due to the importance of the OMC as a governance practice within the field of social policy, the institutional development of the OMC largely influences the potential of social governance in the EU. Furthermore, since early evidence suggests that the OMC has been influencing national policy-making in several member states (see e.g. Ferge and Juhász 2004, Frazer and Marlier 2007, Hamel and Vanhercke 2009, Sirovátka and Rákoczyová 2007, Vanhercke 2009; see also chapter 6 for details), or in other words, policy frames that were developed at the European level are being used at the national level, changes in this social governance architecture will have an impact on policy reforms in EU member states.

Social policy – in this case, social inclusion and social protection – is a policy area where definitions of policy problems and ideas about potential solutions are very diverse, debated and contested. A contribution of the European coordination process is that it 'put a substance on social exclusion – a novel concept – as a template for social policy' (Daly 2007, 5). Furthermore, it set out the main directions of the need to 'modernise' social protection systems and to make social benefits sustainable (Daly 2007, 4). Nevertheless, there is still no clear 'vision' about how policies combating social exclusion should look that is shared among the member states (de la Porte and Pochet 2002). While several definitions now have become

7

accepted, there is still room for developing new concepts and highlighting new problems (on the development of the OMC after 2000, see chapter 1, section 1.2). Certainly, this redefinition can take place within the boundaries of the broad framework and through playing by the rules of the OMC. Nonetheless, what this also means is that the inclusion of new member states can potentially make a difference in terms of the content of policies.

This latter point is all the more important considering expectations about the impact of enlargement on European social policies. Before 2004, several studies argued that due to the poorer socio-economic conditions in new member states, enlargement could threaten the 'European Social Model' and could lead to a 'race to the bottom' in social welfare policies (Kvist 2004, Vaughan-Whitehead 2003). Or else, others emphasised that EU enlargement would strengthen the position of neo-liberal policy-makers (Bieler 2003). However, these studies almost completely ignore the European social governance architecture. The present thesis argues that it is crucial to analyse whether the inclusion of new member states into discussions in the SPC – and thus into the policy coordination process of the OMC – has led to changes in how policy problems are framed on the European level. In this dissertation, such changes are analysed as being rooted in and linked to the institutionalisation of the governance setting.

The analysis of such changes is also essential in order to understand social policy developments at the national level. Through various mechanisms of Europeanisation, domestic actors are influenced by and make use of European level policy frames. Thus, as was argued above, there is evidence that European level policy discourses give opportunities to different actors in various national settings to use certain issues in the domestic policy debate and to potentially (re-)frame national policy problems. Certainly, these opportunities are shaped by the process through which such policy issues are developed: who participates in the framing process and how. This as well highlights the importance of examining the post-

enlargement operation of the SPC, which provides the main context in which social policy issues are discussed.

**Soft social governance after the enlargement**. Previous paragraphs demonstrated the specificity of the institutional environment of the SPC: it operates within a framework that rests on purely voluntary, legally non-binding coordination processes in policy areas where problems are easily contested and redefined. This flexible institutional environment can have various consequences. On the one hand, the flexibility of coordination processes can make institutional adjustments and adaptation to a new reality easier. This argument can be found in a few studies that claim that the increasing diversity of an enlarged EU is more easily manageable through soft modes of governance (Borrás and Greve 2004, Jacobsson 2004), or even that enlargement necessitates the increasing reliance on flexible and decentralised methods of policy-making and 'plurilateral governance' (Zielonka 2007). Thus, *mechanisms of adjustment* are seen to be facilitated by such flexible structures. On the other hand, in this setting, the inclusion of new members and the increasing diversity after the enlargement are also more likely to result in fundamental changes. In other words, this institutional environment is conducive to various *mechanisms of contestation* of both rules and policies as well. Keeping both perspectives in mind, the case study on the SPC can provide valuable insights into first, how enlargement can influence decision-making processes in the EU, and second, what types of mechanisms of institutional adjustment and contestation might be in play.

**The thesis is structured as follows**. Chapter 1 provides an overview about the institutional environment of the SPC. Since the SPC is an OMC committee, the chapter reviews two strands of literature: conceptualisations of (1) committee governance and (2) the OMC. This review serves as a starting point for conceptualising the impact of enlargement on governance arrangements and policy outcomes. As far as committee governance is concerned,

this literature expanded greatly in the last decade and many aspects of the operation of different kinds of committees have been examined. However, this literature has largely failed so far to theorise enlargement and its potential impact on committee governance beyond changing voting patterns. In the case of the OMC, the chapter first presents the main elements of the institutional design of the OMC. It is essential to look at these official descriptions in order to be able evaluate actors' own self-definitions and their attitudes towards the rules of procedure. In addition, chapter 1 discusses the abundant academic literature on the OMC and shows what existing studies emphasise in connection with this method. As far as the national level impact of the OMC is concerned, while there are contradictory views present in the literature, several research projects suggest that European level policy frames are used at the national level. Nevertheless, similarly to the literature on committee governance, analyses of the OMC have been only marginally concerned about the impact of enlargement on this institutional framework and the policy issues it deals with.

Conceptualisations of both committee governance and the OMC are centred on the themes of governance networks, informal and voluntary governance, consensus-building, commitments and policy learning. Furthermore, many of them rest on actor-centred constructivist perspectives. These themes should be present in the conceptual framework that guides the analysis of the SPC. However, such an analytical framework should not rest solely on theories tied to committees or the OMC, but should be applicable to the post-enlargement institutionalisation of governance settings in general. Furthermore, the themes identified in chapter 1 deserve further elaboration. Therefore, a separate chapter (chapter 2) presents a conceptual-analytical framework which takes into account the main themes of the committee governance and OMC literatures, but at the same time is independent from them and has a 'life of its own'.

This framework of 'discursive institutionalisation' is constructed based on the following assumptions. First, participating actors' – mainly SPC members' – perceptions and commitments towards the rules of procedures constitute the micro-foundation of institutional development and change. Second, in this context, enlargement can be conceptualised as a source of endogenous institutional change. Finally, changes in the organisation of interactions within a given governance arrangement – in this case, the SPC and the OMC – influence the policy outcomes of such interactions.

Based on the conceptual framework that sets out the main tasks of the empirical research, chapters 3-6 present the findings of the empirical analysis. This analysis follows an interpretive research design and relies on the method of interpretive process tracing that rests on the qualitative analysis of interviews and policy documents without relying on pre-given hypotheses (see chapter 2). This type of research does not aim at the true interpretation of reality; it only offers one potential interpretation in which the researcher's subjectivity is also acknowledged (Charmaz 2006). The basis of such interpretation is the analytical framework, which makes the perspective or the 'language' of the researcher clear. Thus, it shows the assumptions, the ontological and epistemological choices on the basis of which the empirical research is carried out. In other words, the thesis intends to offer a systematic analysis of enlargement-induced changes within the SPC, but this analysis or interpretation is not regarded as the only possible one. This empirical research provides the basis for identifying discursive mechanisms of organisational and policy adjustment and contestation that the thesis intends to identify.

The analysis consists of the following elements. First, chapter 3 analyses the routinisation of modes of interaction and institutional adjustments made after the enlargement. Furthermore, it examines the way this process shapes actors' role perceptions, identities and resources, with special attention paid to expected differences between actors from old and

new member states. Chapter 4 examines actors' perceptions of and commitments towards the informal rules based on which the committee operates. This analysis is crucial in order to establish direct and indirect mechanisms of contestation of the 'rules of the game'. Such mechanisms are expected to be present due to the potentially weaker commitments of new member state delegates (see chapter 2). Chapter 5 shows how these perceptions, identities, resources and commitments constitute relatively coherent mechanisms through which actors can bring about policy change. Thus, this chapter expects that modes of interactions and actors' self-definitions influence policy developments and identifies the ways in which they do so. Finally, chapter 6 illustrates and contextualises these mechanisms of policy (non-) contestation and demonstrates existing links between the organisation of interactions, mechanisms of rule contestation and mechanisms of policy contestation. The chapter centres on the framing of three policy issues: the social exclusion of ethnic minorities, the sustainability and adequacy of pension systems and child poverty. While the main focus of this chapter is on the formulation of European level policy frames, it also presents early evidence on the national level impact of the OMC in these three policy areas in order to demonstrate the relevance of looking at European level policy discussions within the SPC.

Finally, the last chapter of the thesis presents the conclusions of the dissertation. The conclusion outlines a conceptualisation of the impact of enlargement grounded in the empirical analysis of the SPC. It identifies the main mechanisms of adjustment, rule contestation and policy contestation and demonstrates that the impact of enlargement on the SPC can be well understood through looking at the linkages between these mechanisms. Furthermore, conclusions are drawn about the influence of such changes on soft social governance in the EU.

# Chapter 1. Setting the Scene: Theorising EU Committees, the Open Method of Coordination and the 2004 Enlargement

The first chapter of the dissertation aims to situate the SPC as an informal *committee*, which operates within the framework of the *OMC* in social protection and social inclusion. Therefore, the following sections review existing literature theorising (1) EU committee governance and (2) the institutional setup of the OMC. Certainly, these discussions include potential conceptualisations and evaluations of the impact of the 2004 enlargement of the EU on committee governance and on the OMC. The goal of this review is to identify the key themes that can serve as a basis for analysing the post-enlargement institutionalisation of the SPC as an OMC committee.

## 1.1 Committee Governance in the European Union

The various kinds of committees that are part of the institutional architecture of the European Union have diverse competencies and operate in a variety of different governance arrangements. According to Thomas Christiansen and Emil Kirchner (2000), committees were established on the basis of a functional need. As the authors argue, due to the increased cooperation among member states and with more competences shifted to the European level during the 1980s and 1990s, a greater need emerged to set up new fora for 'inter-institutional and inter-level co-ordination' (Christiansen and Kirchner 2000, 3). Committees serve a range of different purposes: there are legislative and advisory committees; there are committees operating within the framework of the Council of Ministers (e.g. the COREPER) and there are

'comitology committees' – management, advisory and regulatory committees – which assist the Commission in the implementation of EU policies (for a good overview, see Christiansen and Kirchner 2000). All in all, committees play an important role in all phases of policy-making on the European level: agenda setting, decision-making and implementation (Christiansen and Kirchner 2000, Christiansen and Larsson 2007).

Committees are often conceptualised as constituting 'transnational associations' (Marks et al. 1996, 346) within the multi-level governance architecture of the EU. The framework of 'multi-level governance' (Marks et al. 1996, Hooghe and Marks 2001) includes two main assumptions about governance[5] in the EU. First, when it comes to decision-making, 'competencies are shared by actors at different levels rather than monopolized by state executives' (Marks et al. 1996, 346). Thus, the EU is portrayed as a 'heterarchical' polity in which political authority is shared among key actors (Neyer 2003, 689) and 'power is dispersed' (Hajer 2003a, 175). Although social policy is not among the policy fields where competencies are shifted to the European level, there exist nevertheless interdependencies that might weaken the decision-making power-monopoly of state executives. Second, 'political arenas are interconnected' and 'subnational actors operate in both national and supranational arenas, creating transnational associations in the process' (Marks et al. 1996, 346).

The operation and functions of committees as transnational associations have been conceptualised in various ways. Wolfgang Wessels (1998) provides a brief overview of some middle-range theories about comitology committees. He distinguishes between seven different approaches: a realist view which regards committees as 'watchdogs of the masters of the Treaty'; a federalist view which sees committees 'as a blocking defence of moribund nation states'; a neo-functionalist view in which committees are conceptualised as 'communitarized Trojan horses in the national arena' which 'facilitate spillover and the

---

[5] For a recent review on the term 'governance', see Kohler-Koch and Rittberger (2006).

shifting of loyalty'; a functionalist view according to which committees are 'arenas for smooth technocratic problem-solving'; an erosion view which regards committees 'as part of the mega-bureaucracy plot'; a fusion view which sees committees 'as arenas for merging administrative and political systems'; and a governance view in which committees are seen 'as indicators of a non-hierarchical system beyond the state' (Wessels 1998, 211-218). These conceptualisations all try to explain the existence of comitology committees on the basis of different theories of European integration. However, these frameworks are not concerned with the internal dynamics of committees – thus with *how* these committees function – therefore, they could not deal with research questions about (enlargement-induced) changes in committees' operation.

Therefore, the following sub-sections review approaches that rely on a governance perspective and conceptualise how committees fit into or operate within the multi-level institutional architecture of the EU. Most of these approaches build on constructivist[6], institutionalist or 'deliberationist' assumptions and conceive committees as providing fora for discussions, deliberation and the development of new ideas or as new structures shaping actors' normative beliefs and identities. Nonetheless, there exist also 'rationalist' conceptualisations applying, for example, rational choice institutionalism and the principle-agent theory to committee governance.

Presenting the different approaches serves to show, first, how committees can be conceptualised and second, how theories are translated into empirical research. In other words, what this section looks at is what types of questions have been asked relatively recently about committee governance. However, debates between the different approaches (most importantly between advocates of the principle-agent theory and deliberative

---

[6] On the social construction of reality, see Berger and Luckmann (1966).

supranationalism or debates between rationalism and constructivism in European studies[7])

and the critical evaluations of the theories or approaches (including arguments in favour or

against deliberative[8] governance as a basis for legitimacy in the EU) are not discussed here in

detail.


### 1.1.1 Principal-Agent Theory and Committee Governance

Several authors, most prominently Mark A. Pollack (1997, 2003), applied rational choice

institutionalism and specifically the principal-agent model to the case of comitology

committees. In this model, member states as principals delegate authority to supranational

agents – most importantly to the Commission – in order to (1) more efficiently 'monitor

member state compliance', to (2) 'solve problems of incomplete contracting', to (3) adopt

regulation that 'require the credibility of an independent regulator', or to (4) 'initiate policy

proposals' (Pollack 1997, 103-104). However, due to information asymmetries and the

potential for the agent to act according to its own preferences, the principal has to establish

'control mechanisms' in order to control the agent (Pollack 2003, 135). Comitology

committees are seen as such control mechanisms or 'police patrols' (Pollack 1997, 114).

Pollack (2003) distinguishes between the different types of comitology procedures and

looks at how much 'discretion' the Commission 'enjoys' in the different variants. He

summarises empirical studies that find that the Commission has the greatest influence under

the 'advisory procedure', somewhat less under the 'management procedure' and has the least

---

[7] See debates between Andrew Moravcsik and Jeffrey T. Checkel (e.g. Checkel and Moravcsik 2001) as well as Risse and Wiener (1999), Christiansen et al. (2001) and Jupille et al. (2003).

[8] The role of deliberation in the European Union is the focus of several articles and books and generated many debates (see for example, Eriksen and Fossum 2000, Lord and Magnette 2004, Moravcsik 2002, Neyer 2006, Pollack 2003, Teague 2001). However, since this dissertation does not focus on the concept deliberation, these different approaches are not reviewed here.

influence under the different versions of the 'regulatory procedure' (Pollack 2003, 135)[9].

What is interesting to note here is that in contrast to the other conceptualisations of committee governance discussed below, empirical studies in this case are only concerned with committees insofar as their operation influences the balance of power between the Commission – or other European institutions – and the member states. Thus, committees are mainly regarded as sites for bargaining between the Commission and member states; their functions and operation in the institutional architecture is analysed solely from the perspective of formal European institutions.

Questions related to the power of the Commission are less directly relevant for the OMC, since this coordination process does not involve legislation (see below). Nevertheless, Pollack (1997, 2003) offers a useful framework for analysing power dynamics on the European level and highlights the potentially important role of the Commission in different governance settings. This has to be kept in mind when analysing interactions within the SPC. However, since this dissertation is concerned about the internal dynamics of the operation of committees, this conceptualisation is not a sufficient basis for analysis.

### 1.1.2 Committees as Informal 'Networks'

Besides the principal-agent model of comitology committees, other conceptualisations of committee governance reviewed in this section follow constructivist or sociological institutionalist traditions. Furthermore, they analyse the operation of committees focusing on both their institutional environment and their operation and functioning. Therefore, this sub-section reviews literature on the informal institutional environment in which most committees – among them the SPC – operate. In addition, it discusses the concept of 'networks' in

---

[9] Committees have different roles and rights under the different comitology procedures. For example, while the Commission is not obliged to take into account the advice of committees under the advisory procedure, in the regulatory procedure a committee can prevent the Commission from adopting a given measure.

connection to informality. The concept of networks is often used in relation to committee governance.

Informal governance and informal institutional practices are subject to increasing attention within European studies (Christiansen et al. 2004, Stacey and Rittberger 2003, Stone Sweet et al. 2001, van Tatenhove et al. 2006). While these two concepts are sometimes used interchangeably, it is important to make a distinction between them. To start with, *informal* modes of *governance* have three important characteristics according to most definitions in the existing literature. First, they are usually seen as *non-hierarchical* coordination processes in which policy formation takes place 'next to or across' different polities, 'in transnational, polycentric networks of governance' which can challenge the national 'rules and norms of the respective participants' (Hajer 2003a, 175; see also Wiener 2007). Participation in and access to such networks are supposed to be relatively open. Second, the regular exchanges of participating actors are 'non-codified' (Christiansen et al. 2004, van Tatenhove et al. 2006) or 'lack a formal foundation' (Stacey and Rittberger 2003, 859); thus, 'there are *no formal or written rules* regulating the behaviour of political agents' (Christiansen et al. 2004, 7, emphasis added). Finally, these exchanges are '*not publicly sanctioned*' (Christiansen et al. 2004, 7, emphasis added), or in a specific understanding, they lack a 'third-party oversight', especially that of the European Court of Justice (Stacey and Rittberger 2003, 859).

*Informal practices* can be defined along the same lines (as network-based, non-hierarchical, non-codified and publicly non-sanctioned exchanges), but they can take place within more or less formal governance arrangements. The formality of the institutional setting certainly influences the scope and purpose of informal exchanges (see van Tatenhove et al. 2006 for a useful classification). The so-called 'new' or 'soft' modes of governance in the EU – and among them the OMC – are usually conceptualised as relying extensively on such informal practices. Within these frameworks, informal practices take place in 'semi-official

arenas' (Christiansen et al. 2004, 6). Thus, while these governance arrangements have a certain formal foundation as they were initiated by formal EU bodies, the *formal rules based on which actors operate are relatively vague*, therefore their exchanges are rather informal and the actors themselves have to engage in negotiations about actual institutional rules and day-to-day practices (van Tatenhove et al. 2006, 18). Procedural negotiation processes within such institutional contexts bring about institutions with 'their own informal practices and specific rules for appropriate behaviour' (Hajer 2006, 44). As will be shown below, the operation of the SPC is a good illustration for informal practices and day-to-day negotiations about informal rules.

Committees are often regarded as more or less informal transnational governance 'networks'. Through regular meetings in Brussels, committee members, who typically come from national ministries, can get acquainted with each other's policy traditions and the EU's administrative system (Christiansen and Kirchner 2000, 9). Such interactions might challenge their own beliefs in their field of expertise. According to Eva Sørensen and Jacob Torfing (2007), *governance networks* can be defined along the following lines. A governance network is:

> 1. a relatively stable horizontal articulation of interdependent, but operationally autonomous actors; 2. who interact through negotiations; 3. which take place within a regulative, normative, cognitive and imaginary framework; 4. that is self-regulating within limits set by external agencies; and 5. which contributes to the production of public purpose (Sørensen and Torfing 2007, 9).

In the framework of Sørensen and Torfing (2007), 'governance networks' are regarded as efficient and effective structures for policy-making in the case of relatively uncertain or complex situations due to the following four reasons. First, they are seen to have the potential for 'proactive governance'. Second, they are 'important instruments for the aggregation of information'. Third, they have the potential to 'establish a framework for consensus building'. Finally, such networks 'are supposed to reduce the risk of implementation resistance' through developing a 'sense of joint responsibility and ownership for the decisions' (Sørensen and

Torfing 2007, 13). Certainly, besides questions of efficiency and effectiveness, studies of governance networks often include questions about the democratic legitimacy of such governance structures; mostly following Fritz Scharpf's conceptualisation of input and output legitimacy (see Scharpf 1999).

While this conceptualisation of network governance does not explicitly deal with EU committees, the summary of Sørensen and Torfing (2007) includes several important elements relevant for committee governance (e.g. the emphasis on the aggregation of information, on consensus building or on the link between joint responsibility and policy implementation). As the next sub-section demonstrates, these elements also constitute an important part of deliberative theoretical frameworks of committee governance. These approaches often refer to and use the concept of 'networks'.

### 1.1.3 Committees as Transnational Fora: Deliberative Supranationalism and Deliberative Intergovernmentalism

Deliberation is a key concept in two important theoretical frameworks conceptualising committee governance: deliberative supranationalism and deliberative intergovernmentalism. Among these approaches, it is deliberative intergovernmentalism which conceptualises committees similar to the SPC. However, since deliberative supranationalism was also applied to OMC-type settings, it is also discussed here.

Although building on similar assumptions, the theories of deliberative supranationalism and deliberative intergovernmentalism also differ since they highlight different aspects of committee governance. This dissimilarity does not only stem from the fact that the frameworks are constructed on the basis of different types of committees (more supranational or more intergovernmental), but it also involves the aspects of deliberation that

are emphasised.[10] Christian Joerges and Jürgen Neyer (1997) constructed the framework of deliberative supranationalism primarily in order to provide 'a normative approach which seeks both to preserve the legitimacy of national democracies and to set limits upon the traditional Nation State within a supranational community', which is also 'responsive to and accommodating of "real-world" phenomena' (Joerges and Neyer 1997, 273). Thus, deliberative supranationalism is a perspective on legitimate supranational governance – mostly governance and supranational law-making by comitology committees.

In contrast, Uwe Puetter's deliberative intergovernmentalism (Puetter 2003, 2006, 2007) is a framework describing a certain mode of governance: informal intergovernmental governance in the Eurogroup (Puetter 2006) and committees operating in economic and financial policy areas (Puetter 2007). Thus, this framework conceptualises different kinds of committees: those that operate in an intergovernmental setting and are set up to facilitate policy coordination rather than law-making. Furthermore, another difference is that while normative elements of deliberation are also considered within the framework of deliberative intergovernmentalism, the primary focus is on the institutional and organisational circumstances under which such deliberation might take place; thus, on the preconditions of deliberation. The approaches of deliberative supranationalism and deliberative intergovernmentalism are discussed in turn.

*Deliberative supranationalism* is a term that was originally used to conceptualise law-making processes in comitology committees (Joerges and Neyer 1997), but later was reformulated to describe all network-based modes of communication among EU member states that is related to law-making (Joerges 2005). In their original article, Joerges and Neyer (1997) argue that traditional theories of European integration cannot deal with the emergence and functioning of committees, because 'the committee system does not fit into the

---

[10] For an overview on the different approaches to deliberation, see Neyer (2006).

interpretation of the EC-system as either a supra-national legal order or a mere association of nation-states' (Joerges and Neyer 1997, 292). Therefore, conceptualising the committee system requires a new normative and analytical framework, which can describe and normatively evaluate how committees function.

Based on the analysis of legal texts and the 'attitudes and perceptions of committee members' in the foodstuff sector, Joerges and Neyer (1997) conclude that the particularity of comitology committees is that they employ 'novel and mediating forms of interest formation and decision making' which is consensual and which is based on 'reason' rather than 'power' (Joerges and Neyer 1997, 279; see also Christiansen and Kirchner 2000, 9). Thus, as the authors argue, the committee system favours 'a "deliberative" style of problem solving' among experts or committee members (Joerges and Neyer 1997, 282). In other words, due to their interdependence that can be grasped by, for example, the 'extra-territorial effects' of national laws, member states have to rely on 'a deliberative mode of communication that is bound by rules and principles, where arguments are only accepted if they are capable of universal application' (Joerges 2005, 14). This also implies that within the framework of deliberative supranationalism, deliberation is conceived as both normatively (participative, consensual and responsive) and functionally appealing (can solve problems stemming from diversity and disagreements, and can correct 'nation-state failures'; Joerges and Neyer 1997, 294). Deliberative supranationalism, therefore, is regarded as presenting 'a normative basis for supranational constitutional commitments' (Joerges and Neyer 1997, 294) drawing on the insights of 'non-hierarchical governance structures' (Joerges and Neyer 1997, 298).

The framework of deliberative supranationalism has also been applied to the context of new governance arrangements[11] such as the OMC (see section 1.2). In this perspective, deliberative supranationalism is about 'the search for a response to legal diversity that ensures

---

[11] This is the concept of 'Deliberative Supranationalism II' (Joerges 2005).

compatibility with Community concerns while at the same time respecting the autonomy of democratically legitimated actors' (Joerges 2005, 22). In this reading, comitology committees are only one among many manifestations of deliberative supranationalism. Thus, within the broader understanding of deliberative supranationalism, network-based forms of communication are able to enhance the formulation of common frameworks that are based on 'universally applicable' arguments (Joerges 2005, 14). These frameworks make it possible to solve problems related to the conflicts of laws without disrespecting the existing diversity of member state policies (Joerges 2005). The institutional architecture itself is subject to negotiation and redefinition. Therefore, new governance arrangements do not only embrace deliberative processes, but are also the outcomes of them. Laws 'guarantee "deliberative" practices' which result in 'soft law'[12] measures (Joerges 2002b, 31).

Empirical studies that were conducted on the basis of deliberative supranationalism mostly assess the 'deliberative quality of the decision processes' within committees (Joerges 2002a, 139). An example of an empirical study about a committee operating in an OMC-type framework is the analysis of Kerstin Jacobsson and Åsa Vifell (2003). The authors apply the broader framework of deliberative supranationalism in order to assess the work of the Employment Committee (EMCO). The EMCO is in many ways similar to the SPC, though due to differences between the status of employment policy and social policy in the treaties and within the Lisbon Strategy (see next section), there are also differences in how the two committees operate. In their analysis, Jacobsson and Vifell (2003) assess the deliberative quality of EMCO meetings. Such empirical assessment of deliberation includes questions whether 'the principle of equality of participants is being respected', whether 'all interests have the chance to present their arguments' (Jacobsson and Vifell 2003, 5), whether there is 'an expressed will to listen to and learn from the experiences of others', or whether 'shared

---

[12] On 'soft law', see e.g. Trubek and Trubek (2005).

notions of common problems and challenges have developed' (Jacobsson and Vifell 2003, 18-20). Based on the empirical findings, EMCO discussions are evaluated as 'rather closed' (Jacobsson and Vifell 2003, 21). Although arguing is regarded as dominating the mode of interaction and the 'discussion is quite open-ended', there said to be 'obvious limits to the open-mindedness' (Jacobsson and Vifell 2003, 18-24).

Despite the fact that deliberative supranationalism has been applied to soft modes of governance, *deliberative intergovernmentalism* is a framework that can better grasp some features of committees operating in an intergovernmental framework. The SPC is one of such committees. Deliberative intergovernmentalism is an approach developed by Uwe Puetter (2003, 2006, 2007) in order to conceptualise informal coordination processes among finance ministers in the EU (in the so-called Eurogroup) and committees in economic governance operating under the mandate of the Council. Puetter (2003, 2006) argues that the intergovernmental setting of the Eurogroup is 'distinct from the comitology environment' as deliberation 'among ministers are explicitly political and the legal proceduralisation of consensus-seeking as well as the involvement of independent experts and technocrats are missing' (Puetter 2003, 121-122). Therefore, as he argues, there is a need to develop a framework that is able to grasp the 'routinised informal policy dialogue' which is consensus-oriented and intergovernmental (Puetter 2006, 160).

As was mentioned above, deliberative intergovernmentalism is regarded as an 'alternative mode of governance' which makes it possible to generate self-commitment on the side of the member states in the absence of legally binding instruments (Puetter 2006, 161). Such self-commitment is seen as the outcome of deliberation – as opposed to supranational law within the framework of deliberative supranationalism. In intergovernmental processes, it is not evident that member states have to or can come up with common approaches or solutions to problems: such need for a consensus has to be generated. Furthermore, member

states can only be expected to commit themselves to informal agreements if they feel that they agreed to and accepted the underlying objectives when they were formulated. The concept of deliberation, therefore, is primarily used in this framework following a functional logic: discussions within the Eurogroup or within committees will only become effective if deliberation is the dominant mode of interaction. Specifically, deliberative intergovernmentalism relies heavily on two specific aspects of deliberation: dialogue and consensus-orientation.

An additional feature of a consensus-oriented policy dialogue is that it inherently integrates potential for contestation (Puetter 2007). This means that the norms based on which common positions develop are 'subject to contestation by default' (Puetter 2007, 21). In this conceptualisation, committees can be regarded as 'venues' for contesting policy norms or 'organising principles' (Puetter 2007, see also Wiener 2007). In these venues, policy dialogue becomes a permanent or 'routinized' feature of the decision-making process, becoming the basis for developing common policy norms and principles. This also implies that committees might be regarded as having an 'epistemic' character (see Haas 1992). In the definition of Peter M. Haas, an epistemic community 'is a network of professionals with recognized expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue area' (Haas 1992, 3).

The particular domain analysed by Puetter (2006, 2007) is economic and financial governance in the EMU[13]. In his book, Puetter (2006) analyses the institutionalised features of a communicative process or dialogue within the Eurogroup: the institutional setting ('who negotiates in what kind of environment') with features such as equality or the presence of reasoning and argumentation, and the content of discussions (Puetter, 2006, 22). He concludes that the informal working environment of the Eurogroup makes it possible to generate

---

[13] The role of committees in monetary policy in the 1990s was analysed by Amy Verdun (2000). In describing the decision-making process within the Monetary Committee, she also relies on the concept of epistemic committees and emphasises the role of secrecy and consensual decision-making.

deliberation and voluntary commitments among finance ministers (Puetter 2006). Similarly, in his analysis on the Economic and Financial Committee (EFC) and the Economic Policy Committee (EPC) – treated as 'expert committees' where 'masterminds (…) prepare the work of the ECOFIN Council' (Puetter 2007, 26) – Puetter (2007) finds that though with some limitations, these committees function as venues for contestation and deliberation. Nevertheless, according to Puetter (2007, 30) the committee with the largest number of members (the EPC) is the least likely to induce interactive discussions. This finding is certainly important when one looks at the impact of enlargement on the operation of committees.

The number of committee members is one organisational factor that influences the functioning of committees. The important role of this organisational feature draws the attention to the micro-level and demonstrates that it is essential to analyse which factors might have an impact on the possibilities of committee members to contest existing norms. Therefore, the next section reviews organisational approaches to committee governance.


## 1.1.4 Organisational Approaches to Committee Governance

The approaches discussed in the previous sub-section – deliberative supranationalism and deliberative intergovernmentalism – rely on more systemic perspectives of European integration: supranationalism and intergovernmentalism. Consequently, though also focusing on micro-processes, these approaches derive their empirical analysis from the assumptions of such conceptualisations. In contrast, organisational approaches of committee governance (Egeberg 1999, 2004; Egeberg et al. 2003; Thedvall 2005, 2007; Trondal 2001, 2002; Trondal and Veggeland 2003) start their analysis on the micro-level: they focus on how the organisational characteristics of different types of committees shape the formation of 'politics,

policies and identities' (Egeberg 2004, 199). In other words, an organisational perspective on committee governance is interested in the way in which the organisation of committees (membership, meetings, etc.) influences the roles, identities and behaviour of committee members. For example, Morten Egeberg (2004, 201) distinguishes the following organisational variables that shape identity-formation: organisational structure (rules and roles), organisational demography (composition), organisational locus and institutionalisation. In this sense, committees can be conceptualised as arenas or sites of socialisation for national civil servants, where committee members evoke new roles which shape their identities (Egeberg 2004). Thus, organisational theorists focus on the social mechanisms through which new role perceptions and identities develop (see Trondal 2001).

Various empirical studies look at how such organisational variables affect the behaviour of actors (committee members). Egeberg (2004) applies his organisational approach and tests his hypotheses by comparing Council committees (with geographic specialisation) and Commission committees (with sectoral specialisation). Similarly, Egeberg (1999), Egeberg, Günther F. Schaefer and Jarle Trondal (2003), Trondal (2001, 2002) and Trondal and Frode Veggeland (2003) analyse the role perceptions, identities and loyalties of national officials participating in different types of committees (expert committees under the Commission, working groups under the Council of Ministers and comitology committees) based on personal interviews and/or surveys. These analyses show how the different organisation of interactions influences identities and loyalties differently in diverse committee settings. For example, members of expert committees are seen to evoke sectoral or expert roles more than members of Council working groups, therefore can be regarded as more supranational than intergovernmental structures (see e.g. Egeberg et al. 2003, Trondal 2001).

Several elements of the organisation of interactions (e.g. voting versus consensual decision-making) and patterns of role perceptions (e.g. role perceptions based on expertise,

representation of government or policy sector) distinguished by these authors are also important in the case of the SPC. This is also confirmed by an organisational analysis of the SPC and the EMCO recently conducted by Caroline de la Porte, David Natali and Philippe Pochet (2009). The authors examine the means of socialisation and self-governance within these two committees. They argue that members of the SPC and the EMCO have three main roles: a 'policy reform' role, an 'expertocratic' role and a 'technocratic' role (de la Porte et al. 2009). De la Porte et al. (2009) also examine the perceived strength of individual committee members in influencing discussions and find that the factors that play an important role are the length of membership and language skills. Finally, the authors also confirm that the organisation of interactions within these two OMC committees is predominantly consensus-based (de la Porte et al. 2009).

Empirical studies based on participant observation were conducted by Renita Thedvall (2005, 2007). The author analyses how the meeting format shapes decision-making in a given committee – again the EMCO – as well as how it influences the role perceptions of committee members. She focuses on how formal and informal rules are conducive to evoking different roles (e.g. being an expert or a politician) and identities (e.g. being national or European). As chapter 2 and 3 will show, several findings of Thedvall (2005, 2007) concerning written and unwritten rules that legitimise decisions and influence role perceptions are also relevant when looking at the SPC. This provides room for a potential comparison between the EMCO and the SPC.

### 1.1.5 Committees after the Enlargement

There has not been much empirical work done on the operation of committees after the enlargement. A special issue in the *Journal of European Integration* to which the author of

this dissertation also contributed (Grosche and Puetter 2008, Heard-Lauréote 2008, Horvath 2008, Juncos and Pomorska 2008, Lempp and Altenschmidt 2008, Puetter 2008, Quaglia 2008), as well as articles on comitology committees after the enlargement (Alfé et al. 2008a, 2008b) are important exceptions. These studies empirically assess institutional adjustments (of working methods or practices) within particular committees as a response to enlargement. In other words, they evaluate how the operation of given committees was affected by the inclusion of new member states.

The special issue in the *Journal of European Integration* concentrates on formal and informal processes of organisational adaptation that 'are aimed at preserving some of the core features of decision-making and policy review from the pre-enlargement committee environment' (Puetter 2008, 482), most importantly consensus-seeking. The studies focus on processes of socialisation and changing informal practices. Depending on the type of committee and the policy area, the analyses identify different adjustment mechanisms that followed the 2004 enlargement in the case of all committees.

Similarly, Manuela Alfé, Thomas Christiansen and Sonia Piedrafita (2008a, 2008b) analyse formal and informal changes within comitology committees triggered by the enlargement of the EU. The study is conducted within the broad framework outlined by Edward Best, Pierpaolo Settembri and Thomas Christiansen (2008). The authors of the edited volume on the institutional impact of enlargement argue that a 'complex system needs constantly to adapt in order to maintain a "fit" with its environment' (Best et al. 2008, 4). Enlargement-induced institutional changes can be conceptualised as such an adaptation process. This adaptation can be formal or informal, can take place at different levels, can be intra- or inter-organisational, and can be minor or transformative (Best et al. 2008, 6). Thus, in the words of Best et al. (2008, 6), changes occur 'along a continuum'.

### 1.1.6 Conclusion: Towards a Dynamic Approach to Informal Committee Governance

This thesis focuses on one particular committee, the SPC, in this dynamic context of the 2004 enlargement. In conceptualising committee governance and the changing operation of the SPC (see chapter 2), it relies on several of the above conceptualisations. First of all, the dissertation argues that the SPC in which representatives of member states and the Commission participate illustrates the reliance on informal practices within a semi-formal governance arrangement well (see chapter 3). This means that while the SPC has a Treaty basis and the messages it produces are formal European documents, interactions within the SPC are seen as network-based, non-hierarchical, non-codified and publicly non-sanctioned exchanges. The SPC, hence, can be regarded as an 'experimental garden' for new rules of decision-making and policy coordination (van Tatenhove et al. 2006, 15).

Furthermore, similarly to deliberative intergovernmentalism, the analytical framework of the dissertation presented in the next chapter emphasises the role of dialogue and consensus-seeking in generating commitments among SPC members and as a central element of the operation of the SPC. Finally, though without sharing their initial hypotheses, the thesis relies heavily on organisational approaches in analysing the changing functioning of the committee. Yet, in connecting such organisational changes with policy developments, the thesis takes a step which is usually missing from organisational analyses. This means that the analysis of the dissertation has to take into account the policy context of the SPC, the OMC, and the architecture of social governance in the EU.

## *1.2 The OMC and Social Governance in the EU*

As the introduction argued, the analysis of the SPC has to take into account the institutional environment of this committee: the framework of the OMC. Similarly to the discussion above on committee governance, this review has the aim of identifying the key themes that appear in the policy documents and the academic literature on the OMC and that can inform the conceptual framework to be constructed in chapter 2.

This coordination process is often described as the archetype of 'new' or 'soft' modes of governance. These modes of governance are labelled as 'new' because they are different from the 'traditional' Community method which rests on binding regulations. They are seen to have emerged mainly because of the increasing ambiguity and uncertainty of issues (Hemerijck 2004, Scott and Trubek 2002), the 'irreducible diversity' of national institutions (Scott and Trubek 2002, 7; see also Hemerijck 2004, Teague 2001, Trubek and Trubek 2005) and the lack of political commitment in EU member states to overcome this by European regulations, and the need to increase the role of participatory processes to reduce the 'democratic deficit' of the EU (Borrás and Jacobsson 2004, de la Porte and Nanz 2004, Scott and Trubek 2002). Nonetheless, both the 'newness' of voluntary processes and their relationship with the Community method are debated in the literature: a key question is whether soft mechanisms complement or substitute traditional binding instruments (for overviews see e.g. Armstrong and Kilpatrick 2007, Laffan and Shaw 2005).

Yet, studies usually agree on the basic features of new modes of governance. According to most conceptualisations, these governance structures are seen as non-binding, voluntary processes, which rely on the principle of subsidiarity and the participation of a wide range of public and private actors (Borrás and Conzelmann 2007, Héritier 2001, Treib et al. 2007). Joanne Scott and David M. Trubek (2002, 5-6) distinguish the following features of new modes of governance: (1) 'participation and power-sharing', thus the inclusion of private

31

actors; (2) 'multi-level integration', thus the coordination of 'actions and actors' at different levels; (3) 'diversity and decentralisation', or in other words subsidiarity; (4) 'deliberation', thus the reliance on communication and dialogue; (5) 'flexibility and revisability', thus the continuous re-creation of the guidelines for action; and (6) 'experimentation and knowledge-creation'.

The OMC itself has been subject to an enormous quantity of academic studies. Besides questions related to its emergence and evolution, there are three main issues researchers are primarily concerned with: the effectiveness of the OMC as a soft instrument for policy coordination, the legitimacy of the OMC as a new mode of governance, and the policy frames or messages promoted by the OMC. In this latter context, the OMC is often regarded as a 'legitimising discourse' (Radaelli 2003) for policies promoting competitiveness and particular approaches to tackling poverty (Daly 2007). Concerning its effectiveness and legitimacy, early studies expected that the OMC would ensure efficient and effective 'problem-solving' and legitimate decision-making (Scott and Trubek 2002). However, this enthusiasm later decreased given that many critical assessments were published. Nevertheless, the debate between OMC enthusiasts and OMC critics is far from being settled since empirical evaluations produce mixed results.

The concept of 'effectiveness' is usually defined as the capacity of the OMC to influence national-level policy-making, thus it refers to the OMC's 'potential to transform the practices of the member states' (Jacobsson 2004, 356). The keyword of analysis in this case is 'policy learning'. Studies which discuss the 'legitimacy' of the OMC usually rely on a 'wider understanding of democracy as a participatory mechanism' (Borrás and Jacobsson 2004, 199) and relate the legitimacy of the OMC to the concept of 'deliberation'. Certainly, effectiveness and legitimacy are not without links. For example, the participation of stakeholders is said to

enhance both the legitimacy of the OMC and, through the reliance on local knowledge, its effective operation (Cohen and Sabel 2003, Radaelli 2003, Zeitlin 2005).

Being aware of the features of new modes of governance and the OMC in particular is crucial for understanding how the SPC operates. Therefore, the subsequent sub-sections are constructed in the following way. The first sub-section shows how the institutional framework of the OMC was designed, thus how it was originally defined by official documents of the Commission and the Council. The discussion pays special attention to the construction of the processes of social inclusion and social protection and the relevant changes of this governance framework. Presenting these official rhetorics is necessary in order to understand both participating actors' perceptions and political and academic expectations about the OMC and the functions of the SPC.

The sub-sections that follow review some of the most influential conceptualisations of the OMC in the current literature and briefly present some of the empirical evaluations related to them. This review does not attempt to be comprehensive. Instead, it concentrates on the different conceptualisations of the OMC to see how they can inform the analytical framework to be constructed in chapter 2. The sub-sections especially look at how various authors describe the defining features of the OMC and what consequences these qualities have on the functioning of the SPC. Finally, this chapter also shows how enlargement and its potential impact on governance and policies have been analysed in the context of the OMC.

## 1.2.1 The OMC in Official Documents

As was referred to above, the OMC is a new mode of governance that allows for policy coordination between EU member states, the Commission and relevant stakeholders in specific policy areas. Originally, this method was designed to help reaching the overarching

goal of the Lisbon strategy: 'to become the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth with more and better jobs and greater social cohesion' (Council of the European Union 2000a).

The Commission's White Paper on European Governance describes the OMC the following way:

> The open method of co-ordination … is a way of encouraging co-operation, the exchange of best practice and agreeing common targets and guidelines for Member States, sometimes backed up by national action plans as in the case of employment and social exclusion. It relies on regular monitoring of progress to meet those targets, allowing Member States to compare their efforts and learn from the experience of others (European Commission 2001, 21).

Thus, this form of cooperation has four main elements:

(1) 'Agreeing to common objectives which set out high-level, shared goals to underpin the entire process';
(2) 'Agreeing to a set of common indicators which show how progress towards these goals can be measured';
(3) 'Preparing national strategic reports, in which Member States set out how they will plan policies over an agreed period to meet the common objectives'; and
(4) 'Evaluating these strategies jointly with the European Commission and the Member States'.[14]

In official documents released mostly by the Commission, the OMC is described as a 'flexible and decentralised' method. These documents emphasise its 'openness', its focus on 'cooperation', and its ability to promote 'learning' and 'greater convergence towards the main EU goals' (European Commission 2003, 8-10). The institutional setup of the OMC has been designed to help reaching these goals of 'learning' and 'convergence' through the development of a policy consensus in relatively controversial policy areas like social inclusion and pensions (European Commission 2005, 2006a). As Frank Vandenbroucke (2002) noted when he was the Minister for Social Affairs and Pensions of the Belgian Federal Government:

> the open method of co-ordination is both a cognitive and a normative tool. It is a 'cognitive' tool, because it allows us to learn from each other. In my opinion, this learning process is not restricted to the practice of other Member States, but also extends to their underlying views and opinions, an area that is no less important. Open co-ordination is a 'normative' tool because, necessarily, common objectives embody substantive views on social justice. Thus open co-ordination gradually creates a European social policy paradigm (Vandenbroucke 2002, 9).

---

[14] See the Social Inclusion website of DG Employment, Social Affairs and Equal Opportunities of the European Commission: http://ec.europa.eu/employment_social/spsi/the_process_en.htm (last accessed 30 January 2008).

At the same time, the OMC is supposed to allow the EU and its member states to respect 'diversity' and the principle of 'subsidiarity' (European Commission 2003, 10). As a 2005 Communication defining a 'new framework' for the process describes, the OMC 'allowed the Commission, Member States and other actors to have a constructive exchange about shared policy objectives, good practice and good governance, all the while respecting subsidiarity' (European Commission 2005, 2). Furthermore, the OMC 'is a flexible method, allowing exchange and coordination in a way and to a degree appropriate to the policy in question' (European Commission 2005, 2). In particular, the OMC is perceived as a tool through which policy coordination can be pursued 'without legal constraints'[15].

Linked to debates on 'democratic deficit' in the EU, the involvement of 'social partners and civil society' in the coordination process 'using variable forms of partnership' has been one of the main promises of the method (Council of the European Union 2000a, para 38) and was called for further strengthening in 2005 (European Commission 2005). In an interim review of the OMC, both member states and the Commission concluded that the increased participation of stakeholders within the OMC 'strengthens the legitimacy of the EU' (European Commission 2006a, 6).

In the area of social inclusion, the OMC was officially launched in 2000 at the Lisbon European Council (Council of the European Union 2000a). The main objectives were adopted in the same year at the Nice European Council (Council of the European Union 2000b), which were followed by a first agreement on common indicators in 2001. Later on, what is now called the 'social OMC' (European Commission 2008) was also introduced in other areas, most importantly in the area of the sustainable and adequate pension systems, and from 2005, in health and long-term care. A fourth issue under the heading of 'making work pay' is dealt with jointly with the EMCO. Initially these were relatively separate processes with their own

---

[15] See the Social Inclusion website of DG Employment, Social Affairs and Equal Opportunities of the European Commission: http://ec.europa.eu/employment_social/spsi/the_process_en.htm (last accessed 30 January 2008).

objectives, indicators, national and joint reports. In social inclusion, member states had to submit National Action Plans (NAPs) on a two-yearly basis, even including the then candidate countries who submitted their Joint Inclusion Memoranda (JIM). In the area of pensions, National Action Plans were substituted by National Strategy Reports and reporting obligations were following a three-year cycle.

The OMC in social protection and social inclusion has undergone several institutional refinements since 2000. These changes are important to keep in mind especially when analysing policy developments after the enlargement in chapter 6. The first important institutional development was the *relaunching of the Lisbon strategy* in 2005. The Spring European Council in 2005 decided to 're-focus priorities on growth and employment' (Council of the European Union 2005a, para 5) at the expense of the third element of the original strategy: social cohesion. Though the same Presidency Conclusions also emphasised the need to fight social exclusion (see Marlier et al. 2007, 7), this new focus is usually interpreted as having led to a weaker OMC in social inclusion and social protection. The main reason for this weakening lies in the original legitimation of the OMC: it was supposed to enhance cooperation within the third area of the Lisbon Strategy. The exclusion of social cohesion can have two important consequences. First, those member states that are less willing to cooperate in social policy areas could be less inclined to take the coordination process seriously. Second, the re-launching of the Lisbon Strategy could weaken the position of social affairs ministries within member states when governments draw out priorities. Thus, the new Lisbon agenda created an increasing need for OMC enthusiasts to show that this method can actually contribute to facing common challenges and to fight poverty and social exclusion in the EU.

The second important change is the so-called *streamlining* of social protection and social inclusion from 2006. This refers to the synchronisation of the separate processes of

social inclusion, pensions and health and long-term care, creating a common set of objectives and reporting mechanisms. The previous practice of having separate reports and different planning cycles in the different policy areas did not only imply excessive paperwork, but also an insufficient link between the different policy areas. Within the streamlined process – after a transition period (2006-2008) – national strategic reports in social inclusion and social protection will follow a three-year cycle and will include all policy areas dealt with by the SPC. The Joint Report on Social Inclusion and the Joint Report on Pensions have also been replaced by yearly Joint Reports on Social Protection and Social Inclusion. In interim years – the so-called 'light years' – member states are supposed to submit 'much lighter reports, essentially focusing on progress in implementing the strategies established' in the national reports (European Commission 2003, 13). Having one comprehensive national report in every three years thus implies that there is room for activities other than the preparation and evaluation of general national reports. Following an initiative of the Commission, these years will have thematic foci on specific problems that can be discussed and analysed in more detail. The first example of such focus is the priority given to child poverty in 2007 (see chapter 6).

The following sections discuss some of the most influential conceptualisations of the OMC. As will be shown, these largely rest on the official design and understanding of this governance arrangement.

## 1.2.2. The OMC as Deliberative Governance

The OMC is widely regarded as an important constituent of the deliberative governance architecture in the EU (Cohen and Sabel 2003, Mosher and Trubek 2003, Sabel and Zeitlin 2006, Teague 2001, Zeitlin 2005). Deliberation is usually defined as a '(self-)reflective debate

by which participants reason about proposals and are open to changing their own initial preferences' (Cohen and Sabel 2003, 346). The result of such debate is consensus. Deliberative governance is regarded as conducive to a 'problem-solving style of policy-making' which makes it possible to discuss common challenges even if member states have diverse experiences and social welfare systems (Teague 2001, 22). Deliberation is seen as taking place in various networks, for example in committees like that SPC, which set the agenda on both European and national levels (Teague 2001). These transnational networks 'target national institutions by way of communication and information exchange' and through this, they aim to transform policy-making practices (Knill and Lenschow 2005, 589).

These deliberative networks altogether are regarded as constituting a *directly-deliberative polyarchy* in the EU (Cohen and Sabel 1997, 2003, Sabel and Zeitlin 2006, Teague 2001). Deliberative polyarchy rests on processes of deliberation which involve the participation of all stakeholders on various levels in a public and transparent debate (Cohen and Sabel 2003, de la Porte and Nanz 2004). In such a setting, 'problem-solving depends not on harmony and spontaneous coordination, but on the permanent disequilibrium of incentives and interests imperfectly aligned, and on the disciplined, collaborative exploration of the resulting differences' (Cohen and Sabel 2003, 366). This deliberative style of policy-making is seen as 'both democratically and pragmatically attractive' (Cohen and Sabel 1997, 316). The key for both aspects of 'attractiveness' is participation: through new channels of knowledge-generation and the reliance on different experiences, a broad participation is also regarded as a precondition for the effective functioning of the OMC (Cohen and Sabel 2003).

Directly-deliberative polyarchy is seen as being part of a system of *experimental governance* (Eberlein and Kerwer 2004, Sabel and Zeitlin 2006, Szyszczak 2006, Zeitlin 2005). The framework of democratic experimentalism emphasises the role of informal and flexible governance arrangements that facilitate the revision of institutional and policy

standards through the process of deliberation in multiple – local, national, European and multi-level – fora. As Charles F. Sabel and Jonathan Zeitlin (2006) argue:

> The requirement that each national administration justify its choice of rules publicly, in the light of comparable choices by the others, allows traditional political actors, new ones emerging from civil society, and coalitions among these to contest official proposals against the backdrop of much richer information about the range of arguably feasible choices, and better understanding of the argument about their merits, than traditionally available in domestic debate (Sabel and Zeitlin 2006, 8).

In this sense, the OMC is regarded as a process for coordinating deliberation in different decision-making arenas 'without exerting hierarchical control' (Eberlein and Kerwer 2004, 133).

Empirical evaluations on the deliberative qualities and the legitimacy of the OMC produce mixed results. Expert deliberation in *committees* is assessed by Jacobsson and Vifell (2003), who show that while there is consensus-orientation among EMCO members, committee discussions fall short of the ideal of transparency (see also above). Others argue that committee members participate unevenly in the various OMC committees, which implies that meetings cannot be regarded as fulfilling the criteria of deliberation (Kröger 2007, Radulova 2007). As far as the participation of stakeholders is concerned, according to many empirical evaluations, inclusive participation is not seen as being fully realised by the practice of the OMC (see e.g. Kröger 2007, Radulova 2007, Smismans 2006). Some even argue that the OMC is downright illegitimate (Idema and Kelemen 2006). Nevertheless, empirical results vary depending on the policy area concerned. It is usually the social inclusion OMC that is evaluated the most positively regarding the inclusion of civil society actors; the employment process is assessed as being less open, while the pension process is regarded as the most closed OMC process (see e.g. Armstrong and Kilpatrick 2007, de la Porte and Nanz 2004). Furthermore, some argue that participation in OMC processes is gradually improving and becoming 'broader and more effective' (Mosher and Trubek 2003, 81; see also de la Porte and Nanz 2004, de la Porte and Pochet 2005, Zeitlin 2005). However, this growing

participation in the OMC is also criticised for not being formal and transparent enough but being uneven and 'conditional upon invitation' (Kröger 2007, 578; see also Friedrich 2006).

## 1.2.3 The OMC as Learning Tool

While 'mutual learning' is also an important part of deliberative perspectives on the OMC, several authors analyse this feature of the process without conceptualising it as deliberative governance. The OMC has been designed with the expectation that the coordination process would induce changes in national policies 'by the explicit political commitment to common goals, by the increase of knowledge and comparability of each country's national policies and structures, and by the periodical review of the achievements' (Borrás and Jacobsson 2004, 195). The main question that is usually asked in the case of the OMC is how such policy change and transformation on the national level is possible 'in the absence of coercive mechanisms' – only relying on the diffusion of knowledge, persuasion and repetition[16] – in light of the existing diversity of member state policy practices (Borrás and Jacobsson 2004, 195).

What is common in conceptualisations that centre attention on the OMC's potentials to induce learning is that they regard this coordination mechanism as (a set of) learning instrument(s), or as Jacobsson (2004, 356, emphasis original) put it, as a 'systematic *system* of governance' that promotes learning. One such instrument that is often looked at is benchmarking (see e.g. Arrowsmith et al. 2004, Kerber and Eckardt 2007). Furthermore, most approaches to policy learning rely on dominantly constructivist understandings that focus on cognitive shifts and ideational changes (on this latter, see Radaelli 2003). For example, Jacobsson (2004) develops the concept of *discursive regulatory mechanisms* that have the

---

[16] According to James S. Mosher and David M. Trubek (2003), the European Employment Strategy – the application of the OMC in the field of employment – is 'iterative and iteration fosters deliberation' (Mosher and Trubek 2003, 77). This deliberation process, in turn, promotes learning among member states.

potential to induce the convergence of policies and the transformation of member state practices through contributing to an ideational consensus. As she argues, the systematic usage of these mechanisms (e.g. common language use, a common knowledge-base, the systemic diffusion of knowledge or peer pressure) together with member states' commitments to the cooperation procedures is conducive to mutual learning (Jacobsson 2004, 360).

Or else, Martin Heidenreich and Gabriele Bischoff (2008) conceptualise the OMC as a process of *institutionalisation* 'in which new social fields are created at the intersection of the European and the national politics and administrations' (Heidenreich and Bischoff 2008, 505). As the authors argue, these social fields have their own 'actors, organizations, issues, interests and rules of interpretation and appropriateness' (Heidenreich and Bischoff 2008, 505). Thus, the institutionalisation process includes the continuous redefinition of the 'rules of the game' according to actors' interests, the development and standardisation of appropriate patterns of behaviour based on formal and informal rules, and the formation of common frames of references (Heidenreich and Bischoff 2008, 506). While it is the overall level of institutionalisation that determines potentials for mutual learning within this framework, the development of common frames of references in which committees have a key role is seen as a crucial element (see also López-Santana 2006).

Empirical assessments on the potentials of the OMC to enhance policy learning usually map changes (frame shifts or policy changes) on the national level. The results depend on the country and the policy issue that is analysed. Therefore – and due to the limitations of conducting research on policy impact – conclusions vary widely (for a broad overview, see Zeitlin 2009). While several authors claim that 'non-hierarchical governance is inappropriate as a means of inducing policy reform' (Lodge 2007, 343; see also Hatzopoulos 2007, Idema and Kelemen 2006), others argue that the OMC had a substantial impact on domestic policy-making (see e.g. Hamel and Vanhercke 2009, López-Santana 2006, Vanhercke 2009).

Chapter 6 will present some of these positive evaluations. Certainly, some argue that the limited evidence for the actual policy impact of the OMC can stem from the fact that these soft processes merely provide an opportunity structure and thus induce policy learning only in the long run. Furthermore, member states might not be interested to admit that their reforms were inspired by European processes (Borrás and Greve 2004, Büchs 2008). This latter aspect draws attention to another potential conceptualisation: the OMC as a strategic game.

## 1.2.4 The OMC as Strategic Game

Although the majority of approaches dealing with the OMC follow constructivist traditions, there exist rational conceptualisations applied to this form of governance that assume that the OMC 'serve[s] the rational self-interest of its creators' (Idema and Kelemen 2006). For example, Milena Büchs (2008) uses the analogy of '*two-level games*' in order to describe policy coordination processes within the OMC. As she argues, the OMC can be conceptualised as a two-level game 'in which member state governments and non-governmental actors can influence the OMC agenda at the EU level and, subsequently, strategically and selectively "use" the OMC in national policy-making processes' (Büchs 2008, 21).

The usefulness of such an approach, according to Büchs (2008), is twofold. First, instead of concentrating only on the 'influence' of the OMC on national policies, it highlights the importance of the 'bottom-up' or 'uploading' (Börzel 2002) dimension of the OMC[17]. Second, it provides an explanation to why and how member states adopt policies as a result of the OMC ('top-down' dimension), for example by theorising mechanisms of strategic blame-shifting (Büchs 2008). The importance of looking at both the 'uploading' and 'downloading'

---

[17] The concepts of 'uploading' and 'downloading' were used by Börzel (2002) in order to describe different mechanisms of Europeanization.

dimension, especially regarding the OMC committees, is also confirmed by de la Porte et al. (2009). The authors discuss the important role of SPC and EMCO members in the strategic game of bringing certain policy problems to the EU level and then using the OMC to introduce an issue on the national agenda (de la Porte et al. 2009).

A different rationalist conceptualisation of the OMC is the application of the *principal-agent model* to the relationship between the Commission and the member states (de la Porte 2008). Similarly to the framework of Pollack (1997, 2003) presented in section 1.1.1, Caroline de la Porte (2008) regards member states as the principals and the Commission as the agent. She explains the emergence and operation of the OMC through this relationship. As she argues, during the phase of emergence, the Commission was the more influential actor. However, after the creation of 'an iterative policy coordination instrument', member states regained control over the agent. As Pollack (1997, 2003) suggests (see section 1.1.1), committees like the EMCO and the SPC can play an important role in this process through providing control mechanisms.

## 1.2.5 The OMC as Competitiveness Discourse

Finally, the last perspective on the OMC to be discussed in this chapter is one which regards the OMC as a political and policy discourse (Barbier 2004, Radaelli 2003), and more specifically, as a neoliberal undertaking emphasising competitiveness. Such an approach contests the political neutrality of policy instruments and claims that they 'produce specific effects, independently of the objective pursued, (…) which structure public policy according to their own logic' (Lascoumes and Le Gales 2007, 3). In a stronger formulation, the OMC as 'advanced liberal government (…) at the same time enables and opens up new possibilities for

its subjects, and restrains these subjects as they are made subjects of a certain calculative and disciplinary regime' (Haahr 2004, 209).

In this context, the OMC is regarded as an inherent part of 'a competitive Europe' (Bruno et al. 2006, 533). This means that the OMC in social protection and social inclusion is seen as being 'embedded in the master discourse of competitiveness' of the Lisbon strategy (Radaelli 2003, 19). Furthermore, while it is 'legitimated as a process of mutual learning, (…) in fact it constitutes an institutional set-up that legitimises a [European] paradigm' of social exclusion (Bernhard 2006, 49). In this light, for example, the streamlining process as a 'policy vision' (Daly 2007) is regarded as having strengthened this embeddedness of social inclusion in the cognitive frame of competitiveness.

## 1.2.6 Social Governance and the OMC after the Enlargement

The majority of analyses on the (potential) impact of enlargement on social governance in general and the OMC in particular basically take two directions. On the one hand, as was referred to in the introduction, some studies – dominantly written before 2004 – draw attention to the increasing diversity in the EU and the potential problems this diversity might cause (see e.g. Bieler 2003, Ingham and Ingham 2004, Kvist 2004, Scharpf 2002, Vaughan-Whitehead 2003). A counter-argument is presented by Noémi Lendvai (2004a), who claims that 'if the European Social Model is at risk, it is not because of the candidate countries, (…) but because enlargement puts a mirror to EU social policy and what the mirror shows is rather controversial' (Lendvai 2004a, 330). On the other hand, articles examine the impact or the implementation of OMC processes on new member states (see e.g. de la Rosa 2005, Kusá and Gerbery 2007, Lendvai 2004b, Palpant 2006, Sirovátka and Rákoczyová 2007). In this latter case, the impact of the OMC is usually evaluated as substantial.

When it comes to the impact of enlargement on the OMC as a mode of governance or as a policy discourse, theory-driven and detailed analyses are generally lacking. Edward Best (2008) even argues that since the OMC is a flexible method with the goal of accommodating diversity, it is not appropriate to examine the impact of enlargement on this governance arrangement. Nevertheless, it is usually acknowledged that '[j]ust as the new Member States have to adapt dynamically to the evolution of EU policy, such as the Lisbon Agenda, so the Union has to adapt to its augmented Composition' (Marlier et al. 2007, 5). However, only a few studies consider – and only briefly – the nature of this adaptation process. For example, in connection with the European Employment Strategy (EES), Georg Fischer and Luc Tholoniat (2006) note that enlargement has 'led to a growing demand for additional country expertise and renewed cross-country comparison at EU level, which has steered analytical work and mutual learning activities' (Fischer and Tholoniat 2006). As far as committees are concerned, some refer to the fact that representatives from new member states participate less in the meetings (Kröger 2007, Radulova 2007). Yet, the consequences of such passivity are not discussed in these cases. Therefore, there is need for new analyses that fill this gap.

### 1.2.7 Lessons for the Analysis on the SPC

As was argued above, it is important to conduct theoretically informed analyses on the impact of enlargement on particular governance arrangements. Hence, a key question to be answered here is how conceptualisations of the OMC presented in previous sub-sections can inform an appropriate framework for the empirical analysis of this dissertation. Nevertheless, what also has to be emphasised here is that the questions asked by OMC studies are often different from those considered in this dissertation. For example, the thesis does not primarily deal with the implementation of European policies on the national level, but principally looks at how

governance arrangements influence their very construction. This also means that it is not the main role of the thesis to take sides in debates about the effectiveness and legitimacy of the OMC. Instead, it goes beyond existing differences in opinions about the potentials of the OMC and incorporates the most important themes identified by official documents and the existing literature.

Parallel to those discussed in the first section, all theories on the OMC highlight important features of the SPC that should be taken into account throughout the empirical analysis. First, theories on deliberative governance – similarly to deliberative supranationalism and deliberative intergovernmentalism – emphasise the important role of committees as sites of consensus-oriented communication. These approaches stress that the OMC is a voluntary and non-binding process which rests on flexible and informal rules of policy coordination. Though not using the concept of deliberation itself, the conceptual framework of the dissertation will also emphasise the important role of consensus-seeking within the SPC.

The concept of deliberation is used widely both as a normative and as an analytical concept. However, sometimes this distinction is not made clear, which is a source of potential misinterpretations. Furthermore, even if the intention is to apply the concept solely as an analytical category, it is very difficult not to take into consideration its normative implications. As a result, studies that rely on the analytical concept of deliberation might unintentionally join debates about the democratic legitimacy of specific governance arrangements. Since it is not the goal of this dissertation to join this debate, neither it is to suggest that the OMC might be legitimated on deliberative grounds, the concept of deliberation will not be used.

Second, besides consensus-seeking, the other aspects of deliberation that are usually distinguished in the literature are the accommodation of diversity, participation/inclusiveness

and policy learning. These terms also appear in official documents on the OMC defining its main features. Among these features, it is especially the issues of diversity and policy learning which are important to look at in connection with the post-enlargement institutionalisation of the SPC. The issue of participation or inclusiveness is certainly important for the OMC, though it is less directly related to the SPC itself. Nevertheless, while not informing directly the conceptual framework, the ways in which committee members evaluate the importance of participation within the OMC will be briefly discussed (see chapter 4).

Third, as Heidenreich and Bischoff (2008) show, it is important to focus on institutional and organisational aspects of the SPC and stress that informal 'rules of the game' are continuously redefined by participating actors (committee members among them). The crystallisation of this process (referred to as institutionalisation) influences the effective functioning of the whole OMC. Similarly, in line with deliberative intergovernmentalism, Jacobsson's (2004) concept of discursive regulatory mechanisms draws attention to the importance of such actors' commitments to cooperation procedures in affecting the potentials of the process. The conceptual framework of this dissertation will also concentrate on the different actors' commitments to the rules of the game within the SPC.

Fourth, rationalist approaches, especially the theory of 'two-level games' applied by Büchs (2008), emphasise the politics of the OMC and the strategic 'uploading' of policy issues to the European level. Again, OMC committees are crucial sites for influencing such an 'upload'. In the case of this thesis, this is certainly an important aspect to keep in mind since one of the goals is to analyse how enlargement influenced the European policy agenda through the SPC.

Finally, conceptualisations of the OMC as a political and policy discourse highlight that the SPC should be analysed taking into account the context in which it operates. Furthermore, since this 'discourse emerges as the product of a complex web of networks,

forums and arenas' (Barbier 2004, 6) and it influences policy-making at the national level, it becomes essential to study the discursive interactions of actors in important fora, in this case in the SPC.

# Chapter 2. Discursive Institutionalisation: A Framework for Analysing the Impact of Enlargement on a Micro Level

The introduction argued that the 2004 enlargement constitutes an important momentum with the potential to influence the functioning of the SPC. As a second step, chapter 1 reviewed prominent conceptualisations of committee governance in the EU and summarised the characteristics of the semi-formal institutional environment of the OMC in which the SPC operates. On this basis, this chapter outlines an analytical framework with two important objectives. First, the framework aims to grasp the informal (see section 1.1.2) or fragile nature of the institutional context of the SPC. Second, assuming that governance arrangements are not neutral and can influence policy outcomes, it intends to provide guidance for the analysis of the enlargement-induced dynamics of institutional and policy development and change. Following actor-centred constructivist conceptualisations of committee governance and the OMC presented in chapter 1, this conceptual framework centres attention on actors' perceptions and commitments.

As chapter 1 showed, the SPC consists of a transnational network of experts and public officials who continuously and repeatedly interact based on jointly constructed informal rules. One of the most important characteristics of such a setting is that there are no formal or public sanctions for not following the rules, only private peer pressure. On this basis, a question that necessarily arises is how compliance with informal rules or institutional practices can be sustained and how the self-commitment of committee members – and in turn that of the member states – can be generated. As chapter 1 discussed, Puetter (2006, 2007) emphasises the role of deliberation and consensus-seeking in inducing such generation of commitments. This essentially implies that if committee members are 'committed to

cooperation procedures' that they themselves had set up, rule-following becomes possible (Jacobsson 2004, 366). This commitment has a necessary normative element: actors should perceive the adopted rules as appropriate, or to use a stronger expression, as legitimate (Christiansen et al. 2004, 12).

In the case of the SPC, commitment is needed in two important respects: commitment to procedures or to informal exchanges, and commitment to policy guidelines that are the outcomes of these exchanges. For example, as Maarten A. Hajer and Hendrik Wagenaar (2003) argue, 'politics in new political spaces is never only about content, but inevitably also about the rules of the game and the dynamics of credibility' (Hajer and Wagenaar 2003, 9). In other words, policy-making 'is not simply about finding *solutions* for pressing problems, it is as much about *finding formats that generate trust* among mutually interdependent actors' (Hajer and Wagenaar 2003, 12, emphasis original). There is certainly an important link between the two dimensions of commitment or 'trust': the commitment to the rules of the game in an informal setting is often regarded as a precondition for the commitment to or trust in the policy content and guidelines (Jacobsson 2004, Puetter 2006; see also chapter 1).

Enlargement has brought the inclusion of new actors into the policy coordination process with potentially weaker commitments to existing procedures and policy principles. These new actors did not participate in previous negotiations about institutional rules and policy objectives, thus are more likely to question their appropriateness or to interpret them differently (see Lindner and Rittberger 2003). On this basis, in order to grasp the potential impact of enlargement in such informal contexts, the analytical framework of this dissertation concentrates on the micro-level: the interactions, perceptions and commitments of actors participating in the SPC.

In this perspective, the *informal institutional change* of governance arrangements and policy outcomes come about when actors interpret new circumstances and adapt to perceived

changes. Enlargement and the inclusion of new members into coordination processes presents such novel conditions, thus can give room for rule contestations and new interpretations and understandings. Therefore, in the framework of this dissertation, enlargement is treated as a source of *endogenous institutional change*. This change has two interrelated dimensions: the change of governance arrangements and that of policy objectives or policy foci. While many have analysed the links between organisational factors and policy developments, the parallel changes of these dimensions are rarely examined empirically – the approach of deliberative policy analysis (Hajer 2003a, 2003b, Hajer and Wagenaar 2003) being a prominent exception. The aim of this chapter is to construct an analytical framework which can connect these two aspects of institutional change.

The chapter proceeds as follows. The first section reviews prominent theories of policy change in beyond-the-state contexts, with a special focus on discursive institutionalism (Schmidt 2002, Schmidt and Radaelli 2004a, 2004b). This latter framework is one of the most comprehensive institutionalist approaches conceptualising the role of discourse in bringing about policy change. However, as will be shown, although discursive institutionalism can successfully theorise the interrelationship of discourses, institutions and policy change, it does not include the study of changing governance arrangements. Therefore, the second section of this chapter looks at different conceptualisations of institutional design and endogenous institutional change. This review also includes discussion on the notion of inter-subjectivity (Hajer 2003a, 2006, Hajer and Versteeg 2005, Widmaier et al. 2007) and the concept of institutionalisation (Olsen 1997, see also Heidenreich and Bischoff 2008) that can serve as a basis in the development of an analytical framework suitable for the goals this dissertation.

After this overview, the third section of the chapter constructs the analytical framework of the dissertation. In the constructed framework of *discursive institutionalisation*, both policy principles and governance arrangements are seen as 'discursive', as they are

contested and 'created through deliberation' (Hajer 2003a, 176). In other words, institutional communication is seen to assist the establishment of 'the boundaries between acceptable and unacceptable EU-coordinated action' (Teague 2001, 20; see also Carmel 2005). This means that one has to focus on the ways in which the actors involved in such governance processes perceive, enact, and make sense of these processes and their outcomes. Finally, the last section turns to the methodology of the empirical research and illustrates how this analytical framework can be applied to the case of the SPC.

## 2.1 Theories of Policy Change and Learning in a Transnational Context

The following paragraphs present prominent approaches of policy learning and change with special focus on transnational or beyond-the-state contexts. The first sub-section reviews theories of policy construction focusing on the role of 'norm entrepreneurs' (Finnemore and Sikkink 1998), 'epistemic communities' (Adler and Haas 1992, Haas 1992), 'advocacy coalitions' (Sabatier and Jenkins-Smith 1993, Sabatier 1998), or 'discourse coalitions' (Hajer 1993). These theories can help to conceptualise participating actors in the SPC as 'agents of change'. The second sub-section then discusses Vivien A. Schmidt's framework of discursive institutionalism (Schmidt 2002, Schmidt and Radaelli 2004a, 2004b) which provides a comprehensive institutionalist account on policy change. This theory relies on the approaches outlined in the first sub-section, but emphasises more explicitly the role of the institutional setting in which policy actors interact. Though discursive institutionalism was primarily developed to explain current policy changes in European welfare states from an institutionalist perspective, it was also applied to the context of the European Union.

## 2.1.1 Theories of Policy Construction, Change and Learning

Theories of policy construction focus on how and when policy ideas – norms, 'policy paradigms' (Hall 1993), frames – are developed and changed. This section reviews some of the most influential theories which all focus on particular interactions of different groups of actors centring on – or partly also applied to – beyond-the-state contexts. The review aims to reveal (1) how the different approaches conceive ideational change or policy learning; (2) how actors' interactions are conceptualised; and (3) whether and how attention is paid to the institutional or organisational context of the agents of change.

Martha Finnemore and Kathryn Sikkink's framework conceptualises international norm dynamics[18] by focusing on the role played by a specific group of actors: 'norm entrepreneurs'. In this framework, norms are defined as 'standard[s] of appropriate behavior for actors with a given identity' (Finnemore and Sikkink 1998, 891). The authors argue that each norm has a 'life cycle' which has three stages: 'norm emergence', 'norm cascade' and 'internalization' (Finnemore and Sikkink 1998, 895). In the first stage – which is the most relevant for this discussion – norms emerge through the strategic framing of norm entrepreneurs. This means that such agents of change draw attention to particular issues or problems in a way that their 'framing' resonates with existing norms and understandings (Finnemore and Sikkink 1998, 897). In other words, norm entrepreneurs try to persuade important actors – mainly states – that the problem in question is relevant. If they succeed to persuade a 'critical mass' of states, the norm reaches a 'tipping point' after which the norm is adapted by more and more countries through the mechanism of socialisation (Finnemore and Sikkink 1998, 902). This is the stage of norm cascade. Finally, the norms become 'so widely

---

[18] Besides Finnemore and Sikkink's conceptualisation, there are several articles on international norm dynamics and norm compliance (see e.g. Chayes and Chayes 1993, Checkel 1999). However, since this thesis is not interested in norm compliance by states as such, it does not review all the existing approaches. The article of Finnemore and Sikkink (1998) was selected because of their theorisation of norm emergence, strategic framing and the role of norm entrepreneurs.

accepted that they are internalized by actors and achieve a "taken-for-granted" quality' (Finnemore and Sikkink 1998, 904). Following this analogy, though the context is completely different from the one described by Finnemore and Sikkink (1998), SPC members can be regarded as norm entrepreneurs who draw attention to specific problems within social protection and social inclusion and try to persuade EU member states through the OMC to commit themselves to certain goals.

Nevertheless, this framework of norm dynamics only vaguely includes suggestions about who these norm entrepreneurs are and what their organisational background might be. Finnemore and Sikkink (1998, 899) argue that such actors need an 'organisational platform from and through they can promote their norms'. According to the authors, if such an organisational platform is an established international organisation – and not a nongovernmental organisation constructed specifically for the given purpose – then this organisation might 'filter the kinds of norms emerging from it', for example through its organisational structure or recruitment practice (Finnemore and Sikkink 1998, 899). However, the question how such structures shape actors' norms and behaviour is not discussed within this framework.

A more specific conceptualisation of such entrepreneurial action is that of 'epistemic communities' (Adler and Haas 1992, Haas 1992). EU committees are often described as constituting such epistemic communities. As chapter 1 discussed, epistemic communities are defined as knowledge-based networks of experts with shared norms, beliefs and a common policy enterprise. As Haas (1992, 4) argues, epistemic communities 'become strong actors at the national and transnational level as decision makers solicit their information and delegate responsibility to them'. This way such transnational expert communities influence the definition of state interests and ideas, and hence also the policy formation on a national level. Together with Emanuel Adler, they describe this process with the notions of 'policy learning'

and 'policy evolution' (Adler and Haas 1992). The authors emphasise that policy learning is a political process in which shared meanings develop. Thus, policy learning leads to 'changes in the epistemological assumptions and interpretations that help frame and structure collective understanding and action' (Adler and Haas 1992, 385). This can be regarded as an 'evolutionary' development with four main steps: 'policy innovation, diffusion, selection and persistence' (Adler and Haas 1992, 373).

In this framework, actors' interactions within an epistemic community are 'guided by various kinds of normative and causal beliefs' which form the basis of solidarity between members of the epistemic community (Haas 1992, 20). Furthermore, the knowledge about certain problems and 'cause-effect links' within such a community is – or becomes – consensual (Haas 1992, 29). Such consensual knowledge influences the directions of policy change. In the policy coordination process, epistemic communities are said to operate within political and cultural structures that constitute the 'influence and interests of agents' and are themselves constituted by the 'practice and self-understandings' of those agents (Adler and Haas 1992, 371). This means that the rules of the 'coordination game' and the expectations they create influence how epistemic communities can shape policies. These assumptions of inter-subjectivity (see next section) constitute an important element of the final analytical framework of the dissertation elaborated on in Section 2.3.

The previous frameworks dealt with questions related to how a distinguished group of transnational actors influence policy ideas and change. However, these approaches do not explicitly deal with the possibility that there might be different groups of actors with potentially competing or even contradictory agendas. The frameworks of 'advocacy coalitions' (Sabatier and Jenkins-Smith 1993, Sabatier 1998) and 'discourse coalitions' (Hajer 1993) attempt to theorise such situations from different perspectives.

The advocacy coalition framework focuses on specific policy subsystems in which actors are 'aggregated into' a few 'advocacy coalitions' (Sabatier 1998, 103). This framework was originally developed in the context of pluralist interest representation and social movements in the United States, but later was applied to the pluralist institutional architecture of the European Union by Paul A. Sabatier himself. The reason why this approach is reviewed in this section is that it conceptualises potential clashes or disagreements between different groups of agents. Together with the framework of discourse coalitions, this conceptualisation draws the attention to the possibility that members of one committee might not constitute only one epistemic community or coalition, but potentially several.

According to Sabatier (1998, 103), the members of advocacy coalitions, similarly to epistemic communities, share 'normative and causal beliefs' and engage in policy coordination. These advocacy coalitions compete for a dominant position in a given subsystem. In such context, policy change can be induced by 'changes in the real world', 'turnover in personnel' and 'policy learning' (Sabatier 1998, 105). Policy learning can take place within and across coalitions, both of which are important sources of policy change. Advocacy coalitions 'learn' based on new experiences or technical information and adjust their policy beliefs in order to 'better understand the world' (Sabatier 1998, 104). Policy learning across belief systems is hypothesised to be likely, for example, if 'there is an intermediate level of informed conflict between the two coalitions', or 'when there is a forum which is prestigious enough to force professionals from different coalitions to participate' (Sabatier 1998, 106).

Such instrumental and 'neopositivist' understanding of policy learning is often criticised for not being able to explain '*why* and *how* changes come about' (Fischer 2003, 101, emphasis original). Hajer's framework of 'discourse coalitions' is also contrasted with the advocacy coalition approach. Hajer (1993) does not assume that policy learning is about

adjusting causal beliefs in order to find the correct or most appropriate solution for a given problem. He emphasises that '[w]hether or not a situation is perceived as a political problem depends on the narrative in which it is discussed' (Hajer 1993, 44). This implies that the differences between the beliefs of specific coalitions do not only depend on their diverging knowledge of 'technical facts'. Instead, or more importantly, such diverse opinions are shaped by the different narrative story lines through which coalitions construct policy problems. Hence, these coalitions are described as being 'discourse[19] coalitions', the members of which 'share a social construct' or a particular framing of an issue (Hajer 1993, 45). During the political process, actors 'try to impose their views of reality on others' through deliberation, persuasion or even manipulation (Hajer 1993, 45), which becomes the basis of policy 'learning' and change.

In his 1993 article, Hajer only briefly discusses the assumption that discourses are 'tied to specific institutions and actors' and that they can become institutionalised if they are successful (Hajer 1993, 46). However, in his later writings with various co-authors, Hajer theorises the parallel construction of institutional spaces and policy content. Since these conceptualisations are of great relevance for the analytical framework of this dissertation, they are presented in more detail in the next sections. Nevertheless, before turning to this discussion of inter-subjective construction, the next sub-section outlines another discursive framework: that of discursive institutionalism which specifically theorises how discourses that are embedded in different institutional settings can influence policy change.

---

[19] Hajer defines discourse 'as an ensemble of ideas, concepts, and categories through which meaning is given to phenomena' (Hajer 1993, 44).

## 2.1.2 The Framework of Discursive Institutionalism

The conceptual framework of discursive institutionalism was first developed by Schmidt (2002) and was later revised by her and Claudio M. Radaelli (2004a, 2004b). Within this framework, discourses are conceptualised as embedded in institutions, but are enacted and can be changed by actors through institutionalised channels that influence who can have a voice and how. Discursive institutionalism builds upon many theories that deal with changes of meanings in the policy process or policy construction reviewed in the previous section.

Within the framework of discursive institutionalism, discourse[20] is limited to language and communication in the policy-making process. Furthermore, in this conceptualisation, 'discourse serves to explain political events, to legitimate political actions, to develop political identities, to reshape and/or reinterpret political history and, all in all, to frame the (…) political discussion' (Schmidt and Radaelli 2004a, 202-203). Discourse is a series of 'communicative actions' that cannot be understood without the institutional context in which they are enacted. Within this institutional context, the process of communication involves the inter-subjective (re-)construction of social reality, thereby contributing to (and causing) policy change.

The concept of discourse in discursive institutionalism can be best understood through its 'functions' (Schmidt 2002) which involve different types of 'activities' of actors (Schmidt and Radaelli 2004b). Schmidt (2002) distinguishes between two dimensions of discourses: the 'ideational dimension' and the 'interactive dimension'. Within its 'ideational dimension', 'discourse represents the policy concepts and norms, methods and instruments, objectives and ideals contained in a policy programme' (Schmidt 2002, 213). In connection with this 'substantive content' (Schmidt 2002, 212), discourse has two functions: the 'cognitive

---

[20] Schmidt uses the following definition for discourse: 'Discourse (…) consists of whatever policy actors say to one another and to the public in their efforts to generate and legitimize a policy programme. As such, discourse encompasses both a set of policy ideas and values and an interactive process of policy construction and communication' (Schmidt 2002, 210).

function' and the 'normative function'. The 'cognitive function (…) serves to justify a policy programme by demonstrating its superiority' (Schmidt 2002, 213), and does it through the 'logic of necessity' (Schmidt 2002, 218). In addition, the 'normative function (…) serves to legitimize the policy programme by demonstrating its appropriateness' (Schmidt 2002, 213) – thus, the logic behind this function is that of 'appropriateness' (Schmidt 2002, 218).

The other dimension of discourse, the 'interactive' dimension, 'involves not only the groups responsible for generating the policy ideas but also those responsible for taking those ideas from construction to communication to the public' (Schmidt 2002, 230). This dimension also includes two functions. The 'coordinative function' of discourses 'serves to provide policy actors with a common language and ideational framework through which they can act together construct a policy programme' (Schmidt 2002, 230). The other function is the 'communicative' one, which 'serves political actors as the means for persuading the public, through discussion and deliberation' (Schmidt 2002, 230).

The institutional context in which discursive interactions take place is understood as a 'vast range of rules – formal and informal, laws as well as social and political norms and conventions – that set actors' common frame of reference and help shape not only actors' perceptions and preferences, but also their modes of interaction' (Schmidt and Radaelli 2004a, 197). These rules and norms would include, for example, 'the political rules of conduct', 'political governance structures', 'governance processes', 'the industrial relations regime', and 'welfare state values' (Schmidt and Radaelli 2004a, 197). There are two main elements of this definition that show how institutions might shape discourses: (1) institutions provide actors with a 'common frame of reference' and shape their 'perceptions and preferences' and (2) institutions structure the 'modes of interaction' of policy actors (Schmidt and Radaelli 2004a, 197).

Graphs 1 and 2 illustrate these two ways in which institutions influence discourses within discursive institutionalism. The first element is related to the ideational dimension of discourse: institutions influence the 'substantive content' of discourses, and shape '*how discourse matters*' (Schmidt 2002, 212, emphasis original). The second feature of the institutional context is that it influences 'where discourse matters' (Schmidt 2002, 239) and what the main channels of decision-making are – that is, it shapes the interactive dimension of discourse.

Graph 1. *The institutional context and the ideational dimension of discourses in discursive institutionalism*

```
┌─────────────────┐     ┌─────────────────┐     ┌─────────────┐
│ Institutional   │     │ Content of      │     │             │
│ context as      │ ──> │ discursive      │ ──> │ Policies    │
│ institutionalised│    │ interaction and │     │             │
│ ideas           │     │ justifications  │     │             │
└─────────────────┘     └─────────────────┘     └─────────────┘
        ↑                                               │
        └───────────────────────────────────────────────┘
```
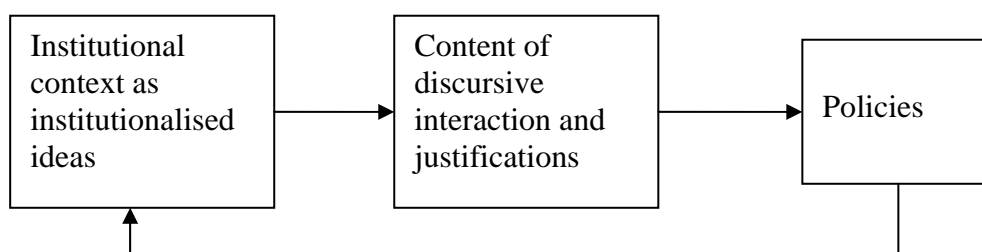
Graph 2. *The institutional context and the interactive dimension of discourses in discursive institutionalism*

```
┌─────────────────┐     ┌─────────────────┐     ┌─────────────────┐
│ Institutional   │     │ Discursive      │     │ Policies and    │
│ context as      │ ──> │ interaction:    │ ──> │ institutionalised│
│ governance      │     │ coordination or │     │ ideas           │
│ arrangement     │     │ communication   │     │                 │
│ (rules)         │     │                 │     │                 │
└─────────────────┘     └─────────────────┘     └─────────────────┘
```
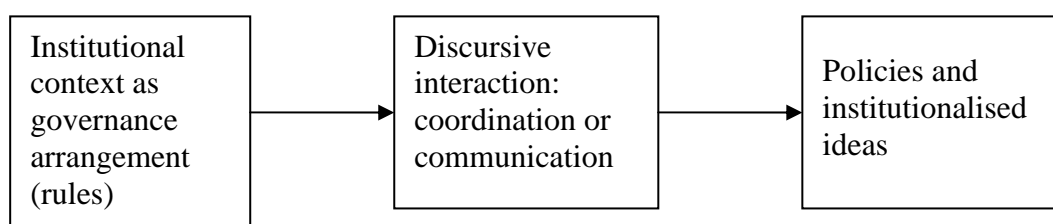
Regarding this interactive dimension, the main argument of Schmidt (2002, 239) is that governance arrangements influence whether coordinative or communicative discourses are central in policy-making. Thus, they influence 'where discourse matters'. Schmidt (2002) argues that although both coordinative and communicative discourses play a role in the case of every governance setting, one of them is usually dominant over the other depending on how institutions are designed. Schmidt (2002) claims that in governance systems where

power is concentrated, communicative discourses dominate, while in multi-actor systems coordinative discourses prevail. One example of Schmidt (2002, 239) is the policy-making process on the EU level: she states that because the EU is a 'multi-actor system' where 'power is dispersed', the coordinative function of discourses is much stronger than the communicative one. This means that political institutions – here mainly as rules – limit or widen the possibilities of actors. Thus, depending on the governance system, the policy-making process either concerns persuading the public about the necessity and appropriateness of policy reforms, or involves coordination between decision-makers. The specific mode of interaction, therefore, influences the way policy change can occur.

While these mechanisms are essential to the understanding of relationships between institutions and discourses, one has to keep in mind the simplifications which are implied as well. Discursive institutionalism makes a distinction between certain types of institutions. On the one hand, this framework includes a group of institutions that are directly related to 'policy paradigms' and 'policy construction': mainly institutionalised ideas, such as 'welfare state values' or 'the industrial relations regime' (Schmidt and Radaelli 2004a, 197). These institutions are regarded as contexts that shape the perceptions of actors. Thus, they are connected to the ideational dimension of discourses. The way in which 'actors convey inter-subjective meaning and enact norms and values' contributes to the change of related policies, and as a consequence, also changes these institutions (Schmidt and Radaelli 2004b, 365). On the other hand, discursive institutionalism defines another group of institutions, such as 'the political rules of conduct', 'political governance structures', or 'governance processes' (Schmidt and Radaelli 2004a, 197), the role of which is to influence the modes of interactions of actors (the interactive dimension of discourses), thereby influencing the change of the first group of institutions. These latter institutions are taken as given; they are treated as static

structures. Furthermore, the framework suggests that not all the institutions shape both dimensions of discourses.

All this implies that the dynamics of institutional change are only partly theorised within the framework of discursive institutionalism: the changes of governance arrangements themselves and their interrelationship with actors' perceptions and policy change are left out. One reason for this is certainly that Schmidt (2002) mainly discusses policy changes occurring on the national level, where governance structures tend to be more static. Nevertheless, in the multi-level setting of the European Union, governance arrangements are undergoing significant changes (Olsen 1997, 2000, Hajer 2003a, 2006, Hajer and Wagenaar 2003). If one aims to map policy change from this broader perspective, one also has to include the role played by the emergence and design of 'new institutional arrangements' (Olsen 1997, 207). Under continuous change and uncertainty, these new governance arrangements themselves become *discursively constructed* and contested (Hajer 2003a). Hence, the next section of the chapter discusses approaches that deal with changing governance arrangements in order to overcome these problems.

## *2.2 Micro-level Foundation(s) of Endogenous Institutional Change*

Scholarly attention has been increasingly drawn to changing organisational or governance arrangements, especially through looking at new modes of governance such as the OMC. As chapter 1 discussed, currently it seems evident that governance structures once seen as well-established can no longer be taken as such, especially in light of the 'European integration project' (Olsen 1997, 208). In the European Union, policies are increasingly formed within newly established and relatively informal organisational contexts – such as the OMC – a phenomenon which brings about new questions on institutional design and change.

There are two types of institutional change distinguished in the literature: exogenous and endogenous, the second being regarded as the more difficult to grasp analytically. Certainly, it might be easier to conceptualise enlargement as a purely exogenous source of institutional change[21], for example on the basis of Peter A. Hall's conceptualisation of paradigm shifts that follow exogenous shocks (Hall 1993). However, doing so would make it impossible to study processes of institutional change which are 'endogenous to the character of institutions' (Greif and Laitin 2004, 634). This is one reason why the analysis of the micro-level foundation of endogenous institutional change has recently gained increasing attention (Farrell and Héritier 2007, Greif and Laitin 2004, Hay 2006, Héritier 2007, Lindner and Rittberger 2003, Rittberger 2003, Stacey and Rittberger 2003, Sandholtz and Stone Sweet 2004, Stone Sweet et al. 2001, Widmaier et al. 2007). This section briefly reviews some of these theoretical approaches that attempt to 'endogenize' institutional change (see Rittberger 2003) and institutionalisation in order to find elements that are applicable to the post-enlargement operation of the SPC.

### 2.2.1 Institutional Self-Enforcement: 'Quasi-Parameters', Rule Contestation and Argumentation by Analogies

Approaches of endogenous institutional change theorise the conditions under which self-enforcing institutions change. This institutional development is seen as dependent on the existing institutional rules and norms themselves. This feature is often labelled as 'path-dependency'[22]. Several of these approaches build on the functionalist and distributional variants of rational choice institutionalism (for an overview see Héritier 2007 and Rittberger 2003), though many of them focus on actors' perceptions and interpretations about

---

[21] As it is done for example by Zielonka (2007), though in relation to EU governance as a whole.
[22] On path-dependency, see e.g. North (1990), or Pierson (2000).

institutional rules within such a rationalist framework. Other conceptualisations emphasise the importance of ideas and rule-interpretations by centring attention on discursive interactions and their role in bringing about institutional adaptation and change. Some examples of these approaches are discussed in turn.

To start with, in the functionalist variant of rational choice institutionalism, an influential article by Avner Greif and David D. Laitin (2004) theorises how 'self-enforcing' institutions change endogenously as a result of changing 'quasi-parameters'. According to the authors, institutions – conceived as game-theoretical equilibria – are 'self-enforcing' because they are 'composed of self-enforcing institutional elements that motivate, coordinate, and enable individuals to follow particular regularities of behavior' (Greif and Laitin 2004, 635). However, for various exogenous reasons, the parameters (e.g. information, wealth, norms) of the situation in which such behavioural regularities take place might change. This can induce institutional change which can be conceptualised as being endogenous in the long run.

'Quasi-parameters' are endogenously shaped parameters: they are 'altered by the implications of the institution under study', thus by the institutional rules themselves (Greif and Laitin 2004, 639). This means that institutions 'can cultivate the seeds of their own demise' by changing the quasi-parameters in a particular way (Greif and Laitin 2004, 634). Nevertheless, as Greif and Laitin (2004) argue, such changes do not necessarily cause institutional change. Institutions can be 'self-reinforcing' if the quasi-parameters are altered in a way that they assist the adaptation of the self-enforcing character of the institution to different situations (Greif and Laitin 2004, 639). In contrast, institutions are 'self-undermining' if quasi-parameters change 'the dynamics of self-enforcing beliefs and the associated behavior' and therefore create the need to find a new equilibrium (Greif and Laitin 2004, 639).

Endogenous institutional change is theorised from a distributional perspective for example by Henry Farrell and Adrienne Héritier (2007) and by Johannes Lindner and Berthold Rittberger (2003). Both frameworks are applied to the governance structure of the European Union. In the conceptualisation of Farrell and Héritier (2007), bargaining over competences among actors continues after an institution was formally created by a European treaty. This bargaining process can result in the creation of new informal rules and hence can lead to institutional change. The goal of such a bargaining process is to make sure that 'ambiguities in institutions (…) are interpreted and are in effect revised in a manner that maximises' the competences of a given actor (Farrell and Héritier 2007, 231). Informality and institutional ambiguity (understood as incomplete contracts) as the source of endogenous institutional change are thus crucial elements of this framework.

Similarly to Farrell and Héritier (2007), Lindner and Rittberger (2003) also distinguish between phases of institutional 'creation' and 'operation' in the EU and examine the conditions under which actors are likely to 'contest' institutional rules in the operation phase. Contestation is defined as a 'tension between various competing interpretations' of informal rules and practices (Lindner and Rittberger 2003, 452). The framework of Lindner and Rittberger (2003) again centres attention on the struggle for the advantageous interpretation of rules, but it specifies the circumstances that facilitate such a re-interpretation process. The authors stress that while institutional creation is shaped by the preferences of the 'enacting coalition', the 'executing coalition' responsible for institutional operation might contest the initial arrangements, especially if there is incongruence in their membership (Lindner and Rittberger 2003, 455). In the case of the SPC, new member states are only part of the executing coalition. Furthermore, contestation is more likely if institutional rules are vague and ambiguous – as they are in the case of the SPC – which occurs more often if the

institutional design was based on 'polity ideas' instead of distributional concerns (Lindner and Rittberger 2003, 451).

The notion of 'polity ideas' was developed by Markus Jachtenfuchs, Thomas Diez and Sabine Jung (1998). As the authors argue, institutional development depends on 'normative ideas about a legitimate political order' (Jachtenfuchs et al. 1998, 410). Therefore, it is necessary to study competing ideas about how political institutions should function, thus to focus on processes of legitimation that justify the existence of certain governance arrangements (Jachtenfuchs et al. 1998, 412). Jachtenfuchs et al. (1998) cite David Easton (1965) who draws the attention to normative beliefs of members of a specific political system as a precondition for the 'willingness to comply' (Jachtenfuchs et al. 1998, 412). Although the authors apply their framework to general 'polity-ideas' and the 'reproduction of legitimacy' in a wide EU polity (Jachtenfuchs et al. 1998, 413), it is certainly important to examine legitimation processes in connection with specific modes of governance and specific actors whose interactions are shaped by these arrangements. For example, chapter 1 showed that the OMC was designed based on a specific understanding of coordination and democratic participation.

'Polity ideas' and distributional concerns are parts of actors' exogenously given preferences in the framework of Lindner and Rittberger (2003). These preferences serve as the micro-foundation of endogenous institutional change. However, as constructivist scholars usually argue, these preferences are also subject to change, for example through the discursive interactions of actors. Such discursive interactions can take place within 'argumentation frameworks', which 'organise how disputants make normative claims and engage one another's respective arguments' (Sandholtz and Stone Sweet 2004, 245-246). In the framework of Wayne Sandholtz and Alec Stone Sweet (2004), the self-enforcing character of

institutions rests in the way actors argue: they 'reason by analogy' (Sandholtz and Stone Sweet 2004, 257), thus rely on existing institutional rules.

The assumption that preferences might change through discursive interactions is often coupled with the theory of inter-subjectivity. Inter-subjectivity does not only imply that institutional rules are interpreted through actors' interactions, but also that actors' own preferences, perceptions and commitments are shaped by the institutional setting in which they act. Thus, actors' interactions give context-specific meanings to such preferences and interests (in the language of Greif and Laitin (2004), they become endogenously shaped 'quasi-parameters'). Such preferences and perceptions concern the 'social reality' and the policy content of discussions – as conceptualised by discursive institutionalism outlined in the previous section – and also normative commitments to, and evaluations of, the 'rules of the game'. As was mentioned above, in the case of informal governance arrangements, actors' changing commitments to organisational rules and procedures are crucial to the functioning of a given institutional setting. Therefore, the concept of inter-subjectivity and the formation of inter-subjective meanings shaped by discursive interactions form an inherent part of the analytical framework of this dissertation. Hence, its potential to be an element of a framework of endogenous institutional change is discussed in a separate sub-section.

## 2.2.2 The Inter-Subjective Construction of Governance Arrangements and Endogenous Institutional Change

Paying attention to the inter-subjective construction of governance arrangements is especially crucial in the case of institutional ambiguity. As was shown above, the concept of institutional ambiguity is an important building block of many approaches theorising endogenous institutional change. In the interpretive conceptual framework of Hajer (2006) and him and

Wytske Versteeg (Hajer and Versteeg 2005), institutional ambiguity refers to a situation where

> there is no single 'constitution' that pre-determines where and how a legitimate decision is to be taken. Actors bring their own assumptions about rules and authority. Consequently, the policy process itself becomes the site at which rules need to be negotiated (Hajer 2006, 43).

This implies that a negotiation or deliberation process itself is crucial in bringing about shared notions of rules, authority, and legitimacy.

There are two important assumptions behind the inter-subjective construction of governance arrangements. First, as also suggested by Farrell and Héritier (2007) and Lindner and Rittberger (2003), institutional practices[23] serve to *legitimise and interpret institutional arrangements*. These practices are conceptualised as discursive by Sandholtz and Stone Sweet (2004). Hence, these arrangements are not simply designed to be 'multi-actor' or 'single-actor' systems' as discursive institutionalism assumes (Schmidt 2002); they are interpreted and accepted as such. This interpretation process concerns the normative basis of institutional design and the different roles played by relevant actors within specific governance arrangements. Second, institutional structures *create* their own actors, who continuously enact and interpret institutional norms and procedures, bringing 'each … other into being' (Hajer and Wagenaar 2003, 20).

Thus, in the inter-subjective construction of governance arrangements, institutional practices bring about normative principles of legitimation. These principles are communicated and performed by actors who take part in this practice. In other words, institutions shape and legitimise the interactions of actors and vice versa: actors who participate in policy processes discursively enact and legitimise governance arrangements. Graph 3 illustrates this inter-subjective relationship.

---

[23] According to Colin Hay (2006, 58), institutions can be defined (in the constructivist variant of institutionalisms) 'as codified systems of ideas and the practices they sustain'. Nonetheless, as Hajer and Wagenaar (2003) argue, 'practice' is not a 'synonym for action', but this term 'integrates the actor, his or her beliefs and values, resources and external environment' (Hajer and Wagenaar 2003, 20).

Graph 3. *The inter-subjective construction of governance arrangements*
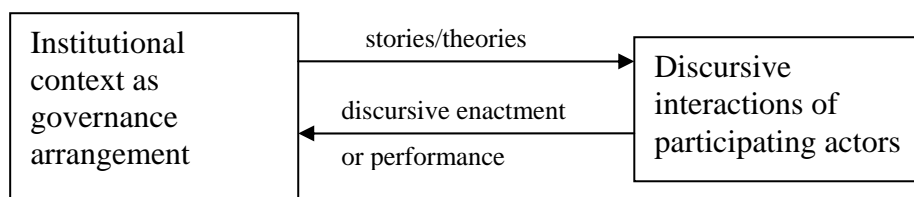


As Graph 3 shows, the inter-subjective construction of governance arrangements consists of two main interacting processes. First, 'stories' or 'world views' (Jachtenfuchs 1995) about how an institution should work in an acceptable way shape how actors interact and perceive these interactions. Thus, procedures and experiences of cooperation transform actors and their perceptions (Hajer and Versteeg 2005, Olsen 2000). Or in the words of Jachtenfuchs (1995, 116), 'institutions create theories about themselves which in turn have consequences for the interaction of actors'. To take an example related to the SPC, chapter 1 showed that the idea of consensus-orientation is often referred to as an abstract normative[24] 'organising principle' (Wiener 2007) of this mode of governance. According to Antje Wiener (2007), organising principles are norms that 'structure the behaviour of individuals or groups' evolving 'through the process of politics and policymaking' (Wiener 2007, 9). These norms, thus in this case the ideal of consensus-orientation, provide a point of orientation in judging how actors behave and interact within the SPC, as well as influence their identities and their perceptions of these interactions. Thus, consensus-orientation provides a reference point for interactions that are necessarily evaluated along these lines.

Second, communicative actions about a perceived institutional arrangement can construct that arrangement (March and Olsen 1989, 47). Thus, institutional practice and the

---

[24] The term 'normative' is linked to the assumption that governance arrangements influence participating actors' perceptions of appropriate behaviour or their definitions of legitimacy. On this 'logic of appropriateness', see March and Olsen (2004). Thus, the term 'normative' does not refer to normative theory but to the important role of norms and ideas in constructing reality and influencing behaviour. On the social construction of reality see especially Berger and Luckmann (1966).

participation of actors within an institutional framework contribute to the construction of the above principles. In other words, key principles are contested and gain new meanings through institutionalised discourses (see Wiener 2007). This means that these normative 'organising principles' are performed and (re-)constituted through the interactions of actors within given institutional settings, and in the case of this dissertation, within the SPC. To stay with the example of consensus-orientation: if actors who participate in the SPC commit themselves to the normative principle of consensus-orientation, define it within a certain institutional framework and enact this principle during their interactions, they re-construct the 'myth' of consensus and contribute to the development of the OMC as consensus-based governance. At the same time, their interpretation(s) of consensus-orientation will be specific to their particular institutional context.

The question that remains is how institutional change triggered by events such as the enlargement of the EU can be put in a framework of endogenous institutional change relying on the concept of inter-subjectivity. As was referred to above, enlargement-induced institutional change can be treated as endogenous, despite the fact that at first sight it might seem to be an exogenous shock to an existing, though continuously re-negotiated set of rules. The framework of Wesley W. Widmaier, Mark Blyth and Leonard Seabrooke (2007) provides a good basis for 'endogenizing' institutional adjustments after the enlargement. In their article on the meanings of wars and crises, the authors claim that 'even exogenous shocks must be interpreted' and define such shocks as 'events which agents intersubjectively interpret as necessitating change' (Widmaier et al. 2007, 748). Similarly, Alec Stone Sweet, Niel Fliegstein and Wayne Sandholtz (2001, 10) also argue that '[c]hanges in the external environment seldom have a clear, self-evident meaning; actors seek ways to interpret and understand crises and shocks'. This implies that whether or not actors interpret an event as a

shock will depend on their *existing interpretations about the rules and purposes of the institutional setting*[25] in which they interact.

On this basis, the 2004 enlargement can be regarded as an endogenously interpreted exogenous shock. The specificity of the OMC and the SPC is that the institutional framework was designed having the – then future – enlargement in mind. Thus, the very ambiguity and informality of the institutional setting has already a connection with EU enlargements. For this reason, as chapter 1 showed, Best (2008, 238) argues that 'it is inappropriate to talk of a specific impact of enlargement on the development and perspectives of the OMC'. However, the above assumptions draw attention to the fact that if actors participating in the social OMC's main forum, the SPC, interpret enlargement as necessitating change – and the analysis which follows in chapters 3 to 6 will show that many of them do – then it can be expected that this event becomes a basis for substantial institutional change.

Nonetheless, since this potential change involves the re-interpretation of existing rules, these rules remain a point of reference for all actors – old and new – strengthening the self-enforcing character of institutional frameworks (see Sandholtz and Stone Sweet 2004). This self-enforcement and continuous reinterpretation through processes of 'routinisation' and 'standardisation' (Olsen 1997, Olsen 2000) makes it also necessary to review the concept of institutionalisation which draws attention to the different elements of the institutionalisation process which might or might not be contested by new actors.

---

[25] The term 'institutional setting' usually refers to the formal rules or arrangements based on which an organisation or institution operates. For example, in deliberative intergovernmentalism reviewed in chapter 1, the concept incorporates such institutional attributes of committees as group size, agenda, or the organisation of meetings (Puetter 2006). In this thesis, the term 'institutional setting' is used in a broader sense including the normative context of such rules, arrangements and practices of interactions.

## 2.2.3 The Institutionalisation of Governance Arrangements

If governance arrangements that shape the dominant mode of interaction are themselves discursively constructed and repeatedly contested, then these interactions can be regarded as 'performative' (Hajer 2006, Hajer and Versteeg 2005). If one assumes that discourses are speech *acts*, then the 'contextualised interaction itself is seen as producing social realities' (Hajer and Versteeg 2005, 345). Performing policy processes within certain institutional contexts brings about 'living institutions' in which rule-reinterpretations are key (Olsen 2000). Thus, living institutions develop through the process of institutionalisation (Olsen 1997, 2000). When actors enact and interpret certain organisational rules and norms and they do so in a more and more regular way, the process of institutionalisation starts. In the context of the OMC and SPC, such institutionalisation might involve (1) 'new [policy] discourses', (2) 'new practices and techniques of knowledge-generation', (3) 'new expectations' about potential impact, and (4) 'new forums of actor-interaction' (Armstrong 2003, 173; see also Heidenreich and Bischoff 2008).

In the definition of Olsen (1997), institutionalisation is a process that involves: (1) 'structuralization and routinization of behavior'; (2) 'standardization, homogenization and authorization of codes of meaning and ways of reasoning'; and (3) 'linking resources to values and world-views' (Olsen 1997, 213). The following paragraphs (re-)present Olsen's definition in a way that the inter-subjective construction of meanings through actors' interactions remains an important assumption.

The first element of institutionalisation, according to Olsen (1997, 213), is the structuralisation and routinisation of behaviour within governance arrangements. When focusing on discursive interactions, this behaviour can be interpreted as the mode of interaction: the way of discussing, communicating and interpreting issues. Modes of interaction or 'requirements of communication' (March and Olsen 1995, 175) become

conventionalised, well-established and legitimate while adapting to formal and informal rules which are less and less contested and directly reflected on. As a result of a series of discussions and interpretative practices, actors begin to perceive their role, the structures they act in and the legitimacy of their decisions more and more similarly. Thus, institutional practice does not only produce appropriate policy standards, but also generates specific normative principles and contributes to the establishment of new acceptable decision-making procedures. All through the institutionalisation process, actors' continually enact and interpret the existing institutional setting itself, but this becomes decreasingly visible and evident.

As far as the second element, the 'standardization, homogenization and authorization of codes of meaning and ways of reasoning' (Olsen 1997) is concerned, it refers to the situation where actors in an institutionalised setting start to use the same frames of references, same type of justifications and normative evaluations in their discourses. Thus, they become a 'discursive community' (see Schmidt 2002). In the process of institutionalisation, institutional structures develop their own 'accounts', which 'define the meaning of history, the options available, and the possibilities for action' (March and Olsen 1995, 46). These accounts are used 'to explain, justify, and excuse action' in all discourses (March and Olsen 1995, 142). Certainly, these accounts are repeatedly contested and re-interpreted. However, these contestations tend to be increasingly self-enforcing in an institutionalised setting.

Finally, the third element of institutionalisation in Olsen's framework is 'linking resources to values and world-views', which means that 'resource mobilization and principles of resource allocations are routinized' and accepted as legitimate (Olsen 1997, 213). James G. March and Olsen (1995, 92) distinguish four types of resources or 'capabilities': 'rights and authorities', 'political resources', 'political competencies' and 'organizing capacity', all of which develop distinctively within specific governance arrangements. If resources or capabilities are conceptualised as being inter-subjective, then they are seen as dependent on

the perceptions and interpretations of actors that evolve through discursive practices. Individual capabilities and resources are context-dependent, so are power and authority.

Modes of interaction require and facilitate certain distributions of power: for example, in a setting that is interpreted to be coordinative, power is typically seen as being 'dispersed' (Schmidt 2002, 239). This means that participants tend to perceive each other more as equals in such a setting. The institutionalisation of governance arrangements strengthens these perceptions and routinises modes of resource mobilisation. Nevertheless, this process does not prevent their repeated reinterpretation. Examples for such context-specific resources in a policy-shaping institutional setting can be, for example, 'technical knowledge', the 'seniority' of participants, or 'credibility, professional reputation and respectability' (Puetter 2006, 25-26).

## 2.3 Discursive Institutionalisation: Main Elements and Guidance for Empirical Research

The previous two sections reviewed institutionalist theories that conceptualised either policy or organisational change, primarily those focusing on the role of discursive practices. The first section showed that institutionalist approaches to policy change – discursive institutionalism among them – often make a distinction between two types of institutions: those that are discursively constructed (policy ideas), and those that influence this construction process but are themselves static (governance arrangements). The second section brought in theories that provided insight into how the endogenous change of organisations or governance arrangements might be conceptualised and analysed based on notions such as 'quasi-parameters', rule contestation and re-interpretation and inter-subjective construction.

Building on this insight, the following assumptions are made, which are important elements of the analytical framework of this thesis: (1) the design of governance

arrangements has normative elements, because it *legitimises* specific modes of interaction; (2) these modes of interaction can serve a normative function and *shape the perceptions* of actors; consequently (3) the normative basis of the appropriate setting and the mode of interaction is continuously enacted, performed and *discursively reconstructed* by the relevant actors; (4) this *inter-subjective* construction of governance arrangements can acquire a certain degree of stability through the process of *institutionalisation*; (5) this institutionalisation process is influenced by changes such as the enlargement of the EU, which is expected to bring about new dynamics of *rule contestation*; (6) this rule contestation contributes to or influences *policy contestation*; and consequently (7) the institutionalisation process has an impact on the possibilities of actors to bring about *policy change*.

This section shows how these assumptions can guide an empirical analysis on the SPC. Graph 4 illustrates relationships discussed in the previous sections among institutions, discourses and policies within an integrated analytical framework. In the perspective of this framework, there is no clear direction of influence between governance arrangements and policies (e.g. the one described by Schmidt (2002) in which governance arrangements influence the modes of interaction through which values and policies change). Therefore, discourses cannot be conceptualised as 'causes' of policy change. Hence, this project follows Thomas Diez (2001, 98) who suggested that 'discourses do not "cause" but *enable*'.

Thus, in Graph 4, the arrows show relationships and directions of non-causal influences. Grey dashed lines illustrate relationships or phenomena that are not dealt with throughout the current dissertation project, partly because they have been already analysed by several authors – most prominently by Schmidt and Radaelli (see section 2.1.2). The more challenging task now is to analyse *the mechanisms of the inter-subjective institutionalisation of governance arrangements and their relationship with policy change*, thus the mechanisms of adjustment and contestation through which enlargement influences how the SPC operates

and what policy issues it discusses. These mechanisms are not hypothesised *a priori*, but are established through the empirical research (see next section). The purpose of the analytical framework, therefore, is to draw attention to potential linkages and to provide 'lenses' through which certain practices can be analysed.

Graph 4. *Discursive institutionalisation*
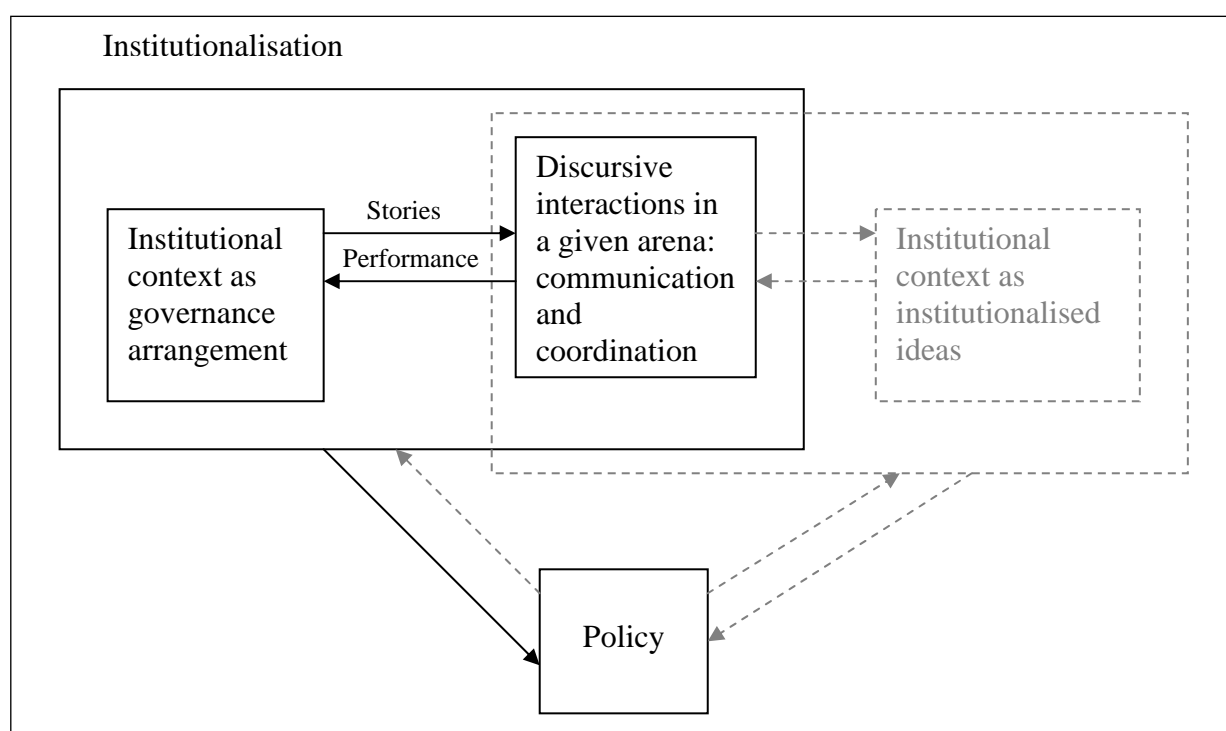


The main phenomena that have to be studied based on the framework of discursive institutionalisation are the following (see also Graph 5). First, there is a need to analyse how *modes of interaction* or 'standardised procedures'[26] (Wiener 2007) are *routinised* and how this routinisation shapes the *role perceptions, identities and 'resources'* of actors. Such routinisation of discursive practices takes place within a given forum or arena, in this case, the SPC. Relationships between actors and power distributions can certainly influence the participation of committee representatives. Therefore, it is essential to study how resources

---

[26] In Wiener's formulation, standardized procedures are rules or working practices which 'entail detailed and clearly articulated advice for specific activities' (Wiener 2007, 9).

are perceived to be distributed within this forum. Furthermore, within a discursive framework, policy discourse is regarded as being '*constitutive* of political identities' (Hajer 2003b, 89, emphasis original). Thus, it becomes indispensable to pay attention to the normative standpoints and self-perceptions of the different actors (from old and new member states) and their identities that is shaped by the institutional setting of the SPC (for a similar research, see Egeberg et al. 2003). In connection with this task, one especially has to look at how enlargement is perceived as an episode in the institutionalisation process: whether and how it is perceived as necessitating change. In addition, one needs to examine how enlargement is linked to actors' interactions, role perceptions and resource mobilisation.

Second, one has to examine existing *institutional 'stories'* about the governance arrangement (the SPC and the OMC) and the way these stories are reconstructed by actors participating within a given institutional context. Institutional stories or narratives (or 'theories' in Jachtenfuchs (1995)) consist of normative ideas or concepts that are used to describe a political institution or organisation by those designing and/or performing within the given organisation. To recall, these are important to study since the institutional context – as governance arrangement – is seen as discursively constructed. Thus, stories are related to the *acceptable modes of interaction*, their interpretation and the commitment to certain normative organising principles. The analysis of institutional stories should reveal how the institutional framework of the SPC is perceived, enacted, and legitimised through discursive practices as 'rituals of legitimation' (Thedvall 2005). Thus, one of the questions that guides the research in this case is about the modes of interaction that are seen as *the* appropriate and '*the* legitimate ways of reaching decisions' (Egeberg 1999, 460, emphasis original). As was introduced above, institutions can be deliberately created or designed based on certain normative principles, which principles shape and are shaped by actors' interactions.

Enlargement brought about the inclusion of new participants who can potentially contest standardised justifications and partly institutionalised normative principles. Thus, through the 'drastic increase' (Puetter 2007, 29) of actors participating in the coordination processes of the SPC, enlargement can increase institutional ambiguity and provide opportunities for rule contestations and new interpretations and understandings. As was discussed above, enlargement can be regarded as a source of endogenous institutional change. Hence, its importance is marked by interpretations of the actors themselves and how they connect this event to the development of new stories and potentially changing discursive interactions. This implies that enlargement – if interpreted as providing a new context – is conceptualised as an event that influences the mechanism of inter-subjective institutionalisation as a whole (see Graph 5). As the introduction argued, the enlargement-induced re-interpretation process does not only contribute to the institutionalisation of the SPC but also that of the OMC and soft modes of governance in general (see also Hartwig and Meyer 2002[27], Heidenreich and Bischoff 2008).

Finally, the last empirical task is to investigate how these discursive enactments and the process of contestation influence *policy developments*, thus the policy substance of discussions. As this chapter has emphasised, this analysis links parallel institutional changes: that of governance arrangements and policy ideas. In other words, as was already mentioned above, this study assumes that governance arrangements are not neutral and do influence the content of discourses. This implies that enlargement can influence policy developments in two ways. First, it can serve as an argument and a reference point for certain groups of actors to bring new issues into the discussion (see Hay and Rosamond 2002) or 'upload' them

---

[27] Ines Hartwig and Christoph O. Meyer (2002) deal with the interactions among actors within a policy co-ordination process as one intervening variable through which legal provisions shape governance practices in the EU. This framework discusses similar ideas, though with very important differences. For one, this study is not interested in a one-way causal chain between legal provisions, interactions and institutional evolution as such, but in the inter-subjective relationship between discursive interactions and governance arrangements and in the mechanisms through which these governance arrangements are enacted, legitimised and contested.

(Börzel 2002) to the European level. Nevertheless, these actors also act within a given institutional setting and thus must respect the rules of the game – or successfully contest them. Second, enlargement can have an impact on policy developments through potentially inducing the contestation of institutional stories and the modes of interaction. To take examples of potential post-enlargement scenarios, while changing discourse coalitions can be expected to alter the final outcome of discussions and thus the content of documents released by committees, if the norm of consensus-orientation is accepted then more radical positions cannot be put forward or agreed upon. Or, if new participants act more as passive observers who are there to learn, then it is less likely that they will significantly challenge the existing policy objectives and a relatively fast standardisation of policy frames is likely to happen.

Policy developments examined in the dissertation are policy changes primarily on the European level and not on the national level. Thus, while the dissertation looks at examples of the national level implementation of certain policy principles, it is not principally concerned with the national impact of the OMC. Nonetheless, this does not mean that the relevance of studying the European level is not connected to the actual and potential impact of policies on the national level. Certainly, there is assumed to be an important link between the European and the national levels when one considers the role of the OMC. As the previous chapter discussed, the OMC has been designed to promote policy learning among EU member states and 'greater convergence towards the main EU goals' (Council of the European Union 2000a, para 37). Thus, consensual policy objectives that are agreed upon at the European level should be able to lead to policy changes on the national level. As one NGO representative described the OMC, 'the emerging priorities [on the European level], they come from the national level, and then they have an impact again [on the national level]' (anonymous interview, interviewee E2). Although many criticise the OMC showing that this effect is very weak if it is present at all, early evidence suggest that the OMC has an impact on national level policy-

making. Therefore, it is important to pay attention to the 'policy frames' (Rein and Schön 1993, 1994) that the process produces.

There are two main reasons for this. Firstly, in general terms, policy frames can be defined as particular interpretations and representations used by actors 'to construct the problem of a specific policy situation' (Rein and Schön 1994, 33). This implies that 'policy "problems" [and solutions] do not exist separate from their representations' (Bacchi 2004, 131). In other words, policy problems emerge through the discursive interactions of participating actors. Thus, in the context of the SPC and the OMC, when 'cognitive frames' are produced on the European level, they reflect a 'European political vision' in social protection and social inclusion and provide a theme for national reports (Daly 2007, 10). Hence, it is important to analyse how policy problems are formulated and by whom in different contexts, countries and levels.

Secondly, depending on the self-perceptions of committee members, the OMC has the potential to have long-term impact on national policies through framing mechanisms and through giving opportunities to national level actors. As chapter 1 described, the OMC is the main coordination mechanism in the field of social protection and social inclusion and as such, is an important source of inspiration for national level actors – also through members of the SPC[28]. As Schmidt and Radaelli (2004b, 377) argue, Europeanization has an 'inter-subjective quality', which means that 'adaptational pressure is not an external "objective" entity, but it is constructed in EU and domestic political discourses'. In this sense, domestic actors do not simply adapt their national-level policies and discourses to European requirements and goals, but they also re-construct and re-define these goals and use them in their own national context. This 'usage' of Europe refers to 'seizing the European Union as a set of opportunities' by various actors on the national level (Jacquot and Woll 2003). In this

---

[28] For example, if SPC delegates see themselves as being part of an epistemic community and behave accordingly, their influence on national developments and thus policy learning become more likely (see also the literature on policy learning, e.g. Haas 1992, reviewed in the first section).

sense, the impact of soft governance mechanisms can be more substantial than it is often expected.

Graph 5. *Tasks of the empirical research based on the framework of discursive institutionalisation*
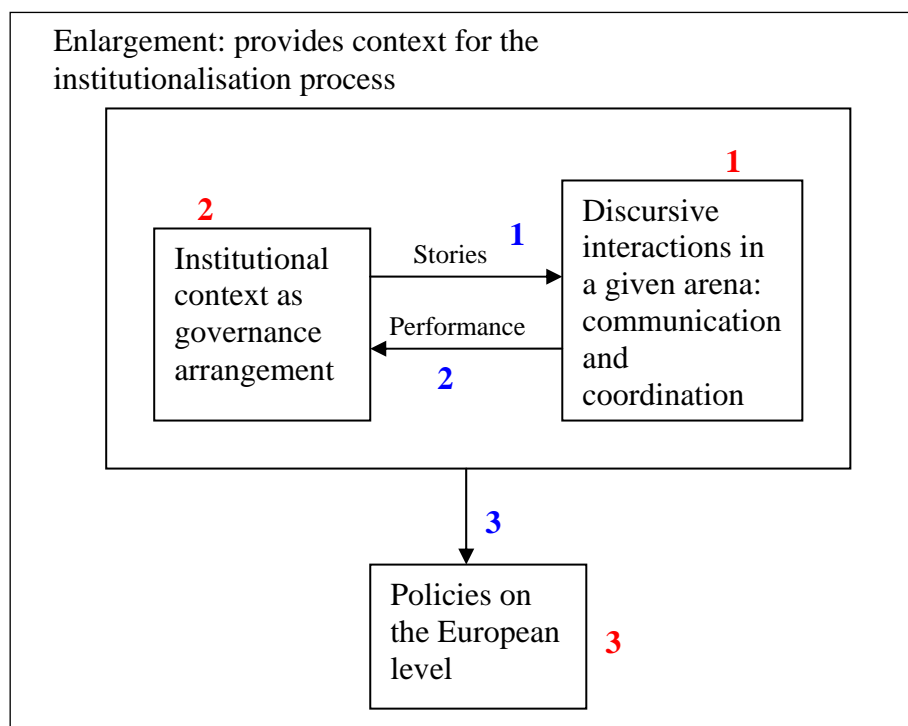


In sum, the analytical framework of discursive institutionalisation sets out three broad empirical tasks (marked with red in Graph 5): to map institutional (1) routines, (2) stories and (3) policies. Nonetheless, while certain assumptions can be formed about the relationships among these practices, it is the challenge of the empirical investigation to examine the mechanisms that connect them. Thus, an additional goal of the present research is to be able to make conclusions about three types of mechanisms. First, the thesis analyses how institutional stories influence participants in evaluating changing routines, roles, identities and capabilities (blue number 1 in Graph 5). Second, it examines how the changing organisation of interactions contributes to direct and indirect norm contestations and how it affects the standardisation of institutional stories. In this case, direct contestation refers to an emerging

81

tension between competing interpretations of informal rules and practices, and indirect contestation implies a tension between actual behavioural patterns or routines and perceptions of appropriate behaviour (blue number 2 in Graph 5). Finally, the dissertation looks at how the institutionalisation of certain governance arrangements poses limits and gives opportunities to re-framing policy problems and solutions (blue number 3 in Graph 5). The final section of this chapter shows how an empirical investigation can fulfil these goals.

## 2.4 Applying the Framework of Discursive Institutionalisation: Methodological Implications

After presenting the main assumptions and concepts of the analytical framework of discursive institutionalisation, the final section of this chapter discusses the research methods of the dissertation. As was already mentioned above, such analytical framework serves as guidance in conducting the empirical research. Furthermore, this dissertation follows a constructivist or interpretive research design. The emphasis is thus not on the testing of hypotheses. Instead, the framework helps to identify the main phenomena that have to be studied. Thus, the analytical framework provides a 'language': it shows the ontological and epistemological choices on the basis of which the empirical research is carried out, which in turn contributes finally to theory-building (see Vennesson 2008).

The resulting theory of such empirical research can be best defined as 'constructivist grounded theory' (Charmaz 2006). Such theory is 'grounded' in qualitative data which is analysed based on 'systematic, yet flexible guidelines' (Charmaz 2006, 2). According to Kathy Charmaz (2006), the constructivist version of grounded theory is closely connected to the 'interpretive' tradition of theorising, which 'emphasizes *understanding* rather than explanation' (Charmaz 2006, 126, emphasis original). Thus, the role of interpretive theories is to '[c]onceptualize the studied phenomenon to understand it in abstract terms' (Charmaz

2006, 127). More specifically, constructivist grounded theory is a result of analysing '*how* – and sometimes *why* – participants [of the research, i.e. interviewees] construct meanings and actions in specific situations' (Charmaz 2006, 130, emphasis original).

Thus, the construction of a grounded theory implies a more inductive than deductive research design, even if a previously developed analytical framework gives directions for the empirical research. Such a research design is suitable for understanding the impact of enlargement on the inter-subjective institutionalisation of the SPC and on the policy frames that are formulated in this setting. In other words, this approach can grasp the *process* of inter-subjective institutionalisation in a given *context* – thus can deal with the relationship of institutional *routines* and the *meanings* of norms that develop through discursive interactions. Consequently, choosing this framework is also appropriate for analysing how such a process influences the *content* of policy change.

The SPC was selected as a single case study for the empirical research. Instead of a comparison of different committees, this strategy was chosen for two main reasons. First, the primary goal of the research is to understand the mechanisms of institutional adjustment in a given context, which can be done through a deeper engagement with a single case study of a relatively small organisation. Second, there is room for comparison within the case study itself: a comparison between different groups of participating actors and their perceptions and interpretations; and a comparison between different instances of policy (non-)change after the enlargement. These comparisons are more relevant in answering the main questions than a comparison between committees. Nevertheless, having a single case study also has its limitations, most importantly due to a lack of comparison across different policy areas. However, as chapter 1 showed, some studies on the EMCO or the EPC, which are committees operating in a similar institutional environment but in a very different policy context, can provide some comparative insights.

The following paragraphs present the qualitative research methods that were used during the empirical research in order to answer the key questions formulated above about the mechanisms of the inter-subjective construction of governance arrangements. The main issues to be discussed are the following: the generation and selection of texts (i.e. interviews and the selection of documents that are analysed) and the qualitative analysis of texts.

## 2.4.1 Generating and Selecting Data: Interviews and Documents

In a qualitative case study, the selection of texts to be analysed is an essential step. The most important texts in this case are generated through interviews in order to examine the normative standpoints, perceptions and interpretations of participating actors. Therefore, 45 semi-structured interviews were conducted with different groups of actors who are key participants of the policy-making process: committee representatives (SPC delegates from member states), participants from permanent representations (social affairs attachés and councillors), officials of the Commission, NGO leaders and external experts (a list of interviews can be found in the annex). Since the analytical framework of the thesis centres on the concept of inter-subjectivity, the relevant actors to be interviewed were the ones who actively participate in the inter-subjective construction of the SPC and its governance and policy framework. In this case, the opinion of 'outsiders' was supposed to be less relevant for the internal institutionalisation process, since they do not have the possibility to contest or perform the rules of the game or the policy principles (they might do so indirectly, but then this indirect impact is reflected in the opinion of participating actors).

The interviews were conducted between March 2006 and January 2008, which means that all findings are confined to this period. The format of semi-structured interviews was chosen because while certain questions had to be asked in order to be able to compare the

interview texts, the order and indebtedness of questions had to remain flexible in order to see the interpretations and perceptions of interviewees. In other words, each interview is seen as 'a conversation that has a structure and a purpose' (Kvale 1996, 6).

Furthermore, interviews are assumed to be discursive actions themselves, because interviewees can use them 'as a political instrument to further their views and goals' (Barbier 2004, 19). This means that interviews can reveal both 'interactive discursive practices' (Schmidt and Radaelli 2004a, 205-206) and the values actors communicate and find important as the bases of their institutional action. It is important to note at this point that the present research does not aim to explain why actors communicate certain values (i.e. it does not study the motivations of actors); it only seeks to analyse their perceptions and interpretations.

Besides interviews, the research questions required the analysis of documents to help mapping institutional stories and policy developments. As far as institutional stories are concerned, the most important documents are member state evaluations of the OMC: answers given to a questionnaire on the evaluation of the OMC in the fields of social inclusion and adequate and sustainable pensions (hereinafter referred to as the 'OMC evaluation questionnaire') drafted by the Commission in 2005 (European Commission 2006a). Though certainly the questions asked in this questionnaire are different from the ones that constituted the semi-structured interviews, these evaluations gave valuable input as to how differently member states perceive the OMC and the work of the SPC. Furthermore, since the questionnaires were constructed in 2005, they also helped in analysing potential changes in time. In addition, answers prepared by member states could back up or substitute[29] interviews by the delegates themselves.

In order to see changes in policy foci, the documents that are of crucial importance are those produced by the SPC: mostly opinions and key messages papers sent to the

---

[29] Not all member state delegates could be interviewed.

Employment, Social Policy, Health and Consumer Affairs (EPSCO) Council. The examination of Joint Reports on Social Protection and Social Inclusion was also added to the analysis. Finally, in order to briefly link European and national level policy discourses, expert evaluations on that impact of the OMC in specific issue areas were also studied.

## 2.4.2 Qualitative Analysis of Texts: Coding and Evaluation

After collecting the documents and transcribing the interviews, the texts were examined and interpreted. The qualitative analysis of texts is done through 'coding', which basically 'means naming segments of data with a label that simultaneously categorizes, summarizes, and accounts for each piece of data' (Charmaz 2006, 43). The coding of texts in this case followed two main steps. The first step (which is usually referred to as 'open coding') involved the construction of analytical categories through which text segments could be examined (see Dey 1999, 98). Thus, open coding basically served to 'define what is happening in the data' (Charmaz 2006, 46). Due to the inductive nature of the research, such analytical categories were not given *a priori*, but were dependent on the texts themselves. This analysis was done by using computer assisted qualitative data analysis software (CAQDAS), the *Atlas.ti* software.

The type of the categories used during the coding depended primarily on the research questions, thus they followed the three empirical tasks outlined above. These categories were mostly *in vivo* codes (see Charmaz 2006), which means that the actual terms used by the interviewees or documents were adopted (e.g. 'consensus'). A few codes were made up using more general terms describing a group of similar statements (e.g. 'communication'). Categories relevant for the first empirical task (the analysis of the post-enlargement routinisation of the modes of interaction, and role perceptions, identities and 'resources' of

actors in chapter 3) were organisational categories (e.g. 'frequency of meetings'), role and identity categories (e.g. 'expert'), and resource categories (e.g. 'seniority of delegate'). The second empirical task was to induce and analyse institutional stories (chapter 4) – thus the normative perceptions of the participants about the policy coordination process – therefore, the categories were chosen to grasp different interpretations of appropriate modes of interactions. The main categories used during the coding correspond to the relevant normative organising principles. Examples of such normative organising principles are 'dialogue' or 'consensus-seeking'. Such categories were accompanied by codes signalling the normative standpoint of actors (e.g. 'descriptive', 'evaluative-negative', 'evaluative-positive' or 'wishful'). Finally, since the third empirical task was to examine policy changes (chapter 6), the last type of code-categories describe policy issues discussed by interviewees (e.g. 'ethnic minorities').

The second step in coding was connecting the categories ('theoretical' or 'axial coding'; Dey 1999, 98). This step is essential in understanding patterns and relationships between phenomena. There are relevant connections within and in-between the category schemes of the different empirical tasks. Within-task connections are made, for example, in chapter 4. This means that the categories that stand for normative organising principles are connected together to identify the 'frames' that describe the main functions of the committee. Although the concept of framing is most often used in connection with policy content, it is also referred to in relation to organisational norm-creation in this dissertation. The different normative evaluations of such frames on the normative functions of the SPC constitute the 'institutional stories' that are examined in this dissertation.

Furthermore, connections (e.g. co-occurrences) were examined between codes of different category-schemes, for example between codes that categorise (1) the organisation of interactions or resources; (2) normative organising principles; and (3) policy developments

(see also Charmaz 2006, 61). Connecting the codes in such a way is the basis of theory-building. The mechanisms of policy contestation that are identified based on these connections are analysed in chapter 5. The process of connecting the categories can also be labelled as 'process tracing'. According to Pascal Vennesson (2008), process tracing in an interpretivist research design 'allows the researcher to look for the ways' in which different factors under study can be linked together and 'the context in which it happens' (Vennesson 2008, 233). Furthermore, process tracing in this perspective makes it possible 'to examine the reasons that actors give for their actions and behaviour and to investigate the relations between beliefs and behaviour' (Vennesson 2008, 233). During process tracing, relevant information is selected and analytically structured (Vennesson 2008, 235). In this interpretive-inductive sense, the empirical research that is presented in the next chapters employed the method of process tracing.

# Chapter 3. Mechanisms of Adjustment: Changes in Working Methods and the Organisation of Interactions in the SPC after the Enlargement

As chapter 2 presented, the first empirical task of this dissertation is to analyse changing informal practices and informal institutional adjustments within the SPC. To recall, based on the conceptual framework outlined in the previous chapter, this task primarily includes the study of how modes of interaction are routinised, as well as how this routinisation process shapes the role-perceptions, identities and resources of participating actors. Furthermore, one also needs to examine mechanisms of adjustment, thus how enlargement is perceived as an episode in the institutionalisation process, and how it is connected to actors' interactions, role perceptions and resource mobilisation. The current chapter is devoted to this first empirical task, focusing on actors' perceptions and understandings as micro-foundations of informal institutional change.

The methodology of this dissertation was also described in chapter 2. Due to the informal nature of SPC meetings and working practices, this chapter relies almost[30] entirely on in-depth, semi-structured interviews with actors participating in the coordination process. These actors are members (member state delegates from capitals and permanent representations and representatives of the Commission) and observers (NGO and social partner representatives, Commission officials and experts) of the SPC. When analysing interview texts, this chapter aims to answer the following questions. First, how is enlargement seen to have changed committee meetings and the organisation of interactions? Second, do

---

[30] Although the 2005 questionnaire on the evaluation of the Open Method of Coordination in the fields of social inclusion and adequate and sustainable pensions included explicit questions on the post-enlargement working methods of the SPC, only a few member states addressed problems or made suggestions in this regard. The few relevant answers are included in the analysis of this chapter.

old and new delegates have different opportunities to mobilise resources and if yes, how does this difference influence discussions within the committee? Finally, how do these previous factors affect the role perceptions and identities of old and new actors and vice versa, how these self-perceptions shape how actors see their different opportunities and the organisation of interactions? Are there any systematic differences between the delegates in this regard? These questions are dealt with successively in the following sections.

Before turning to the actual analysis, the first section of the chapter shows how the Council Decision 2000/436/EC that set up the SPC in 2000 (and 2004/689/EC that re-established the committee in 2004) defines the main objectives and tasks of the committee. Furthermore, the section also briefly introduces how the SPC works in practice. This is especially important because of the relatively vague formulation of the Council decision: although it provides a broad framework for the operation of the SPC, it gives a lot of freedom to the committee to 'establish its own rules of procedure' (Council of the European Union 2004, Article 3). Therefore, the working practices of the SPC are defined rather informally by the members themselves (see also chapter 1).

## *3.1 The Operation of the Social Protection Committee*

The SPC was established by the Council Decision 2000/436/EC in 2000 and was re-established with slight modifications in the Council Decision 2004/689/EC in 2004 (Council of the European Union 2000c, 2004). The former decision was accepted after the Nice European Council launched the social inclusion process in 2000 (Council of the European Union 2000b). According to this text, the SPC as an advisory body has to promote four broad objectives: 'to make work pay and provide secure income, to make pensions safe and pension systems sustainable, to promote social inclusion and to ensure high quality and sustainable

health care' (Council of the European Union 2004, para 3). In doing so, the main tasks of the SPC are the following (Council of the European Union 2004, Article 1):

(1) to monitor the social situation and the development of social protection policies in the Member States and the Community;
(2) to promote the exchanges of information, experience and good practice between Member States and with the Commission;
(3) to prepare reports, formulate opinions or undertake other work within its fields of competence, at the request of either the Council or the Commission or on its own initiative.

Since the Treaty of Nice, these tasks are also listed in the EC Treaty (Article 144), giving the committee a formal foundation.

The Council Decision 2004/689/EC includes broad guidelines on the number of members, the election of the chairperson and vice-chairpersons, the supporting role of the Commission and an obligation to consult social partners and NGOs. However, besides providing this framework, the decision contains no further instructions on how the SPC should work. This also means that besides the ones accepted by the committee itself, which are often not public, there is no other official document about the working practices of the SPC. Nor are there any minutes made about SPC meetings based on the following reasoning:

We do not have minutes, because we like to have this friendly atmosphere, we do not want the member states to feel that they are bound to what they say at the meeting and then what they say will be right in their capital the following day (anonymous interview, interviewee F1).

The implications of such a practice will also be discussed below. Nonetheless, what this also means is that interviews are crucial sources in investigating and understanding how the SPC operates and how committee meetings are run.

Members of the SPC are 'representatives appointed by each Member State' – in principle, two delegates from national ministries with two alternates – and two representatives of the Commission (Council of the European Union 2004, Article 2). Such membership of 'directly nominated representatives from the member states' who 'are not particularly involved in the Council's work' is a peculiar feature of the OMC[31] (anonymous interview,

---

[31] The SPC was established by the Council, but it is not within the COREPER structure (nor it is a Commission-driven 'comitology' committee; see also chapter 1).

interviewee O1). Due to such an institutional design, the SPC is outside the 'formal decision-making process' and 'has a life of its own' (anonymous interview, interviewee O1). This can be both an advantage and a disadvantage: it allows for flexibility, but detaches the committee from other areas of decision-making. As far as the number of representatives is concerned, in practice, small countries usually cannot have enough SPC members, which means that sometimes they cannot send anybody at all to meetings, whereas 'big member states have more people to send' (anonymous interview, interviewee C2). Membership is also complicated by the fact that the SPC discusses three main topics – social inclusion, pensions and the health and long-term care – which all require their own expert. However, several member states cannot afford or do not have the resources to send different experts for the different topics on the SPC agenda.

The committee elects its chairperson 'from among the representatives' for two years, which term is non-renewable (Council of the European Union 2004, Article 3). The chair, who is also the convenor of meetings, is responsible for setting the agenda for SPC meetings. In practice, 'it depends very much on the chair of the SPC how the discussions in the meetings are structured' (anonymous interview, interviewee O1). The main task of the SPC is to produce opinions, messages and other working documents. Therefore, meetings usually start with a presentation by a Commission representative of a draft working document which was circulated before. Member states can comment on these drafts in writing or at the meeting. It is the responsibility of the chair to keep the debate within a reasonable timeframe, as well as to try to summarise the different views in a way that is acceptable to all the delegates. When it comes to decision-making or the acceptance of certain documents, there is no voting procedure; all decisions are consensual. Therefore, a working document is only accepted if no delegate has further suggestions for improvement.

The chair is assisted by a 'bureau', which consists of Commission representatives and four vice-chairpersons, two of whom are elected for two years, one is from the country holding the Presidency of the Council, and one is from the country of the following Presidency (Council of the European Union 2004, Article 3). In the working practice of the SPC, the bureau usually meets the evening before each SPC meeting, discusses the agenda, 'tries to identify difficulties' where bigger debates can be expected (anonymous interview, interviewee L1), and tries to find solutions to solve these difficulties before the meeting (anonymous interview, interviewee Q2).

The Commission appoints a so-called secretary of the committee and provides 'analytical and organisational support' for the SPC (Council of the European Union 2004, Article 3). The secretary acts 'on the instructions of the Committee when assisting the Committee in carrying out its tasks' (Council of the European Union 2004, Article 3). Thus, in the formulation of the Council decision, the Commission should *assist* the work of the SPC. However, interviews suggest – as will be shown more in detail in the following chapters – that in practice the Commission often plays a more active and initiating role instead of such simple support. It is the Commission which drafts the working documents that are discussed and modified in the SPC; SPC delegates themselves hardly initiate any topic for the agenda or have their own proposals (anonymous interview, interviewee Q2).

As Council Decision 2004/689/EC also allows for 'call[ing] upon experts' to help the work of the SPC (Council of the European Union 2004, Article 4), the committee established an Indicators' Sub-Group (ISG) that is responsible for the development of indicators and for providing statistical support. The decision also makes it clear that the SPC should work 'in cooperation with other relevant bodies' such as the EMCO and the EPC, and also should establish 'appropriate contacts with the social partners and social non-governmental organisations' (Council of the European Union 2004, Article 1). Though again these

directions are relatively vague, they serve as guidelines for the relations between the SPC and other committees, the social partners and NGOs operating in the social field.

The interaction between the SPC and the other committees became particularly important after the re-launching of the Lisbon Strategy in 2005. Especially since then, the SPC regularly produces joint opinions with the EMCO, and sometimes also, though much less frequently, with the EPC. However, several interviewees argued that these interactions are not symmetric and that the SPC is weaker than the other two committees. As a result, the joint opinions are said to reflect more the opinions of the other committees (anonymous interview, interviewee T1). Questions about such inter-committee interactions were also addressed in the questionnaire on the evaluation of the OMC drafted by the Commission in 2005. While some member states, like Finland, regarded the cooperation between the committees as 'successful' (OMC evaluation, Finland), other countries, as for example the Czech Republic, argued that this cooperation was rather 'sporadic' and 'regular meetings' would be 'most desirable' (OMC evaluation, Czech Republic).

As far as relations with social partners and NGOs are concerned, the bureau of the SPC meets social partners and NGOs a few times a year to discuss ongoing issues, mainly under the umbrella of the Social Platform[32]. These meetings are informally scheduled. As an SPC member described the situation: 'as issues that we [the SPC] want to have a view on from them [social partners and NGOs] come up, we have a meeting and we hear what they have to say' (anonymous interview, interviewee H1). Sometimes NGOs also attend peer review sessions, and in the last few years they were also invited occasionally to SPC meetings when 'there is a very important subject' (anonymous interview, interviewee P1). Social partners and NGOs can also send their opinions to the SPC on items that are on the agenda. Nevertheless, NGO leaders and representatives of social partners noted that sometimes there

---

[32] As it is described on its website, the Platform of European Social NGOs (Social Platform) is 'the alliance of representative European federations and networks of non-governmental organisations active in the social sector' (see http://www.socialplatform.org).

is no real consultation with stakeholders and they only receive information on the work of the SPC without being able to get their voice heard.

The next section of this chapter discusses the informal working practices of the committee as they have been in place since the 2004 enlargement. Certainly, not all aspects mentioned in this section are seen to be affected by the inclusion of new member states into SPC discussions. Therefore, based on the methodological approach outlined in chapter 2, the next section considers the factors that were brought forward by the interviewees themselves about the impact of enlargement on the work of the SPC. Furthermore, the task of the following sections is to analyse and interpret these factors and the differences in actors' perceptions.

## 3.2 Routinisation of Modes of Interaction: Working Practices within the SPC after the Enlargement

Enlargement is often described by interviewees as posing an 'organisational challenge' for the SPC, 'simply because the buildings, the structures were not planned for having so many people' (anonymous interview, interviewee F1). Thus, the main reason for changes is seen to be that the number of SPC delegates almost doubled in 2004. This undoubtedly required adjustments in the working methods and procedural rules of the committee. As a Commission official argued after the 2004 enlargement:

> The question of numbers, 25, this creates a problem. This makes our processes very burdensome. Now we face technical problems on languages, translations, interpretation, which blocks us really. We need to solve, and this was not the case before enlargement. This will bring us to further adaptation of our working methods: further use of writing procedures, avoiding as much as possible points of information in the SPC and trying to concentrate really on points of decisions (anonymous interview, interviewee N2).

The following paragraphs provide an overview of how participants interpret challenges to previously accepted and routine-like practices in the committee's interactions.

### 3.2.1 The Organisation of Discussions

As the organisation of SPC meetings became 'more complicated, more complex with (…) more participants being involved' (anonymous interview, interviewee B1), this required the committee to structure meetings in a more rigid way and create new rules of procedure. Most importantly, due to the large number of members, the SPC started to rely on written procedures much more heavily. This means that all problems are discussed first by email, and only problematic points are taken to the actual monthly meetings before the final acceptance of a given document. In addition, problems that concern only one member state are increasingly dealt with bilaterally, between the Commission and the given delegation. As far as the meetings themselves are concerned, since discussions would be extremely long with everyone taking the floor, the usual practice of doing a *tour de table* was abandoned and delegates have been encouraged to make only short interventions (not longer than three to four minutes), or not to intervene at all if an opinion was already articulated by somebody else. As a long-standing member of the SPC described the situation: 'whereas before we would have said something [even if our position had been reflected], now if you have not got anything substantive to say, you just do not speak' (anonymous interview, interviewee L1).

Although these new rules were regarded as necessary for managing the meetings, discussions are yet not been seen as running smoothly with all the new delegates involved. On the one hand, a few interviewees claimed that the rules are not applied rigorously enough and 'everybody is still talking' (anonymous interview, interviewee G1), which results in long and often repetitive meetings where delegates 'hope [that] not everybody will speak' (anonymous interview, interviewee I1). As a representative from an old member state's permanent representation noted: 'sometimes it feels that it is more kind of like a marketplace meeting' (anonymous interview, interviewee O1).

On the other hand, even if the rules are applied, the great increase in committee membership is seen by a few long-standing participants to have changed the character of meetings. Again, as a delegate from an old member state argued in a workshop presentation: 'the meetings of the SPC are apparently more formal than they used to be when there were only fifteen Member States' (Olivelli 2006). This is claimed to be the result of the new working methods:

> Before more decisions and progress were made during the discussions of the SPC itself; now (…) decisions tend to be made outside the meetings, often on a bilateral basis between single Member States and the Commission. Thus the work of the SPC has become a little more bureaucratic (Olivelli 2006).

Or in another formulation by a former Commission official: 'probably one of the effects [of enlargement] was that (…) the depth of discussion seemed to (…) get diluted quite a bit' (anonymous interview, interviewee K2). A few interviewees also argued that the increased membership also influenced the atmosphere of meetings. In this view, meetings were 'much more familiar [family-like; A.H.] before, you knew more colleagues and better and more personally and now it is a bit more anonymous' (anonymous interview, interviewee G2).

Another organisational factor that has influenced discussions since enlargement, as was mentioned by some delegates, is a high turnover rate in SPC membership in the case of some member states, especially the new and small ones. There are said to be two main reasons for this phenomenon. First, as was already mentioned above, there are often different experts in the national administrations responsible for the different topics discussed by the SPC. Thus, in SPC meetings, there are 'experts coming in and out from different ministries according to their agenda items' (anonymous interview, interviewee L1). Second, new (and small) member states could not always find delegates who could stay in the committee for a longer period of time. As a result of the partly changing membership of the SPC, delegates 'do not know everybody as well' (anonymous interview, interviewee L1) as before the enlargement, which makes it more difficult to discuss issues in a more relaxed manner.

Furthermore, new delegates do not always appreciate – or simply do not know about – previous agreements, which can hinder further discussions (anonymous interview, interviewee C2). In addition, because 'personal contacts are very important' in the committee, members states with a changing representation have more difficulties getting their points across (anonymous interview, interviewee C1).

To overcome such problems regarding discussions at SPC meetings, one idea for further changing the organisational structure of meetings has been to have meetings in smaller sub-(working-)groups, in which it becomes possible 'to include more national experts and to discuss in a smaller group and in a more in-depth way' (anonymous interview, interviewee Q2). In such groups, participation is envisaged as voluntary, so that the only delegates who join 'are really interested in that subject' (anonymous interview, interviewee B2). Or else, a more extensive reliance on informal – in this sense, out-of-meeting – exchanges between like-minded countries is seen to be a solution (anonymous interview, interviewee H2), which aims to strengthen the 'discourse coalitions' of delegates (see below). However, up until now, only a few ad hoc sub-groups have been formed to discuss specific issues. Thus, such practice 'has to be invented still' (anonymous interview, interviewee N2).

The 2005 OMC evaluation questionnaire also included a question asking for suggestions for post-enlargement working methods[33]. Although this questionnaire was handed to delegates just after enlargement, thus before the interviews of the present research were conducted, it is still interesting to show the directions of answers by individual member states. For example, despite the time-lag, the idea of forming sub-(working-)groups in order to overcome difficulties stemming from the large number of participants can already be found in answers of some of the old member states to this questionnaire (for example Austria,

---

[33] The exact formulation of the question was the following: 'Would you like to see any modifications to the working methods of the Social Protection Committee, for example, in the light of the EU-enlargement or of the future scope of work under streamlining?' (European Commission 2006a, 31).

Denmark[34], Ireland, or the Netherlands). Furthermore, the fact that several problems are still listed by interviewees shows that the SPC is still struggling to find better post-enlargement working practices. For instance, the comprehensive answer of the Czech Republic to the question of the Commission also highlighted the importance of written procedures and limiting the time of discussions:

> The work of the SPC itself would be possible to be made more effective in number of ways. Several of the meetings of the SPC are unnecessarily time-consuming and the discussion often deals with unimportant minor details. The use of e-mail for communication and prepared modifications is inadequately used. (…) Therefore time limited discussions of the comments of the individual delegations and a greater use of e-mail would contribute to the greater effectiveness of the work of the SPC, as well as the establishment of a time period for expressing comments, which would not have to be verbally repeated during the meeting of the committee (OMC evaluation, Czech Republic).

Similarly, Finland suggested the more systematic 'use of written procedures and video conferences' in order to increase the efficiency of the actual meetings (OMC evaluation, Finland).

## 3.2.2 The Language Regime: Interpretation and Translation

Providing interpretation services was seen as another organisational challenge. It became almost impossible to make such services available for every language in all committee meetings. As one of the interviewees noted, 'it is not practical to provide them for relatively minor commissions' (anonymous interview, interviewee H1), as there is neither enough money nor enough staff to do it. Practically, English and French are the two main working languages of the SPC, with English becoming dominant after the enlargement. However, there are some 'more sensitive' (anonymous interview, interviewee F1) delegates that have problems if they do not have interpretation, which makes cooperation more difficult. These

---

[34] In the case of Denmark, for example, peer review meetings with fewer participants were evaluated to be necessary because discussions with 25 member states were seen as 'unsustainable', since 'it is difficult to go into depth' (OMC evaluation, Denmark). Similarly, Finland also found that 'with the increased number of member states the process has (…) become heavier, and this limits the handling and capacity to make use of the information' (OMC evaluation, Finland).

delegates are said to be mainly coming from Italy, Spain and Poland. As a result, interpretation is mostly provided for these delegations, while other languages are only available in a relatively ad hoc fashion. Several participants oppose such practice of providing comprehensive interpretation services, because they argue that discussions are less effective with different languages in use. Nevertheless, this question is regarded as 'one of the political issues that will never be solved' (anonymous interview, interviewee B2).

In addition to these problems related to interpretation services, the translation of documents to all languages is also believed to pose significant challenges. The main problem is seen to be that documents should be accepted much earlier if translations are required to be ready for a given Council meeting, which means additional workload for the SPC. Again, a solution which is seen to be a compromise emerged in practice: member states have to accept that if they want to discuss a document 'up until the last minute', then they 'have to accept that some documents will be late in terms of translations' (anonymous interview, interviewee F1). In addition, there exists a 'gentlemen's agreement' on making all national documents 'available in one of the working languages' (anonymous interview, interviewee H1). Nevertheless, not everyone accepts this gentlemen's agreement: 'on this point the Italian, Spanish and Portuguese delegations have lodged a formal protest to the Secretariat' of the SPC (Olivelli 2006).

## 3.3 Resource Mobilisation in SPC Meetings: A Divide between Delegates from Old and New Member States?

The question that arises at this point is whether changes and problems outlined in the previous sub-sections can be linked as a source or as a consequence to potentially different possibilities of actors for mobilising resources. Chapter 2 argued that relationships between actors and power distributions can influence the effective participation of committee representatives.

Furthermore, important episodes such as EU enlargements have the potential to influence existing balances of power in actors' interactions. Therefore, it is essential to study how resources are perceived to be distributed within the SPC, with special attention given to the post-enlargement situation.

### 3.3.1 'Shy' Delegates or Insufficient Resources: Conditions for Accessing the Dialogue

The first and most obvious resource in SPC meetings is the ability to intervene in discussions, which can be related to both individual and institutional factors. This is especially important to look at because the changing working practices in the SPC have the goal of limiting the actors' possibility to intervene. While several interviewees argued that 'there is no real barrier to contribution' (anonymous interview, interviewee H1), others listed a number of factors that indeed can influence who can be part of SPC discussions. Some interviewees linked such an ability to intervene to the personality of delegates and made statements like 'maybe there are some individuals who feel a bit inhibited and it is very hard to get over that' (anonymous interview, interviewee H1). In this case, an increasing reliance on e-mail is seen as partly being able to solve this problem: those who are less comfortable with speaking publicly can send their opinion later in writing. However, most participants made a connection between the frequency of contributions and other, mostly institutionally-coded factors.

One of these factors is certainly that those with less *experience* in attending such meetings are less likely to participate actively. Experience is an important factor especially because of the informal organisation of interactions: procedural rules can only be learnt at the meetings themselves (see also de la Porte et al. 2009 and Thedvall 2005). Accordingly, delegates from new member states are usually described as being relatively passive in SPC meetings. Most interviewees from old member states noted that new member state delegates,

101

while they take the process 'more seriously' (anonymous interview, interviewee I1), are 'shy' to talk in the meetings (anonymous interview, interviewee A2), perhaps with the exception of Hungary and Poland. Several interviewees linked this 'low profile' (anonymous interview, interviewee G1), which was said to be prevalent especially at the beginning, to the new delegates' lack of experience in such types of committee meetings in comparison to the 'long tradition' (anonymous interview, interviewee K1) of long-standing delegates. For example, as it was argued by a Commission official:

> Many of the new member states were not very talkative, (…) there was this (…) sort of feeling their way, you know, knowing what they could say, what they could not say, whether they were able to, you know, take the floor as much as another member state and this sort of thing. And to a large extent that still continues (anonymous interview, interviewee Y1).

Or in another formulation by a long-standing delegate: 'I can understand why [new delegates participate less], because it [the SPC] is a group, it was established and people knew each other and (…) they felt secure among each other' (anonymous interview, interviewee G1).

This argument was also shared by new member state delegates themselves, though they even more strongly highlighted progress in this regard than did long-standing delegates. As one of them argued: 'at the beginning new member states were not so skilled in how to deal with other member states at this type of committees [sic], but I think now we are good and we learnt a lot [sic]' (anonymous interview, interviewee U1). Or as another participant from a new member state noted:

> The problem is that we got on when the committee was running and no-one really explained to us what is the role of the committee and how it functions, what is the decision-making process, so it was more or less learning by doing (anonymous interview, interviewee L2).

Similarly, others also emphasised that new member states had to 'learn how to behave as member states' (anonymous interview, interviewee J2) and that new delegates had to find out what role to play in the SPC and 'how to formulate, represent and put forward positions' (anonymous interview, interviewee J2).

Another important factor that is mentioned in explaining the passivity of new member state delegates is the *insufficient human resources* and 'administrative capacity' (anonymous

interview, interviewee Y1) in national ministries in new member countries. This factor was the most commonly cited by new member state representatives themselves. As a Commission official argued, contributions are very much 'dependent on the type of resources the member states put into the room' (anonymous interview, interviewee N1). Several new delegates complained about the unavailability of enough staff in the ministries to deal with European issues. As a consequence, representatives are 'overloaded with work' and have difficulties in preparing for the meetings sufficiently well (anonymous interview, interviewee U1). Such problems are also linked to the fact that most new member states are also small in size, making it even more difficult to have enough people working on related issues (anonymous interview, interviewee H1). Nevertheless, this small size does not seem to be a problem for smaller old member states like Ireland or Luxembourg. Accordingly, a Commission official described the situation the following way: 'across the new member states the problem is the question of size of the country and the availability of human resources' (anonymous interview, interviewee N2).

Another problem that was mentioned in relation to underdeveloped administrative capacities is the lack of instructions given to SPC delegates from new member states. As one new representative noted, 'until now I have not really received any mandate to actually represent a standpoint in the SPC' (anonymous interview, interviewee T1). Or in another formulation: 'due to the personal restrictions, we still do not have the capacity and we do not even have the experiences as the old member states have to be able to prepare really good positions for the SPC meetings' (anonymous interview, interviewee P2). In contrast, delegates from old member states are perceived to 'have very strong instructions' (anonymous interview, interviewee Q1), which makes it easier for them to intervene in SPC discussions. All this is also presumed to be connected to the fact that 'by and large the social affairs ministries within new member states are not always the most important ministries; within new

member states in general they are probably more marginalised than they are within old member states' (anonymous interview, interviewee R1).

### 3.3.2 Becoming a 'Respected' Contributor: Sources of Effective Participation in SPC Meetings

After discussing the availability of resources in connection to the access to dialogue, it must also be examined whether there are certain interventions that are more influential than others. In other words, are there any resources that help delegates to get their views across more effectively? Several delegates argued – along the lines of the above discussion – that after member states can get over the problems caused by insufficient human resources on the national level, all articulated opinions weigh the same and are taken into account. As a delegate from a new member state put it: 'it is especially personal resources, especially in my ministry, but I think every time we communicate something in the SPC (…) we are heard by the Commission'[35] (anonymous interview, interviewee P2). Nevertheless, some interviewees acknowledged that there are certain people who are more 'listened to' than others in the committee (anonymous interview, interviewee L1).

The main individual resource mentioned by participants that can influence whether an opinion is fully respected is *expertise* or knowledge. An expert is 'someone who is knowledgeable about the area and knows what they are talking about' and whose 'contribution is a value' (anonymous interview, interviewee C2). When asked directly, most interviewees, especially from old member states, refused the presumption that there is any difference between new and old member state delegates in this regard. New representatives are often described as 'extremely well equipped', 'intelligent' (anonymous interview,

---

[35] This statement also underlines the important role of the Commission in the SPC, which will be discussed in more detail in chapter 5.

interviewee A2), and 'competent' (anonymous interview, interviewee F1). If there is any country grouping mentioned in this regard, then it is a distinction between big and small member states. Here the main argument is similar to the one discussed above: small member states have fewer resources. Therefore, they are not able to send their best experts to SPC meetings, or sometimes they are not able to send anybody at all, which certainly hinders their effective participation in committee meetings.

However, it was admitted by some interviewees that those who have been involved in policy issues related to social protection and social inclusion for a longer time are more listened to (anonymous interview, interviewee L1), which gives an advantage to delegates from old member states. This was especially stressed by representatives from new member states, emphasising their lack of knowledge and experience in social inclusion policies. As one of them argued:

> In these big political issues I think old member states are better, for example in poverty issues and inclusion, (…) because we started to deal with these only recently. (…) I would say that the old member states are kind of better prepared for that type of talking, they have more knowledge and I think they make more researches [sic] (anonymous interview, interviewee M1).

Nevertheless, similar arguments are never used in connection to other policy areas, like pensions, where the expertise of new member states and especially that of the Polish delegate is acknowledged by all interviewees mentioning this topic.

Recruitment is another factor that can influence the expertise of SPC members and is also an area where some representatives from new member states observed a difference between delegates from old and new member states. SPC representatives from old member states are in general senior public servants, while those who come from new member states are usually younger and less influential. As several delegates from new member states explained, senior officials tend not to come to meetings because they do not speak the working languages of the SPC (i.e. English or French) and would have problems without interpretation services, which are not always available for every country (see above). This

also implies that *language skills*, especially a good command of English as the main language of documents and the primary informal working language (used in breaks and in-between meetings), can certainly be regarded as an important resource (see also de la Porte et al. 2009).

This lack of *representatives of a senior rank* in the case of new member states is claimed to be a problem for two main reasons. First, senior officials are usually more experienced and have more expertise in a given policy area, while 'young colleagues lack the necessary knowledge to think about solutions to existing problems' (anonymous interview, interviewee T1). Second, without senior representatives 'there is not enough support from the minister' (anonymous interview, interviewee P2). Both because of their expertise and status, senior officials would have the opportunity to 'talk more freely' and they would be 'more flexible in making decisions in the meetings' (anonymous interview, interviewee P2). Junior members have to consult their colleagues back in their ministries more often. This is said to have happened many times only after the committee meeting itself, which made it difficult for these members to contribute effectively.

Besides expertise, the second most commonly mentioned source of respect or more effective participation was the *size of the country* of the delegate. Certainly, many interviewees argued that there is no distinction made between delegates on the basis of which country they are coming from. In this view, expertise is more important than the size of the country:

> It is about the people, whether they are active, whether they are capable, whether they have the know-how, and how they get their voice heard. (…) That is (…) a particular characteristic in the SPC, which makes it unique in a way, that it does not matter really if you are small or big, all countries are treated as the same (anonymous interview, interviewee O1).

Or else, as a long-standing participant put it,

> From my experience I cannot say that there is a difference made whether little Luxembourg is saying something, or a huge country like Germany, no. It is one delegation per member state

and I think they are being heard the same way by the Commission'[36] (anonymous interview, interviewee H2).

Nevertheless, some interviewees articulated the opinion that the size of the country does indeed influence how much weight a delegate's opinion has in the debate. In the majority of relevant cases, however, this was regarded as a resource only indirectly, through better administrative capacities: 'bigger countries have resources and are more able to (…) spend time and effort and resources getting their point of view across' (anonymous interview, interviewee H1). Yet, there are also some participants who thought that some representatives are more listened to 'because their country is more powerful' (anonymous interview, interviewee I1). Interviewees who articulated this opinion claimed that 'definitely the bigger countries have more to say, they are more listened [sic], for example Germany, France or the UK, which is natural as they have more power' (anonymous interview, interviewee L2). Or in another formulation in relation to new member states:

> Which country you are from also makes a difference, so (…) it is much easier for a Polish representative to make a fuss about something than it is for an Estonian, simply because of the weight of the country in the debate (anonymous interview, interviewee Y1).

In this context it certainly has to be noted that Poland is the only big new member state.

The third resource or source of respect that was mentioned during the interviews is the ability to reach a *compromise* or offer consensual solutions to problems. Interestingly, it was a new member state delegate who most strongly articulated the view that this ability is an important precondition for being able to influence discussions. In this context, new member states are again seen to be in a disadvantaged position: 'due to the different, non-democratic history, we fall behind the old fifteen in the ability to establish consensual solutions, which has been practiced by old member states for forty years' (anonymous interview, interviewee J2). Other participants discussed this resource of being able to seek a consensus in connection to the role of the chair of the SPC. As a delegate from an old member state noted about the

---

[36] The statement again highlights the important role of the Commission (see also previous footnote).

previous chairman of the SPC, he is listened to because 'he practices as a voice of compromise suggesting ways to go about' (anonymous interview, interviewee L1).

As was described above, the chairperson is the convenor of SPC meetings and his or her main role is seen to 'get a consensus, [to] achieve and maintain the kind of tradition of consensus on issues' and 'to ensure that all views are taken into account' (anonymous interview, interviewee H1). Chairs are usually not bound by their national governments and can afford to be consensus-oriented and 'neutral' (anonymous interview, interviewee C2), thus can play an important role in resolving conflicts between countries (anonymous interview, interviewee S1). The interviewed chairs – current and previous – also saw themselves as being neutral facilitators. Certainly, this also means that the chair can influence discussions to a large extent: 'the agenda and the content of the documents are always cooked up in a way by the Commission in cooperation with the chair' (anonymous interview, interviewee B2).

Most probably because of their ability to influence the agenda, the last election for the committee chairperson was described as very 'polarized' and highly political (anonymous interview, interviewee K2):

> There was actually a very strong campaign, because the Polish representative on the committee went forward. Normally, it is a relatively neutral thing and it is done quite discretely (…), but there was a strong campaign that provoked then some of the other countries to get together and decide to put forward the Belgian representative as an alternative who was at that time vice-president of the committee. (…) there was an enormous amount of lobbying, political lobbying, which surprised me a bit (…). But when you get sort of the UK, Netherlands and others going out and ringing up ministers in other countries and saying you should be supporting the Polish candidate, it was clearly on a philosophic division, political division that was there (anonymous interview, interviewee K2).

This quote also illustrates well that despite a general consensus-orientation (see also next chapter), there exist different coalitions of member states within the SPC that usually represent conflicting positions on diverse policy issues along political-ideological lines. On the one hand, one group of countries would like to see a 'more social Europe, would like to see the Lisbon Strategy much more socially oriented, would like to see that the so-called

social dimension of the Lisbon Strategy is much more strengthened' (anonymous interview, interviewee B1). On the other hand, there are other member states 'who more would like to focus on growth and employment, as in the new revised Lisbon Strategy' (anonymous interview, interviewee G1). As chapter 2 discussed, the policy process can be described as influenced by the competition between different discourse coalitions. Nonetheless, if strong coalitions are present, it can go against the 'epistemic' character of the committee.

Yet, being part of a powerful '*discourse coalition*' can certainly be considered as resource in the debate, especially for small member states (assuming the importance of country size). As a delegate from a small new member state noted:

> As a small country it is useful if you have [allies], because I think if [country name deleted; A.H.] absolutely disagreed with something, and it was just [country name deleted; A.H.], I do not feel it would stand a chance. But if you find two or three more countries who agree with you, then you have a good chance (anonymous interview, interviewee A1).

Therefore, belonging to a discourse coalition is regarded as the fourth resource that can influence effective participation in SPC meetings. After the enlargement – as will be discussed in more detail in chapter 5 – new member states are said to have joined existing coalitions. Furthermore, according to several interviewees, they have altered the prevailing balance of power between these coalitions, strengthening the position of the United Kingdom and more 'market-oriented' (anonymous interview, interviewee D1) arguments in the SPC.

## 3.4 Interpreting Role Perceptions and Identities of Delegates from Old and New Member States

In the conceptual framework of this dissertation, the institutional setting in which actors interact influences their role perceptions and identities, and vice versa, role- and self-perceptions of participants have an impact on how they perceive and evaluate the features of that institutional setting. In this chapter, the discussion is limited to the organisation of interactions and resource allocations after the enlargement, without analysing the normative

standpoints of actors about the acceptable modes of interaction, which will be the task of chapter 4. Therefore, despite the strong connections with the following chapter, a similar limitation is applied to the analysis of related role perceptions and identities of SPC members. Thus, this last section of the chapter examines how actors perceive themselves in SPC discussions in a post-enlargement context, without analytically relating these self-perceptions and identities to institutional stories and participants' commitments to certain normative standards.

The main questions to be asked during the current interpretive analysis, therefore, are the following. First, is it possible to see systematic differences in how participants judge the post-enlargement organisation of interactions and the distribution of relevant resources? Second, if systematic differences can be found, how is it possible to categorise these and link them to particular identities and role perceptions? In the present analysis, these questions imply the investigation of (1) which types of – representational, cultural, etc. – backgrounds are used to describe actors' self-identities about participation in a given institutional context (SPC meetings); and (2) how this self-perception of interviewees is connected to the description of SPC meetings and their arguments related to the organisation of interactions and power distributions.

The assumption behind such an analysis is that depending on how actors define and frame their role within the SPC, their positions and evaluations of the organisation of interactions and resource mobilization might differ. Certainly, the organisation of interactions contributes to the development of these role perceptions as well. Based on the interviews, the following categories of personal or institutional backgrounds can be distinguished: representational, professional/sectoral and cultural. These are the main factors that seem to be relevant to how specific actors relate to discussions in the SPC and how they perceive their own and the others' capacity for resource-mobilization. As chapter 1 mentioned, a similar

analysis was done by Egeberg et al. (2003), in which the authors analysed representational, professional and sectoral role perceptions across different types of committees. As will be shown – similarly to one of Egeberg et al.'s findings – these potentially conflicting identity-categories are also evoked in parallel in the case of a few interviewees showing the 'Janus-faces' of actors (Egeberg et al. 2003, 30; see also de la Porte et al. 2009 and Thedvall 2005, 2007).

The most significant identity-category among SPC delegates is based on *representational role perceptions*: the idea that as members of the SPC, they represent ministers, ministries, governments or states. As was shown above, the Council Decision 2004/689/EC also defined SPC members as 'representatives' of member states. Should delegates also frame their role in categories of representation, this further implies that they do not see themselves as deciding on their own what to say and when in SPC meetings. Instead, they act upon a ministerial, governmental or national mandate, which mandate is regarded as a resource (see above). Examples for such representational identities can be statements like 'we represent primarily ministers' (anonymous interview, interviewee H1), or 'we work for states; I would prefer to say for states than for governments' (anonymous interview, interviewee R2). Or else, as one SPC delegate argued:

> We are civil servants; our task is to represent from the first moment in a consequent way the position which was officially accepted by the minister or by the inter-ministerial committee, regardless whether we, as professionals, agree with this position or not (anonymous interview, interviewee J2).

An interesting point of the latter quote is that it contrasts two identity-elements: a representational and a professional one. Similarly, another delegate argued that: 'we all have to do some window-dressing; it is our task, because we have to fulfil the job for the government' (anonymous interview, interviewee S1). What certainly should be noted in connection with these statements is that while interviewees evoked both representational and professional identities, they prioritised their representative role in these cases.

Such representational role perception can certainly influence how delegates perceive the organisation of interactions in SPC meetings, and vice versa, the changing routinisation of interactions or the allocation of resources can have an impact on such a representational identity. For example, the more important it is to represent a relatively fixed mandate, the less important it becomes to have professional debates in the SPC (see also chapter 4). Or else, the higher the level or rank of a civil servant in the SPC, the more possibilities she or he is seen to have to be flexible and seek compromised solutions. In addition, in connection to what was discussed above concerning participants from new member states, defining ministerial mandates as resources and pointing to their lack of such mandates in the SPC context gives these delegates a valid justification for their passivity in meetings. As a new member state representative gave reasons for her own non-intervention:

> Not many countries take the floor during the meeting. (…) I think that it means that a part of them made written contributions and they are taken into account. They are satisfied, why should they raise the same point and repeat, no sense (…). And second, if neither written contribution was made nor oral, it means that we have no specific interest (…). So if there was not such preparation in advance, it would be impossible to prepare any of these documents here (anonymous interview, interviewee Q1).

This also implies that new member state delegates who are not satisfied with their passivity can start blaming the insufficient human resources in their ministries, which can more strongly evoke their representational identity in an SPC context. Thus, the extent to which SPC delegates perceive their own role in categories of representation influences their participation in SPC meetings, as well as their judgments on the interventions and contributions of other delegates. Similarly, the changing organisation of interactions can evoke stronger or weaker representational identities.

The second role-category of SPC delegates is related to the idea of some interviewees that they are not only civil servants, but also *professional experts* in their relevant fields (social inclusion, pensions, health care). As was already suggested above, this role or self-perception often emerges in relation to the representational role or the representational

identity. Such a relationship can be hierarchical: 'our role is to strengthen professionalism, but we cannot act against a political decision' (anonymous interview, interviewee J2), prioritising the representational role. Or else, some see a potential trade-off between professionalism and political representation. Besides the examples presented above, there are other statements which underline this perceived tension from a different perspective. For example, as a delegate from an old member state described herself at a workshop:

> Being an external expert but chosen by the Minister himself presents both advantages and disadvantages: on the positive side I can enjoy more freedom of thought (I can say what I really think!) and this government has allowed me to do that; however, it has been more difficult to maintain useful contacts within the workings of the Ministry (Olivelli 2006).

Or else, an SPC delegate who is also a member of the ISG contrasted the professionalism of the ISG with the SPC:

> Members of the SPC are all there to represent your government's view. And that is the point of it. (…) the position in the Indicators' Sub-Group is slightly different because what we are trying to do is get some technically, professionally sound basis for the selection of indicators. But there will always be a slight national interest peeping in, and you know, there are lots of examples of member states pushing for a particular indicator because it was a damn important and it was a national issue, and it was not a purely objective, professional issue (anonymous interview, interviewee C2).

Nevertheless, as the previous section also discussed, there were many interviewees who equated the seniority of SPC delegates with their expertise, which means that they did not see a tension between representation and professionalism.

Certainly, such professional or sectoral identity – when the field of expertise is emphasised – can also influence how the organisation of interactions and the allocation of resources are perceived by participants, and conversely, committee meetings themselves can contribute to the development of such a role perception. Interestingly, not having any minutes of the meetings in order to ensure that participants tell the 'truth' (anonymous interview, interviewee S1) instead of 'just giving statements' (anonymous interview, interviewee B2) might also strengthen the professional identity abating the representational role. The same reasoning can be applied to the explicit non-reliance on voting (see also Egeberg et al. 2003). Furthermore, as was discussed above, expertise was seen as one of the most important sources

of respect, which also has important implications. First, those who value professionalism and define themselves as experts – or in contrast, evaluate their lack of expertise as a source of difficulties – are more likely to evaluate the changing organisation of interactions and the reduction of detailed discussion as problematic. Second, if members from new member states experience that expertise is an important resource in the committee, it is likely they will frame their own role based on this category, which in fact was the case throughout the interviews.

Finally, certain self-perceptions are framed on the basis of cultural categories, though these are not very frequent among SPC participants. The term '*cultural identity*' refers to statements which describe the actor's own position as related to his or her national-cultural background or 'bureaucratic culture' (Thedvall 2005). A clear example of such self-perception is the following quote: 'coming from Northern Europe, I always feel that people talk too long' (anonymous interview, interviewee B2). Or similarly:

> Nordic countries do not have a tradition of taking part that much in the discussion. I mean it is just a cultural fact that you do not take part in a discussion for taking part of [sic] the discussion, you only take part in a discussion when you think you have something to say (anonymous interview, interviewee K1).

These statements suggest that the cultural background of SPC delegates can influence their judgments about SPC meetings and the importance of discussions during these meetings. Accordingly, those who think that they do not necessarily have to intervene in discussions will see it less problematic that not everyone contributes to SPC meetings. Certainly, SPC meetings themselves also have the potential to induce or alter such identities. As a former member of the committee described his experience:

> It is also a sort of cultural journey, because I am a [nationality deleted; A.H.] civil servant, I am used to working within a [nationality deleted; A.H.] environment, with (…) people [of my nationality, name deleted; A.H.] and with the [nationality deleted; A.H.] way of thinking and speaking. Performing a job (…) [in] the SPC is first of all a cultural shock, because all the people you are working with have one thing in common, they are not [of your own nationality, name deleted; A.H.]. They are completely different. So it takes some time to find a way to form a role (anonymous interview, interviewee B2).

Cultural traditions are also sometimes seen – though only in a few cases – as relevant for the coalitions among member states, for example, that of Francophone countries.

114

In connection with these three identity-categories one clarification has to be made that is also important from a methodological point of view. One might argue that some of these identities – especially the cultural identity – are independent from the institutional context which is under discussion here. However, as these self-perceptions and identities are evoked and referred to in connection to a given institutional setting – SPC meetings – and are formulated in relation to other actors who are also participants in the same environment, these can also be regarded as part of the institutional discourse and cannot be assumed to have the same meaning in a different context. This assumption will also be important throughout the next chapter of the dissertation, which looks at different interpretations or stories on the acceptable modes of interactions within the SPC. Certainly, normative principles about the acceptable modes of interactions are strongly connected to the role perceptions presented here. For example, a potential tension between ideas of 'professionalism' and 'political importance' in the SPC (i.e. the presence of high ranking officials representing ministers) will also be important in the wider context of institutional legitimation and institutional stories discussed in chapter 4.

## 3.5 Summary: Mechanisms of Adjustment

Table 1 shows the mechanisms of adjustment that can be distinguished based on the analysis presented in this chapter. As was discussed above, the SPC developed new rules of procedure with an increasing reliance on written communication and limited discussion time. This led to an unequal participation of delegates in committee meetings favouring those with (1) more experience; (2) more resources available on the national level; (3) more expertise; (4) higher official status; and (5) better abilities to seek consensual solutions. Delegates from new member states tend to have more scarce resources in all of these aspects. Second, the

increasing number of committee members led to the formulation of ad-hoc sub-groups and intensified informal coalition-building. In this respect, the most important resources that shape debates are (1) expertise; (2) the size of the country; (3) consensus-seeking attitude; and (4) being part of these discourse coalitions themselves. Finally, another organisational adjustment within the SPC is a 'gentlemen's agreement' on relying more on the working languages of the committee in oral and written communication. This certainly favours those with better language skills.

Table 1. *Mechanisms of adjustment, their consequences, and related resources and identities*

| Mechanisms of adjustment | Consequence | Related resources | Identity-categories influencing position taken |
|---|---|---|---|
| *Increasing reliance on written procedures and limiting discussion time* | Unequal participation | Experience; Human resources; Expertise; Seniority; Consensus-seeking | Representational; Professional; Cultural |
| *Forming informal coalitions/sub-groups* | Intensified groupings | Expertise; Size of the country; Consensus-seeking; Discourse coalitions | Representational; Professional; Cultural |
| *Agreement on working languages* | More discussion time | Language skills | Cultural |

The evaluation of these adjustment mechanisms by interviewees is dependent on the identity-categories they evoke. For example, as was mentioned above, the more important it is for a delegate to represent a national mandate, the less important it becomes to have professional debates within the SPC. And vice versa, those who defined themselves as experts found the limitation of discussion time more problematic. Representational and professional role perceptions are also important in relation to building informal coalitions. Finally, cultural identities can shape opinions about participation, language use and chosen coalition partners. Certainly, the relationship between perceived mechanisms of adjustment and

representational/professional/cultural roles and identities does not only go one direction. The

changing organisation of interaction also influences which roles are evoked.

# Chapter 4. Mechanisms of Rule Contestation: Institutional Stories, Legitimation Strategies and Acceptable Modes of Interaction within the SPC

In situations of institutional ambiguity, it is not only procedural rules that have to be negotiated and accepted, but also the main principles based on which committee members define appropriate patterns of behaviour in a given institutional setting. Certainly, changing procedures and adjustments made in a new situation have consequences for such definitions of appropriateness. Therefore, following the analytical framework outlined in chapter 2, the goal of the present chapter is to analyse institutional stories about the functioning of the SPC. As chapter 2 discussed, these stories do not only provide guidance for appropriate behaviour, but also serve to legitimise certain modes of interaction and the functions and purposes of a governance arrangement.

In the following analysis, special attention will be devoted to potential differences in how participants from old and new member states perceive and interpret these acceptable modes of interaction. Chapter 2 argued that new actors can be expected to contest the normative organising principles shaped and accepted by long-standing participants. Therefore, if differences in perceptions exist, it might indicate that new participants are less committed to these normative organising principles that were formed earlier and might contest existing interpretations of institutional rationale and appropriate behaviour. Nevertheless, this expectation does not mean that the opposite scenario is not possible: the empirical analysis can also potentially demonstrate that new member state delegates are more committed to normative principles than those from the old member states.

Similarly to chapter 3, this chapter also mainly relies on semi-structured interviews with participants and observers of the SPC. In addition, this chapter also builds on the 2005 OMC evaluation questionnaires. As chapter 2 explained, these replies can provide a good basis for supplementary analysis on potential differences between member states. Therefore, the chapter proceeds as follows. Section 4.1 reviews actors' commitments to the main normative organising principles or functions of the SPC on the basis of interviews. The analysis of evaluation questionnaires can help to establish clearer conclusions about potential differences between interviewees, because they can show whether such disparities go along with diverging member state perspectives. This section examines differences in positions and interpretations without relating the different principles or categories to each other. Such relationships are analysed in the second section of this chapter. Thus, the main question to be answered in Section 4.2 is whether and how the categories or principles distinguished in the first section can be connected to constitute relatively coherent stories about the SPC and the institutional framework of the OMC. To this end, this section again looks at potential differences between the story-lines of participants from old and new member states, as well as examines the perspectives of old and new delegates – those who became SPC members before and after the enlargement – coming from old member states. Throughout the analysis, interpretations by observers – i.e. Commission officials, NGO leaders, representatives of social partners, experts, and partly representatives from permanent representations[37] – are used to better situate such different accounts of the actual SPC delegates.

---

[37] Interviewees from permanent representations are themselves SPC delegates in some cases. However, in the cases when they are not, they go to SPC meetings less often and are expected to enact or perform normative principles of behaviour to a lesser extent.

## 4.1 Commitments to Normative Organising Principles: Accounts on the Acceptable Modes of Interaction and the Main Goals of the SPC

The following sub-sections show how committee members interpreted and described the work of the SPC and the institutional framework of the OMC. The main normative principles that were identified are the following. First, the SPC should work like a forum for dialogue where the exchange of views and information is possible. Second, all decisions within the SPC are consensual and form the basis of common opinions and strategies. Third, the visibility of social issues should be promoted on an EU level without sacrificing subsidiarity. Fourth, the policy coordination process should result in different forms of learning. Finally, all stakeholders should be included in the coordination process.

Certainly, these principles do not 'emerge' unexpectedly: they are largely based on the 'official' characteristics of the institutional design of the OMC presented in chapter 1. Hence, the following sub-sections also show whether and how participating actors enact, contextualise, re-define and re-evaluate the norms and goals that were outlined in official documents of the Commission and the Council. Chapter 2 argued that such redefinitions and re-interpretations in the context of the SPC are crucial in shaping the directions of the institutionalisation process. Differences between SPC delegates from old and new member states have to be evaluated in this light as well.

### 4.1.1 Commitment to Communication and Dialogue: The SPC as a 'Valuable Place of Exchanging Opinions'

Chapter 1 showed that communication and dialogue are regarded to be crucial organising principles of informal institutional contexts, especially in the case of transnational 'networks' (Knill and Lenschow 2005, Puetter 2006, 2007). This process of communication or '(self-)

reflective debate' (Cohen and Sabel 2003, 346) is seen as legitimising non-binding governance arrangements (Knill and Lenschow 2005). Therefore, it is not surprising that according to both the interviews and OMC evaluations, the most widely accepted purpose of the SPC is that it is a 'valuable place of exchanging opinions' (anonymous interview, interviewee L2) and 'the medium of cooperative exchange between the European Commission and the Member States for modernising and improving social protection systems' (OMC evaluation, Malta).

Thus, the SPC is said to provide a 'platform to discuss more politically over social affairs' (anonymous interview, interviewee I1) in which the acceptable mode of interaction is 'dialogue' (anonymous interview, interviewee A2; G2; L2). As one delegate from an old member state described the SPC:

> The SPC is a concrete way to legitimately have common discussions, which is not completely evident from a national point of view, the fact that the German can discuss with the French or the French with the Polish and so on, with the Greek and so on, on what could be considered as very national topics (anonymous interview, interviewee R2).

Having meetings once a month allows delegates to have 'quite in-depth discussions' and to hear 'the position of different member states' (anonymous interview, interviewee H2). An essential feature of these discussions is said to be that 'everybody has an opportunity to be involved', since without such a 'formalised' coordination process only bilateral discussions would be possible and potentially not at the time when a country needs it (anonymous interview, interviewee K1).

This forum is said to be the main meeting point for delegates coming from national ministries. The SPC is often described as a place for 'networking' (anonymous interview, interviewee A1; I1; L2), to 'make contacts' (anonymous interview, interviewee Q1), and to get to 'know the other stakeholders in Europe and to get used to them' (anonymous interview, interviewee G2). As a delegate from an old member state explained:

> I think that it contributes to bringing member states closer to each other (…). Civil servants [are] coming together and they [are] kind of getting new colleagues from other countries and it is

easier, you know, to call people and ask them for information (anonymous interview, interviewee G1).

Or similarly: 'it is easier to ask somebody that we know, that we see each month (…) [for] information (…) and they know that we need it and they do their best to give it' (anonymous interview, interviewee I1). Thus, the SPC is seen as 'a European network', which ensures that delegates become 'more aware of what is at stake and how it works in the other countries' (anonymous interview, interviewee R2). In the context of the 2004 enlargement, this networking practice is evaluated to have become more difficult to pursue: 'since partly this is about personal relationships, (…) maybe that is one difference since enlargement that you do not know everybody as well' (anonymous interview, interviewee L1).

The goal of committee discussions and networking is said to be 'the transnational exchange of information' (OMC evaluation, Denmark) and 'sharing experiences with other member states' (anonymous interview, interviewee L1). As a long-standing delegate of the SPC put it:

> It is important to bring us together once a month for the SPC meeting, because then you see other member states' positions, sometimes you may discuss them more in detail, and then you may sometimes also adjust your positions and get other views' (anonymous interview, interviewee H2).

In this vein, the SPC 'provides a platform for exchange of ideas, for improving understanding of various systems' (anonymous interview, interviewee A2). This implies that while member states 'are in a different position', they 'face shared difficulties' and 'they can rather honestly bring them up in the SPC' (anonymous interview, interviewee O1). Thus, sharing information and best practices can lead to the recognition that 'we are not the only one with problems in this matter' (anonymous interview, interviewee G2). A new member state delegate highlighted a specific angle of such a recognition, claiming that after the enlargement, 'old member states understand more about the new member states (…) than they used to a year ago or a year and a half ago' (anonymous interview, interviewee L2).

122

Some interviewees also claimed that such a dialogue and the 'circulation of ideas' (anonymous interview, interviewee R2) can bring about changes in the way of thinking about particular problems in particular countries. This can ultimately lead to the 'sharing of goals' (anonymous interview, interviewee R2) and even to solving 'problems together' (anonymous interview, interviewee Q1). This is seen to be a relatively big achievement because the positions of member states differ in many policy issues: 'we may not always agree, but we would still talk to each other to try and find out what our position is about and try and understand what is there to say' (anonymous interview, interviewee L1). Some interviewees further argued that reaching these common goals can be possible because during the dialogue between member states, delegates present 'reasonable' arguments (anonymous interview, interviewee L2). In this view, 'everyone is in the business of convincing others' (anonymous interview, interviewee H1). As one of the interviewees explained: 'It is not as if people are reading set pieces, they are listening to what other people are saying, it is a real debate, and it is very important that it would be that way' (anonymous interview, interviewee H1).

Certainly, not everyone described SPC meetings in such a positive way. While the principle of communication or dialogue and the goal of sharing information were valued positively by all interviewees, more than half of the interviewed participants of the SPC criticised the current practice of SPC meetings. Critical remarks were made in connection with the content and the nature of debates. As far as content is concerned, several interviewees from both old and new member states complained that in most cases, delegates only debate about the appropriate wording of certain documents. As a participant from a permanent representation explained:

> The SPC is creating papers, somebody drafts them and then we discuss them in the group whether this wording is nice or not, or whether the countries are reflected properly or not (…) you can do it over internet, you should not come together for that' (anonymous interview, interviewee M1).

Other delegates felt that discussions are more 'about processes: when will we deliver this action plan (…), these formalities, when to deliver the next paper and so on' (anonymous interview, interviewee G1).

Besides content, the nature of discussions is also often criticised. Some interviewees questioned whether there are 'real debates' in the SPC:

> Some of us thought that we had to explain our own position, the position of our government, and then we did not have a real discussion in the group, we had in fact statements from the member states, and that is not good, it is impossible to have a real discussion in this situation. (…) We are always with our statement and we do not try to understand really what the others really say and what the real situation is in another country (anonymous interview, interviewee I1).

A Commission official also described the situation in a similar way: 'in general, we have a polarised discussion, the Commission presents a paper, and there is roundtable, and member states react to that paper; so there is little interactive discussion' (anonymous interview, interviewee N2). As the previous chapter briefly discussed, one consequence of the lack of interactive exchange is a relatively dominant position of the Commission in SPC meetings (see chapter 5 for more details). As one of the interviewees explained:

> It is not that much that it would be the member states being actively, in the true active spirit, involved in the discussion process, it is more the Commission giving the push to the whole process of discussions on different themes of the SPC (anonymous interview, interviewee O1).

Chapter 3 showed that such problems concerning the discussions in SPC meetings are often linked to the increased number of SPC delegates after the 2004 enlargement. Nevertheless, some claimed that while 'enlargement is partly an explanation, (…) when we were 15, it was not better really' (anonymous interview, interviewee I1).

An important question certainly is whether there is any difference between delegates from old and new member states in being more or less critical about discussions within the SPC. Looking at the different positions of interviewees, being from a new or from an old member state is not a straightforward indication for the perspective a participant might have. Nevertheless, SPC delegates who come from national ministries in new member states, thus who are not from permanent representations in Brussels, tend to have less articulated critical

remarks which are often made in relation to an envisaged 'ideal' situation defined by others –

e.g. by other members, by the chair of the SPC or by the Commission through 'official'

documents – and not by themselves. For example, as a delegate from a new member state

noted, 'the SPC (…) does not have any space for the real exchange of good practice or

whatever is the other instrument' (anonymous interview, interviewee P2). Or as another new

member state delegate defensively remarked: 'to be honest with you now, and if the chairman

of the SPC was here he would slap me now, but sometimes I do feel frustrated at the

meetings, because what happens is, there is a lot of repetition' (anonymous interview,

interviewee A1). However, the same is not true for new member state participants from

permanent representations. Neither can such differences be observed in the 2005 OMC

evaluations. Therefore, new member state delegates cannot be seen as less (or more)

committed to dialogue and exchanging information than representatives from old member

states.


## 4.1.2 Commitment to Consensus-Seeking: Maintaining the 'Tradition'

Another important feature of the SPC is its consensual nature. Again, as chapter 1 reviewed,

committees are seen as favouring consensus-based decision-making (Christiansen and

Kirchner 2000, Joerges and Neyer 1997, Puetter 2006, Sørensen and Torfing 2007). In

addition, the emergence of a 'culture of compromise' is very important in the case of 'soft'

modes of governance and in particular for the OMC in order to formulate European-level

decisions (Thedvall 2007, see also de la Porte et al. 2009, Jacobsson 2004, Jacobsson and

Vifell 2003). Consensus formation is regarded as an important pre-condition for the

'generation of self-commitment to common rules and guidelines on part of national

governments' (Puetter 2007, 2; see also Jacobsson 2004, Puetter 2006, Sørensen and Torfing

2007, Teague 2001). According to this logic, member states – and participating actors – will only become committed to the outcome of discussions if they feel that they agreed to and accepted the objectives when they were formulated (see also chapters 1 and 2). Therefore, SPC members are expected to be oriented towards consensus-seeking.

Interviews show that the principle of consensus-seeking is widely accepted as the basis of working together within the committee and as a way to agree on documents released by the SPC. Thus, the SPC is regarded as a 'consensus-seeking body' where 'all members approach discussions in a cooperative way' (anonymous interview, interviewee T1) and 'everybody accepts the need to compromise' (anonymous interview, interviewee L1). Furthermore, in such a 'consensual process', all 'views are taken into account' (anonymous interview, interviewee H1). Chapter 3 mentioned that such a consensus should be recognised by all delegates and the Commission without any voting procedure. This practice has not changed even after the enlargement. As one long-standing member of the SPC noted: 'we have never had a vote at the SPC, never ever had to have a vote. People just recognise a consensus (…). We have never failed in the six years to agree on a document' (anonymous interview, interviewee H1). Thus, within the committee, everybody should accept that the objective is to 'get a consensus, achieve and maintain the kind of tradition of consensus on issues, [and] listen to the range of views' (anonymous interview, interviewee H1).

As most interviewees agreed, reaching such consensus or compromise is not necessarily easy, as the initial positions of member states are different: 'there are some fairly different viewpoints within the committee, but we still nevertheless enter our consensus' (anonymous interview, interviewee L1). Therefore, committee members, with the mediation of the Commission and the chair of the SPC, have to make efforts to find 'a mutually acceptable outcome' for all debates. This process is described the following way:

> Normally we try and thresh it out till we get something which sometimes a compromise, where, you know, the opposing sides can live with it, sometimes we can change some procedural things

so that is right, sometimes we come back and gain an agreement later (anonymous interview, interviewee C2).

Or in a different formulation: 'we achieve this [consensus] all of the time at the end of the day. Sometimes it is painful, sometimes it is a bit lengthy, but at the end of the day we achieve that' (anonymous interview, interviewee H1).

Interviewees had diverse opinions on the question of whether enlargement and the increased number of delegates made it more difficult to reach such a consensual opinion. Some participants indeed claimed that after the enlargement, 'it was longer to actually come to conclusions on things' (anonymous interview, interviewee Y1), because 'to find common denominators for the group of 27 is harder than for the group of 15 before the accession' (anonymous interview, interviewee B2). However, as the introduction argued, initial expectations about potential deadlocks due to the increased heterogeneity of positions do not seem to be confirmed. The majority of interviewees agreed that enlargement has not made decision-making much more difficult and it is still possible to reach compromised solutions. Moreover, some even stated that 'increased diversity helps discussions' (anonymous interview, interviewee L1).

Another difference lies in perceptions about the genuine nature[38] of the emerging consensus or compromise. On the one hand, some interviewees claimed that 'it is not the case that the documents are so watered down that it is easy to reach an agreement' (anonymous interview, interviewee F1). On the other hand, other participants admitted that the need to 'accommodate really everybody' (anonymous interview, interviewee F1) might have had some adverse effects. For example, as a long-standing SPC delegate described: 'we have managed to succeed to have consensus, okay compromise, watering down perhaps here and

---

[38] As the previous section discussed, some interviewees argued that one of the aims of committee discussions within the SPC is 'convincing' others about certain positions. However, when delegates were asked directly whether they had ever been convinced by their colleagues, the answer in most cases was 'no'. Nevertheless, the need to achieve a compromise was still accepted in these cases. As one delegate put it: my position 'is rather changing in order to seek a compromise', but 'I do not remember a situation when I really changed the opinion' (anonymous interview, interviewee L2). Or similarly: 'you compromise but I do not think I ever changed my view really' (anonymous interview, interviewee L1).

there; you know, some people would have liked it stronger, others would have liked it weaker, so you have something that is acceptable' (anonymous interview, interviewee H1). Or in an even more sceptical formulation: 'this compromise is (…) the least common denominator, so it is a very weak compromise (anonymous interview, interviewee S1).

Differences in emphasis also occurred when interviewees gave reasons for why such consensus is necessary, though there were only a relatively few participants who explicitly did so. Most of these delegates argued that a compromise is the basis of having common objectives and opinions on certain issues and documents. OMC evaluations also describe the goal of 'achieving objectives which were jointly agreed upon by the European Union Member States' (OMC evaluation, Poland). Having such a 'common view' is important 'because the SPC also communicates', so achieving a 'common SPC document' is vital in order to make the voices of member state representatives heard in the Council and in different fora (anonymous interview, interviewee H2). Thus, in order to influence the EPSCO Council and, as a result, the European Council, a consensus or a compromise should be presented that reflects the opinions of all member states: 'everybody does not get everything they want, but everybody knows the rules of the game, that you influence things' (anonymous interview, interviewee H1). Or in other words: 'sometimes you have to have an output for the Council of Ministers, (…) so it is always good to have at least a small compromise which you can write down (anonymous interview, interviewee S1).

Certainly, this might not necessarily mean that consensual decisions are indispensable; in principle, such opinions could be formed through a voting procedure. However, given the voluntary character of the OMC in social protection and social inclusion and the importance of the principle of subsidiarity, a consensus is a strong basis for legitimating SPC decisions (see also chapter 1). As a delegate from an old member state argued: 'as long as competences are mainly based in member states, it is necessary to find a compromise; otherwise the

reaction would be very negative (...) if a big member state (…) felt neglected or just overruled' (anonymous interview, interviewee G2). Furthermore, as a Commission official explained:

> There is no such thing as the best social model, it has to be path dependent, it has to be relative to the conditions that you have there [in member states]. So it is extremely difficult to have a top-down approach. The only way we are allowed to think is to have mutual consensus and mutual learning (anonymous interview, interviewee F1).

In addition, in the case of soft processes 'the real advantage of identifying challenges together is that they [member states] are more bound (…) to do something about it. It is not just an independent report (…); it is something that they agreed upon' (anonymous interview, interviewee F1).

An interesting question at this point is who is seen to play an important role in shaping the emerging compromise. As chapter 3 discussed, the chair is often regarded as being able to influence the outcome of discussions through 'suggesting ways to go about' (anonymous interview, interviewee L1). Or as another delegate argued: 'the truth is that the chair is extremely important; not only for the meeting itself, they have to try to make compromises, maybe they have to figure out in advance what could be a compromise' (anonymous interview, interviewee S1). The significant role of the Commission is also emphasised by several participants, although perceptions again differ slightly. For some, the Commission and the chair appear to be relatively neutral facilitators of getting a consensual view: a consensus is reached 'with the help of the Commission, with the help of the secretariat and the chair' (anonymous interview, interviewee L1). Others, especially delegates from new member states, claimed that the Commission is playing a more active role: 'it is always a very difficult role of the Secretariat of the committee to try to propose a text that is acceptable' by everyone (anonymous interview, interviewee L2). Or else: 'the Commission takes away the views and comes up with a new document and sends out the documents and then (…) some countries (…) still insist, but then in the end there is a compromise' (anonymous interview, interviewee

A1). Another delegate from a new member state even stated that the 'Commission has to find the best solution for all the member states' and 'a compromise for all countries' (anonymous interview, interviewee Q1).

These latter quotes show that some delegates, most of them coming from new member states, framed consensus-seeking as being done by others and not by themselves. They mainly emphasised the role of the Commission Secretariat in this regard. To recall, consensus-seeking was described as an important resource in committee meetings. As chapter 3 discussed, one delegate from a new member state argued that new member states are historically less experienced in consensus-seeking and this type of behaviour still has to be learnt in the SPC. In light of the current findings about the understandings of compromise-formation outlined in the previous paragraph, the arguments made in chapter 3 are strengthened.

Despite this difference, all interviewees – from both old and new member states – who talked about the consensual nature of discussions valued this feature of the SPC positively. This means that similarly to the case of the principle of communication or dialogue, there are no differences in commitments between delegates from old and new member states: virtually all of them described the SPC referring to its consensual characteristics. The only group of SPC participants who did not explicitly emphasise the consensual nature of committee meetings is interviewees from permanent representations coming from new member states. As these are generally the people who have been participating in SPC meetings less frequently and for the shortest time[39], this might indicate that there is a socialisation-effect present in the SPC. This is even more likely to be the case because in contrast to the principle of dialogue or the goal of exchanging information, the principle of consensus-seeking is not written down in official documents. Therefore, SPC delegates can only 'learn' about this rule in the meetings.

---

[39] Most interviewees from permanent representations coming from new member states arrived in Brussels later than 2004, with one exception. This latter interviewee was the only one in this category who mentioned and valued positively the need for compromise.

### 4.1.3 Commitment to 'Social Europe' and the Visibility of Social Issues on the European Level: The SPC as a 'Social Voice'

The institutional environment and the policy context of the SPC certainly plays a role in how SPC delegates define the normative organising principles they are committed to. Chapter 1 described that the SPC operates within the framework of the OMC in social protection and social inclusion. This framework is shaped by the re-launched Lisbon Strategy which prioritised the goals of growth and employment over the goal of social cohesion (see chapter 1). SPC members are predominantly from social affairs ministries with relatively strong sectoral identities (see chapter 3). The commitment to 'Social Europe'[40] is related to such a sectoral identity.

Both interviewees and OMC evaluations argued that the SPC has an important role in the 'promotion of social policy issues in the EU agenda' (OMC evaluation, Cyprus). In this perspective, an important feature that can legitimate the SPC and the OMC in general is that through this coordination process, 'social policy and social questions [are put] more highly on the agenda' (anonymous interview, interviewee K1). In other words, with the help of the SPC, social protection and social inclusion issues gain 'more visibility' on the European level (anonymous interview, interviewee H2). As a Commission official described the SPC: 'the SPC is a social voice; there is no other place' (anonymous interview, interviewee N2).

Interviewees gave a variety of reasons why the visibility of social issues on the EU level is vital. First, the SPC is perceived to have the goal of 'politically strengthening the

---

[40] The term 'social Europe' usually refers to a European commitment to certain social values and principles. As described by the European Trade Union Confederation (ETUC), such values include 'fundamental social rights, including freedom of association and the right to strike'; 'social protection and wealth redistribution measures'; 'social dialogue and consultation with workers'; 'social and employment regulation'; and 'state responsibility for full employment, services of general interest, and economic and social cohesion' (see the website of ETUC: http://www.etuc.org/r/816). The term is also widely used to describe commitments to an increased visibility of social issues on the European level and to a stronger European cooperation in social policy (see also European Commission 2008).

social dimension' of the Lisbon Strategy (anonymous interview, interviewee E2). Several delegates argued that 'it is necessary to give social policy some place to discuss in Europe' (anonymous interview, interviewee G2) in order 'to counterbalance (…) the work done by other committees and in particular the EPC' (anonymous interview, interviewee F2). This is said to have become even more important after the re-launching of the Lisbon Strategy in 2005, which prioritised the growth and jobs agenda over social cohesion. While some feared that 'maybe the legitimacy of the SPC lost a little bit' (anonymous interview, interviewee G2) after 2005, most delegates found it essential that the SPC is still there 'discussing the same issues from a social policy perspective' (anonymous interview, interviewee O1). As one interviewee argued, 'if we had not had the Social Inclusion Process, we would not have any security in flexicurity; (…) the Social Inclusion Process has created (…) some counterarguments and some pressure for compromise' (anonymous interview, interviewee K2).

Nevertheless, as chapter 3 mentioned, some delegates found it problematic that the SPC is politically weaker than the other two committees, the EMCO and the EPC. As a participant from a permanent representation argued:

> It is kind of like the Council takes note of everything what [sic] the SPC sends to the Council, but (…) they are just like pushed into the formal agenda and then everyone just knows, okay, the SPC has done something, that is it (anonymous interview, interviewee O1).

Furthermore, the common practice of the SPC preparing joint opinions with the EMCO is perceived to further weaken the SPC. As a delegate from a new member state explained, these joint opinions tend to 'reflect the opinion of EMCO to a larger extent', which makes it impossible for the SPC to express a 'strong opinion' on social policy issues, which then can lead to its further weakening (anonymous interview, interviewee T1).

Besides balancing employment and economic policies on an EU level, the second reason why the visibility of social issues is said to be important is because it can contribute to

'strengthening the legitimacy of the EU in the eyes of its citizens' (OMC evaluation, Sweden). A few delegates argued that:

> For Europe it is important not to neglect the social policy, because it is closely related with reputation and its legitimacy (…); if it is only about market and competition, then (…) people [might] say that 'we do not like this kind of Europe' (anonymous interview, interviewee G2).

In other words, the social dimension should be taken up at the European level, as 'Europe needs it and people want to hear it' (anonymous interview, interviewee H1). Thus, the OMC is seen as the institutional answer to the need 'to say something at [the] European level to give Europe a bit of credibility' (anonymous interview, interviewee H1). This reasoning is closely connected to the ideal of 'social Europe':

> I think that behind this is the idea of social Europe, (…) what the European Union could offer to its citizens apart from other countries (…). That is why I think (…) the representatives of the member states decided that we should do something (…) for our citizens, to tell them that we have also something for them, particularly for them (anonymous interview, interviewee U1).

Or similarly, such processes are inevitable because 'the most typical thing for Europe is that we have a social Europe', since 'we have not so much difference if you compare our way of life with North America and Japan; the difference is social' (anonymous interview, interviewee, X1).

Bringing legitimacy and EU citizens into the discussion makes a link between EU level processes and national-level policy-making. According to the third line of reasoning, the visibility of social issues on the European level is important because this way 'the topic is on the agenda all the time, [so] in a way countries have to write about it, and if you write about it, you have to think through something' (anonymous interview, interviewee M1). Here lies the 'pedagogic' character of the OMC process: member states cannot fully ignore the work of the SPC and the coordination process as a whole (anonymous interview, interviewee P1). From this perspective, the common objectives and benchmarks agreed by the SPC function as a 'safety-valve' (anonymous interview, interviewee A1) that can 'defend' the 'bottom line' of social policies through the creation of a 'European social sphere' (anonymous interview,

interviewee B2). These issues will be further discussed in connection with the principle of learning.

Despite a general enthusiasm expressed by most delegates about the SPC as a social voice, many committee members stressed that while the visibility of social issues should be promoted, policy-making or legislative competences should be kept at the national level. The OMC is said to be a useful process that is able to promote social Europe without sacrificing the principle of subsidiarity. As one delegate from an old member state put it:

> It might look like a contradiction: on the one hand we want to have a social forum and discussion in Europe (...), on the other hand we would like to keep our own competences; (...) so the Open Method of Coordination is accepted as a compromise' (Interviewee no. 9).

Thus, in this perspective, the OMC is seen as 'a kind of a compromise, kind of a way how to coordinate national policies of member states in order to achieve some common objectives, in order to support values we all share in the Community' (anonymous interview, interviewee B1). It is interesting to note, however, that some delegates, and not only those who come from member states which support a closer cooperation in the social field, saw the OMC as a 'first step' (anonymous interview, interviewee A2) towards a stronger legislative instrument.

To conclude, the final question that needs to be answered is certainly whether there are any observable differences between delegates from old and new member states in how they evaluated the importance of the visibility of social issues. On the one hand, almost all SPC delegates and participants from permanent representations from old member states talked about the 'social voice' feature of the SPC and the involvement of the committee in strengthening the social dimension of policies on the European level. This also implies that there is not much divergence between countries belonging to the different discourse coalitions discussed in the previous chapter. On the other hand, only four out of thirteen interviewees coming from new member states – SPC delegates and participants from permanent representations together – mentioned the value of the EU-level visibility of social issues.

When examining the 2005 OMC evaluations, the same pattern can be observed. While almost all old member states described positively the added value of the OMC on the European level (with the exception of Italy, the Netherlands and Spain), such assessments are to a large extent missing from the answers of new member states (with the exception of Cyprus, Estonia, and Malta). Again, these differences do not go along the lines of existing discourse coalitions within the SPC. Instead, they rather reflect variations in the existence and relevance of a European-level perspective in a given member state. In other words, those countries which do not explicitly talk about the role of the SPC on the European level are less conscious about EU-level processes and are more focused on how these processes might influence policy-making on the national level. Certainly, this does not mean that new member states are not concerned about the European level at all. Most of them attach significance to 'commonly shared views' and values (e.g. Slovakia), the 'common understanding of challenges' (e.g. Latvia) or the definition of 'common problems' (e.g. the Czech Republic). However, for most of these countries, these Community-level ideas do not appear to be important *per se* – as the visibility of social issues does in cases when it is mentioned – but only in their influence on the national level.

Nevertheless, it cannot be argued that new member states contest the principle of social Europe. Neither can it be concluded that they are less committed to it. What these diverse accounts show is a particular difference in perspectives which might be connected to the fact that new member states have less experience participating in EU-level processes (see previous chapter). As a result, they are more inclined to focus on national level impact, which can also be seen in their approach to the principle of learning discussed in the next sub-section.

### 4.1.4 Commitment to 'Mutual Learning': Exchanging Ideas and Shaping Policies

'Mutual learning' is often mentioned as a desired end-state of policy coordination and the main purpose of exchanging opinions (see e.g. de la Porte and Nanz 2004, Jacobsson and Vifell 2003, Mosher and Trubek 2003, Puetter 2006, Teague 2001). Attitudes of delegates towards learning influence their normative positions about the whole cooperation process and necessarily play a role in shaping the perception of the OMC in national ministries. As learning is inherently linked to the 'epistemic' character of the SPC, it has especially been seen in the literature as potentially threatened by enlargement due to increasing diversity and lack of commitments in new member states (see introduction and chapter 1). However, as the following paragraphs will show, these expectations are not confirmed by the present analysis.

The most widespread interpretation of 'learning' is basically sharing information in the SPC: widening horizons and learning about how other countries solve certain problems without actually mentioning potential policy results. As a long-standing delegate of the SPC put it, one of the benefits of common discussions 'would be if member states were looking for comparisons to see how other countries were doing and therefore learning lessons from them' (anonymous interview, interviewee C2). Or in the words of a new member state participant from a permanent representation: SPC 'meetings are regularly attached or focused on the mutual exchange of information and experience, (…) which means that the member states are learning from each other' (anonymous interview, interviewee M2). In this context, enlargement is seen by some interviewees – as the next chapter will show in greater detail – as expanding 'the range of social policies' that member states 'can learn from' (anonymous interview, interviewee D2).

Exchanging information and experiences is seen to be a basis for learning in different ways. Firstly, in several accounts, such exchange is envisaged to take place within the SPC

without having any explicit links to the national level. In these cases, delegates discuss the importance of communication and dialogue – the principles presented in the first sub-section – that might result in learning among the 'civil servants coming together' in this setting (anonymous interview, interviewee G1). Secondly, some interviewees highlighted the importance that some national problems or principles become European ('uploading'). In this view, it is significant that national items are brought 'into discussions at the European level' (anonymous interview, interviewee O1), that the SPC 'is responding to the member states' (anonymous interview, interviewee P2) and that common objectives 'reflect the steps the national governments want to take' (anonymous interview, interviewee U1).

Thirdly and finally, some participants framed this exchanging and learning process more in terms of 'downloading'; that is, they emphasised that European problems become incorporated into the national agenda. In this view, 'it is important to get to the ministers a clear message understood by the whole committee' (anonymous interview, interviewee P2). The role of the SPC in facilitating 'downloading' is described in several ways. For example, as a new delegate from an old member state put it, participating in the SPC

> is a very good way to become involved in European processes as well in European concepts: (…) in order to say in [the capital name deleted; A.H.] and to prove that a topic is very important, I can tell 'we discussed this in the SPC' (anonymous interview, interviewee R2).

Or else, a new member state delegate regarded the SPC as 'a useful forum, at least in the way of knowing how the Commission would like to do, what the other member states would like to do and then sort of giving a message back to the minister' (anonymous interview, interviewee P2). Similarly: 'it is an important committee and so I have to be alert and I have to take back to my country messages' (anonymous interview, interviewee A1). This role of being a 'messenger' is a particular understanding of the representational role discussed in chapter 3.

While only a few delegates described this 'downloading' mechanism and made such an explicit link between the SPC and the national level, many interviewees emphasised the

fact that discussions in the SPC helped to introduce certain concepts into national policy discussions. For example, as a participant from a new member state argued: 'I am not so sure that social inclusion as such would be in the vocabulary at all if this process did not exist' (anonymous interview, interviewee M1). In this view, the OMC 'is a way to wake up the society, to introduce some topics which are very important' (anonymous interview, interviewee X1). Such awareness-raising aspects of the learning process were also frequently addressed in the 2005 OMC evaluations by both old and new member states. One of the best examples is the first sentence of the Hungarian answer to the first question[41] about the added values of the OMC: 'The open method of coordination (OMC) has helped unequivocally in Hungary to put the question of the fight against social exclusion on the agenda' (OMC evaluation, Hungary). This conceptual impact of the SPC and the OMC in general is perceived in a few cases to stem from the 'moral influence' of Europe, thus the ability of Europe to influence the 'priorities' of member states 'without (…) being able to direct them' (anonymous interview, interviewee H1). This can be found mostly in accounts of Commission officials or senior members of the SPC.

The incorporation of European concepts into the national policy agenda as a result of exchanging information and developing common objectives is often interpreted as a first step towards actual policy transfer. Thus, in a narrower understanding, learning is tied to 'an effective outcome for people at [the] national level' (anonymous interview, interviewee H1). In this regard, there is an important difference between delegates from old and new member states.

On the one hand, old member states tend to be quite critical towards the realisation of policy transfer – if they talk about effective outcomes at all, which is usually not the case. As a participant from a permanent representation of an old member state noted: 'I would not

---

[41] The first question of the evaluation questionnaire was: 'To what extent has the OMC helped to achieve progress in the national policy making process and at European level?' (European Commission 2006a).

think it [the OMC] has changed anything dramatically or really had a significant impact or anything' (anonymous interview, interviewee O1). Or similarly: 'honestly, other countries are so behind that often we have not heard anything new we could use (…) we are not demanders, we are givers' (anonymous interview, interviewee A2). Only three out of nineteen interviewees from old member states talked about national level policy impact in a positive light. One reason for this might be found in the argument of a Commission official (see also chapter 1):

> the slight political sensitivity that ministers and member states do not ever want to accept that they have done something because they have discovered it through the Open Method of Coordination; it [has] always got to be their own idea (anonymous interview, interviewee Y1).

The other side of the coin in this case is that governments in old member states tend to refer to a European source if they want to introduce unpopular reforms. In such situations Europe 'can be a helpful smoke-screen to hide behind' (anonymous interview, interviewee L1).

On the other hand, more than half of the interviewees from new member states regarded policy transfer as an inherent part of learning, and almost all delegates in this latter group argued that such policy transfer takes place in their country as a result of the OMC (with one exception). For example, as a new member state delegate described:

> For us it is interesting how Ireland is working with child poverty, or for example Netherlands is trying to liberalise the services especially in the area of employment services; and trying to sort of look at it and think about how to incorporate it into the [nationality deleted; A.H.] systems (anonymous interview, interviewee P2).

Thus, participants from new member states emphasised that it is important 'to get the experience from the other countries, and maybe to take in [sic] our legislation some ideas' (anonymous interview, interviewee Q1). Interestingly, many observers of the SPC – in this case Commission officials, NGO representatives and experts – argued that the process 'had a bigger impact on the new member states than the old member states' (anonymous interview, interviewee K2), because 'they tend to be more open to outside influence than the old member states' (anonymous interview, interviewee Y1). According to these interviewees,

in terms of agenda-setting, (…) the process is much more useful for EU10 than for EU15, because EU15 (…) already had a number of issues, they already had poverty and social exclusion on their national agendas, and so maybe they needed the process less (anonymous interview, interviewee E2).

Furthermore, in this view, 'if there had not been the social inclusion process, they [new member states] would not have had to think about some, certain issues that they clearly mainly were not thinking about or not prioritising at all' (anonymous interview, interviewee K2).

Such differences are in line with the conclusions of the previous sub-section on the presence of a weaker European and a stronger national perspective in the case of delegates from new member states. The 2005 OMC evaluations also partly support these interview-based findings. As far as the positive evaluation of OMC-induced policy transfer is concerned, while such policy change was slightly more emphasised and detailed by new member states, ten out of the fifteen old member states also made some positive remarks about national level policy outcomes. Certainly, one of the aims of the questionnaire was to make member states list all the possible positive results of the OMC, which might be a source of a potential bias. Nevertheless, it is difficult to draw strong conclusions based on such positive evaluations. However, when looking at critical remarks, the same difference can be seen as it was observed based on the interviews. That is, while the majority of old member states commented on the lack of or limited policy impact of the OMC, such critical statements were only made by three new member states: Hungary, Lithuania and Poland.

## 4.1.5 Commitment to Participation: Increased NGO Involvement

Besides the principle of mutual learning, another legitimising feature of the OMC which is often mentioned or criticised in the literature is its potential to enhance the participation of all stakeholders (see e.g. Borrás and Jacobsson 2004, de la Porte and Nanz 2004, Mosher and

Trubek 2003, Radaelli 2003, Smismans 2006, Zeitlin 2005). Although this characteristic is linked to the work of the SPC only to a limited extent, it is still discussed in this section of the dissertation, mainly because it is frequently referred to by SPC delegates. Nevertheless, this normative principle is rather connected to the OMC as a whole, which is generally accepted as a 'consultative process with the social partners, with the NGOs' (anonymous interview, interviewee L2).

Talking about the OMC in general, several interviewees mentioned an increased NGO involvement as one of the most important impact of the OMC, since governments were 'pushed into consulting civil society or NGOs' (anonymous interview, interviewee C2). As an old member state delegate put it: the OMC 'has been a driving force in getting us to work better certainly in the social inclusion field at national level with the NGOs, which was not happening before' (anonymous interview, interviewee L1). More generally, interviewees agreed that 'in every member state there have been efforts to create structures for participation of all stakeholders' (anonymous interview, interviewee H2). European-level NGO representatives also confirmed that they are 'systematically consulted' (anonymous interview, interviewee E2) and that the 'positive result of the open method is to help member states (…) to produce national plans trying to involve actors' (anonymous interview, interviewee J1).

As far as the SPC is concerned, some interviewees argued that SPC membership indirectly strengthens NGO involvement, because delegates become more committed to the need for exchanging information with the civil sector. For example, a delegate from an old member state argued: 'indirectly the SPC reinforces the involvement of NGOs; I mean that we are more aware and more careful to consider, thanks to the SPC' (anonymous interview, interviewee R2). Furthermore, as chapter 3 mentioned, the SPC as a forum also meets the NGOs on the EU level and tries to 'reflect the views' that they get (anonymous interview, interviewee H1). Nevertheless, evaluating these meetings as being insufficient, in the 2005

OMC evaluations some member states suggested that '[e]xchanges of experience within the framework of SPC should (…) preferably take place with the participation of experts and other interested parties' (OMC evaluation, Sweden).

Regarding the principle of participation, the main difference between members of the SPC is that some delegates from old member states concluded that NGOs are 'traditionally very much involved in policy-making' (anonymous interview, interviewee K1) on the national level, so the OMC did not need to change this practice. New member states, on the other hand, are regarded as having improved their consultation structures the most. According to a Commission official:

> Above everything else, the biggest impact in the short term on the individual new member states, and the most important part of the process was the fact that there was a requirement that you have mechanisms for consultation in the creation of the national report (anonymous interview, interviewee R1).

New member state delegates themselves positively evaluated that 'principles propagated by the OMC like the dialogue with civil society (…) permeated into social policy-making in the country' (anonymous interview, interviewee T1). Nonetheless, some delegates from new member states as well as from old member states also acknowledged that sometimes NGOs 'are not that active (…) as we would imagine' (anonymous interview, interviewee U1) and more efforts are needed to be done in order to increase their participation.

All in all, no differences can be seen in commitments to the principle of participation between old and new member state delegates. The 2005 OMC evaluations also do not indicate such a divergence. Having different perspectives on the impact of the OMC is certainly a result of dissimilarities between countries regarding traditional practices of social dialogue and consultation with civil society actors. Nevertheless, even some countries with a more corporatist tradition are seen to have created new fora and consultative committees on the national level within the framework of the OMC.

### 4.1.6 Differences in Commitments: Conclusion

This section distinguished five normative organising principles based on which interviewees described and justified the work of the SPC and the acceptable modes of interaction within the committee. On this basis, the work of the SPC is legitimated by its following characteristic: (1) it serves as a forum for dialogue between the member states; (2) it defines common European problems and opinions based on consensual decisions; (3) as a social voice, it enhances the visibility of issues on the European level; and (4) it promotes learning through the exchange of information and the introduction of European concepts into national agendas which might induce actual policy transfer. In addition, the OMC as a whole is also seen as (5) enhancing the participation of stakeholders.

Based on the analysis of interviews, this section also showed that delegates from new member states do not directly contest these basic normative organising principles. In contrast, they act upon the previously negotiated guiding rules and define their own role and behaviour in relation to them. Moreover, they even seem to be more committed to learning – defined as changing national policies – than delegates from old member states. Nevertheless, they appear to be less conscious about processes and politics on the European level and focus their attention more on national-level developments. This is especially noticeable in two main respects. First, it is manifested in relation to the principle of visibility, which is not mentioned by the majority of new member state delegates. Second, it is connected to the perceived passive role of new member state delegates in reaching consensual decisions.

## 4.2 Institutional Stories and the Enlargement: The Main Functions of the SPC

The task of this section is to reconstruct broader or more comprehensive institutional stories about the main functions of the SPC based on the principles discussed in the previous section. Such broader stories are not necessarily framed and enacted by all participants, which may result in the indirect contestation of normative principles. Moreover, it is also possible that delegates perform principles which might or might not follow the 'official' institutional design of the OMC. Therefore, the analysis of this section pays special attention to such tensions and contradictions within the framework of the SPC. Furthermore, the analysis also aims to connect these institutional stories with the changing organisation of interactions and role perceptions of old and new actors.

There are two main broader functions of the SPC that are distinguished in general: a 'political forum' and a 'policy forum' function. As an NGO representative described the OMC, it can be divided into 'two pillars'. These pillars are said to be the following:

> There is the political process, which is linked to the NAPs, to the monitoring, to strengthening the EU dimension. And then there is another process which is the mutual learning process, which is more directed to (…) policy developments at the national level, and it is more about [the] exchange of policy and policy transfer, through mutual learning, through focusing on specific aspects of poverty (anonymous interview, interviewee E2).

Accordingly, the 'political forum' function of the SPC is to promote the visibility of social issues on the European level and to look at 'social inclusion in the wider context (anonymous interview, interviewee E2). Additionally, in its 'policy forum' function, the SPC has to provide a platform for exchanging information and to promote policy learning. These functions are discussed in turn. The last sub-section of this chapter examines how these functions are framed by the different participants and observers of the SPC and analyses the consequences of different interpretations.

## 4.2.1 The SPC as a 'Political Forum'

The political or strategic function of the SPC is to 'send some input to (…) the Employment and Social Affairs Council, and with them transmit everything to the European Council' (anonymous interview, interviewee F1). Sending such key messages shows that 'member states have a common vision on what are the main policy priorities to be achieved' (anonymous interview, interviewee N2). This process aims to put social issues 'on the European agenda' (anonymous interview, interviewee F1) to increase their visibility on the European level and 'to strengthen the social pillar of Lisbon' (anonymous interview, interviewee E2). Thus, the 'political forum' function of the SPC links three principles of legitimation discussed above: the principle of dialogue, the principle of consensus-seeking and the principle of visibility (see Graph 6).

As was mentioned in connection to the principle of consensus-seeking, achieving a consensual opinion or a compromise is seen as central because the SPC 'is publishing SPC opinions on several subjects' which can 'highlight the importance' of certain policies (anonymous interview, interviewee H2). In other words, the SPC needs to send 'ministers a clear message understood by the whole committee' (anonymous interview, interviewee P2) in order to fulfil its goal of being a social voice. As a delegate from a new member state explained:

> The political feature is that they want a compromise and they want things for the Council, for our ministers, and they want an opinion from the SPC; and to have an opinion from the SPC, it means it has to be an agreed opinion (anonymous interview, interviewee A1).

In this quote, 'they' refers to representatives of the Commission and the chair of the SPC, which emphasises their crucial role in directing the discussion towards acceptable compromises. For example, as a Commission official described the SPC from a particular perspective: 'the SPC provides *the Commission* an opportunity to reach an agreement on

political documents before they are submitted to the Council' (anonymous interview, interviewee F1, emphasis added).

Graph 6. *Normative organising principles and the 'political forum' function of the SPC*

```
┌─────────────────────────────────────────────────────────────────┐
│  ┌──────────────┐      ┌──────────────┐      ┌──────────────┐    │
│  │ Principle of │ ───▶ │ Principle of │ ───▶ │ Principle of │    │
│  │ Dialogue     │      │ Consensus-   │      │ Visibility   │    │
│  │              │      │ seeking      │      │              │    │
│  └──────────────┘      └──────────────┘      └──────────────┘    │
└─────────────────────────────────────────────────────────────────┘
```
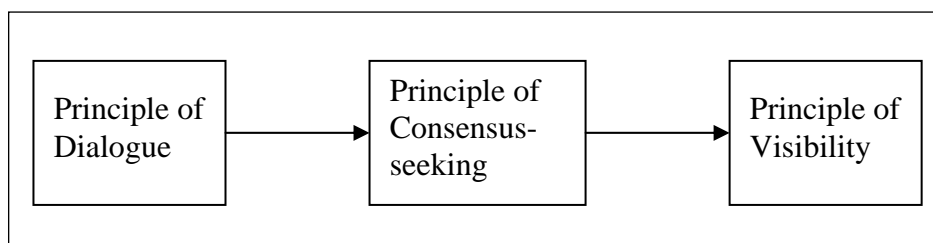
The important role played by Commission officials and the chair of the SPC is also highlighted by the fact that descriptions of the 'political forum' function of the committee are the most comprehensive and detailed in their accounts. Furthermore, the responsibility of the chair in guiding SPC members is also illustrated by the following quote by the new member state delegate cited above:

> I remember the time when there was this conflict that that was the time when [the chair's name deleted; A.H.] explained to us, you know, this is different from other meetings; this is a political meeting as well. So you think oh well, OK. I suppose it is (…) a little bit difficult for me to get into this mentality, because I am a technocrat, I am not a politician; but gradually, you understand (anonymous interview, interviewee A1).

This description of a particular situation of conflict between delegates also highlights two additional points. First, it shows that the 'political forum' function of the SPC is used as an argument in committee meetings in order to facilitate reaching consensual decisions. Second, it draws attention to the sometimes inconsistent or conflicting role perceptions of SPC members of being 'representatives' and/or 'experts' presented in chapter 3 (see also Egeberg et al. 2003 and Thedvall 2005, 2007).

In connection with the 'political forum' function of the SPC, committee members are primarily perceived as being representatives of their ministers and governments. As a long-standing SPC delegate explained the establishment and foundations of the committee:

146

> There was a fair amount of insistence that it would be senior people [in the SPC] who understood their ministers' points of view. So it was essentially a group that reports to Council, that reflects the political view reasonably accurately and would have credibility with ministers, (…) and works at the same time closely with the Commission (anonymous interview, interviewee H1).

Thus, in this view,

> It is necessary to have members of the committee who are really in a position in their country and in their ministry, because (…) that is a committee which should advise the Council and (…) these members really should have a close cooperation with the minister (anonymous interview, interviewee Q2).

This means that if SPC members are 'high level civil servants', it becomes possible 'to balance the discussions in the economic and employment committees' (anonymous interview, interviewee O1). Accordingly, SPC delegates 'are close to the ministers; they are seconded there to represent the views of the ministers' (anonymous interview, interviewee N2). In a positive formulation: the SPC as a 'quasi Council-formation' (anonymous interview, interviewee F1) is 'a very good sounding board, it is a very reliable sounding board of what ministers think; (…) we represent ministers, we report to Council' (anonymous interview, interviewee H1).

Several interviewees talked about this representational role of SPC members contrasting it with competing interpretations which suggest that delegates might also be experts. As an NGO representative argued: SPC members 'are not experts', they are

> quite high level civil servants, high level politicians who have more of a strategic role, so they do not focus on a specific issue, (…) they have more of a political role. And this is useful of course, but this does not leave much space for mutual learning' (anonymous interview, interviewee E2).

Or as a Commission official put it: SPC delegates 'are not experts (…); they are politicians, (…) bureaucrats per politicians, like ourselves' (anonymous interview, interviewee N2). In this context, the SPC is often compared to the Committee of the Programme to Combat Social Exclusion[42]. In these accounts, which are mostly articulated by new member state delegates,

---

[42] The Committee of the Programme to Combat Social Exclusion had the role 'to provide political guidance to the Commission' on the implementation of the Community Action Programme to Combat Social Exclusion 2002-2006 (See the website of DG Employment, Social Affairs and Equal Opportunities of the European Commission, http://ec.europa.eu/employment_social/soc-prot/soc-incl/prog_committee_en.htm).

the Committee of the Programme to Combat Social Exclusion is perceived as a forum for exchanging opinions which contributes to shaping policies in member states. In contrast, the SPC is pictured as playing an 'advisory role' (anonymous interview, interviewee P2) and being 'a more general, higher level political body which has less of an impact regarding concrete policies' (anonymous interview, interviewee T1).

How can these statements be evaluated in the context of the 2004 enlargement? Chapter 3 described the adjusted working methods that followed the large increase in the number of SPC representatives. Under the new circumstances, it is seen to have become more difficult to discuss substantive issues in SPC meetings, especially together with the increasingly heavy agenda of the committee. Furthermore, as a Commission official argued, such changes necessitate 'avoiding as much as possible points of information of the SPC and trying to concentrate really on point of decisions (…), and making sure that each meeting is really focused on political issues' (anonymous interview, interviewee N2). The consequences of such changes which can potentially strengthen the 'political forum' function of the committee at the expense of the 'policy forum' function are discussed in the last sub-section of this chapter.

## 4.2.2 The SPC as a 'Policy Forum'

The 'policy forum' function of the SPC is to provide a platform for SPC delegates to engage in more detailed discussions on 'important policy matters' (anonymous interview, interviewee G1), which discussions have the potential to induce changes on the national level. For example, in this view, the 'value added' of the SPC 'is definitely more looking at the quantitative side, at indicators, monitoring certain processes, exchanging information and

looking at best practices' (anonymous interview, interviewee L2). Or as it can be found in an

OMC evaluation from 2005, the OMC

> has favoured a process of exchange and mutual learning, which in turn gave rise to a process of co-operation and collaboration that helped the Member States to be able to avail themselves of a new tool for comparison, which allows for a better internal and external mutual knowledge (OMC evaluation, Spain).

Thus, the 'policy forum' function of the committee relies on the principles of dialogue and

mutual learning (see Graph 7).

Graph 7. *Normative organising principles and the 'policy forum' function of the SPC*
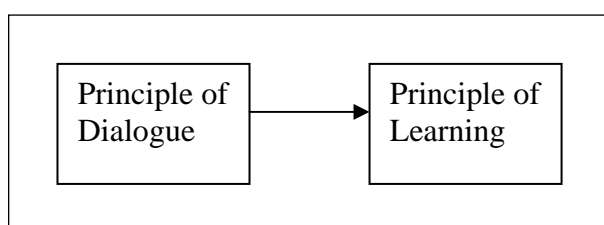


In the 'policy forum' function of the SPC, dialogue is seen as the 'only instrument' of the

'exchange of knowledge and science' (anonymous interview, interviewee A2). According to a

delegate from an old member state, 'one of the most important things about these meetings is

that you can tell a lot of knowledge and you can exchange practices' (anonymous interview,

interviewee S1). In this view, the SPC is seen as a 'conceptual committee' in which delegates

can talk to their 'colleagues to try to understand their position' regardless of existing

differences in perspectives (anonymous interview, interviewee L1). Thus, the SPC is regarded

as a 'more academic than a political forum' (anonymous interview, interviewee A2), in which

mutual exchange is supposed to strengthen 'evidence-based policy-making' (anonymous

interview, interviewee C2) and 'analytical capacity' on the national and European level

(anonymous interview, interviewee F1). This analytical capacity is then seen to facilitate

mutual learning (OMC evaluation, Ireland).

149

In relation to the 'policy forum' function of the SPC, delegates perceived themselves dominantly as 'experts' instead of 'representatives', which latter is linked to the 'political forum' function of the committee. A participant from a permanent representation described the SPC the following way: 'truly in the SPC it is really the experts, and really the social policy experts discussing with one another' (anonymous interview, interviewee O1). Similarly, in the formulation of a new member state delegate: 'the composition of the committee is very lucky I think, because there are outstanding experts from both old and new member states from whom it is possible to learn a lot' (anonymous interview, interviewee J2). Or contrasting professionalism with representation, an old member state delegate argued that

> It is not diplomacy I think (…); we have to share, negotiate, but (…) I am not a diplomat, I should not behave and the others should not behave as diplomats. Even if (…) we are not private experts, we work for states (anonymous interview, interviewee R2).

As chapter 3 showed, the roles of being 'experts' or government 'representatives' are often regarded as inconsistent with each other.

Nevertheless, many interviewees criticised the SPC based on the fact that its members are not really experts. Participants making such claims also assume that the SPC has a 'policy forum' function, but they believe that the committee cannot fulfil its goals to promote dialogue and learning. As was mentioned in connection with the related principles, many delegates and observers argued that SPC members

> are not really people who know much about the technicalities and the methods, the tools, the policies in detail. So, not all of them are really capable to learn from the technicalities, because if you want to learn, you have to go into details (anonymous interview, interviewee N2).

Similarly, interviewees questioned whether SPC members have the knowledge to deal with questions of effective policies and accurate problem-definitions (anonymous interview, interviewee E2). Instead, delegates are seen as 'just giving statements', because 'they are not the people who take the liberty to get away from the speech that was written out for them' (anonymous interview, interviewee B2).

As a consequence, the SPC is also criticised on the basis of not being able to produce proper analysis. According to an old member state delegate:

> There is not a real discussion within the SPC. So in a way people are just explaining how they work in their member state; (…) within the SPC we have not yet reached the level where we are willing to make a real comparison (…). This kind of analysis is a forbidden zone within the SPC, and as long as it will stay a forbidden zone, there is not a real discussion (anonymous interview, interviewee B2).

Some delegates who perceived this as a problem found it important to initiate alternative working methods in order to create adequate conditions for such exchanges. As chapter 3 discussed, one idea is to have meetings in sub-(working-)groups in which only those delegates participate who are 'interested in the debate' (anonymous interview, interviewee B2). From another perspective, this idea certainly raises new questions about the importance of EU-wide consensual decisions and might conflict with the 'political forum' function of the SPC.

Certainly, many of such critical remarks are linked to the enlargement and the substantial increase in the number of SPC delegates. As was discussed above, many argued that it became very difficult to have proper in-depth discussions in the SPC. This changing organisational context has the potential to indirectly contest the 'policy forum' function of the SPC. Therefore, it is essential to analyse in what relation interviewees talked about the 'policy forum' and 'political forum' functions of the committee, as well as to examine whether there are systematic differences between the accounts of old and new participants. Hence, the last sub-section of this chapter is devoted to this analytical task.

### 4.2.3 Conclusion: Framing Institutional Stories: Different Emphases and Normative Consequences

Institutional stories about the different functions of the SPC are framed in various ways by participants and observers of the committee. Such diverse definitions have important consequences. For example, defining the SPC as a 'political forum' instead of a 'policy

forum' influences how appropriate patterns of behaviour are defined. This means that if the most important goal is the exchange of best practices and information, then it is acceptable and desirable if everyone takes the floor and shares opinions with all other delegations. In contrast, if the main purpose of a given meeting is to agree on a politically important document that can be shown as a sign of having a common vision, then those who talk too much or criticise a position on which consensus has been almost achieved are seen as unconstructive.

Furthermore, emphases on one or the other function of the SPC can reveal disparities in commitments between different groups of interviewees, as well as can highlight some potential tensions and contradictions within the work of the committee. Hence, analysing the perceived relationships between the 'policy forum' and 'political forum' functions of the SPC can draw attention to indirect mechanisms of norm-contestation which could remain hidden by examining separate commitments to the normative organising principles based on which the committee is seen to work. Therefore, the following paragraphs summarise these diverse positions, which are also depicted in Table 2.

The comprehensiveness of interviewees' accounts differs widely. Nevertheless, the positions of all participants of the SPC are represented in the cells of Table 2 regardless whether actors comprehensively assessed the two functions of the SPC or not. This means that SPC members are regarded as endorsing the 'political forum' function if they either (1) described the SPC as a high-level political body or (2) showed commitment to the principle of visibility on the European level or (3) both. Similarly, the 'policy forum' function is present in delegates' accounts if they either (1) talked about the importance of having policy discussions or (2) committed themselves to the principle of learning and sharing experiences or (3) both. Furthermore, Table 2 also distinguishes between the normative ideals of interviewees and their descriptions or diagnoses about how the SPC works.

Table 2. *Relationships between the different functions of the SPC (as normative ideals and as parts of diagnoses) in the accounts of different categories of interviewees*[43]

| Normative ideal / Diagnosis | *Dominantly 'political forum'* | *Dominantly 'policy forum'* | *Both* |
|---|---|---|---|
| *SPC only works as political forum* | Old del. From old MS (1)<br>Commission<br><br>1 | Old del. from old MS (2)<br><br>2 | New del. from old MS (5)<br>New MS (3)<br>NGO<br>Expert    3 |
| *SPC only works as policy forum* | <br><br>4 | Old del. from old MS (2)<br>New MS (5)<br>Commission    5 | <br><br>6 |
| *SPC works both as political and policy forum* | Old del. From old MS (1)<br><br>7 | Old del. from old MS (2);<br><br>New del. from old MS (1)    8 | Old del. from old MS (3)<br>New MS (2)<br>Commission    9 |
| *SPC does not fulfil its function(s)* | <br><br>10 | Old del. from old MS (1)<br>New MS (2)<br><br>11 | New del. from old MS (1)<br>New MS (1)<br><br>12 |

As Table 2 shows, institutional stories about the SPC differ in various ways. Nevertheless, there are three dominant stories that are enacted by a relatively large number of participants (at least six). In the first such story (represented by cell number 9), a group of interviewees argued that the SPC has both a 'political forum' and a 'policy forum' function. The members of this group did not perceive a tension between these functions and argued that the SPC is able to serve multiple purposes. Moreover, according to a Commission official, if the SPC can successfully perform its 'policy forum' function it can advance its political goals as well:

---

[43] Abbreviations: New/Old del.: delegates who became members of the SPC after/before the enlargement; New/Old MS: new/old member states; Commission: Commission officials; NGO: NGO and social partner representatives; and Expert: experts. The numbers in brackets indicate the number of SPC participants enacting the story of the relevant category. The red numbers show the reference numbers of the cells.

> We want to go even further; (…) we want to strengthen the OMC, to improve its analytical underpinnings. Because we realise that we are in a sort of weaker position vis-à-vis the EPC. The EPC comes up with hard facts, projections, and so on, and we do not have that kind of material. (…) So that is what we want to do (…). When you have a major piece of analytical work, it is here to stay (anonymous interview, interviewee F1)

Thus, in this view, the 'policy forum' and 'political forum' functions of the SPC are mutually supportive. As chapter 6 will show, this is the story based on which the Commission has started to redefine the SPC since 2007 (see especially European Commission 2008).

The second prevalent story (represented by cell number 3) also includes both the 'political forum' and the 'policy forum' functions of the SPC[44]. However, interviewees in this group argued that the SPC only fulfils one of these purposes: the political one. In related accounts, the 'policy forum' function is perceived to be difficult to implement because of the lack of in-depth discussions in the SPC. Such difficulties are partly seen as being the results of the enlargement and are partly regarded as stemming from the fact that SPC members are not experts. As an NGO representative argued, the OMC 'serves different purposes; it serves a European purpose but also a national or local purpose', which implies that SPC members have a 'double role' (anonymous interview, interviewee E2). However, as the argument goes, 'some people in the SPC really only see the European dimension of the OMC, and then people wonder why there is no impact' (anonymous interview, interviewee E2). In this interpretation, there might be an inherent tension between the 'political forum' and the 'policy forum' functions of the SPC.

Finally, in the third relatively common institutional story (represented by cell number 5), interviewees only emphasised or enacted the 'policy forum' function of the SPC with no or very weak reference to the 'political forum' function. This group of interviewees did not criticise the operation of the SPC; instead, they claimed that it functions as a successful forum

---

[44] The prevalence of this institutional story can be explained by the fact that the previous chair of the SPC regularly emphasised that the SPC has an important political function. At the same time, the 'policy forum' function is regularly perceived to be important possibly because it is part of 'official' discourses around the OMC.

for exchanging experiences and sharing information. Not surprisingly, most delegates in this group are from new member states who lack – or have only a weak – European perspective.

Although the remaining interpretations or stories are relatively marginal in their enactment, they include several of the most comprehensive and detailed accounts. For example, those who dominantly talked about the 'political forum' function of the SPC – cells 1 and 7 – did refer to all the related principles outlined above. This is also true for interviewees represented in cells 2 and 8, who had similarly comprehensive views – self-critical or approving – on the 'policy forum' function. Certainly, interviewees in cells 2 and 8 both talked about the 'political forum' function of the committee as well. However, their perspectives were much more dominantly focused on goals related to policy discussions. For example, an old member state delegate stated that although some think 'that the Social Protection Committee was a sort of draft meeting for the Council', it 'should not be the purpose; (…) we have to discuss, to find some consensus' (anonymous interview, interviewee I1). In this view, there is again perceived tension between the different functions of the SPC. Finally, the most critical perspectives are represented by cells 11 and 12. In this case, interviewees either argued that while the SPC serves the purpose of being a 'policy forum', it does not fulfil its goals (cell number 11), or they even claimed that the committee fails to achieve the realisation of either of its functions (cell number 12).

All in all, the following statements can be made which should serve as a basis for the final conclusions to be drawn about the consequences of such diverse accounts. First, almost nobody questioned explicitly that the SPC can fulfil its 'political forum' function. Therefore, this function – when it was mentioned – was basically taken for granted. Second, as a consequence, the only participants who reflected the view that the SPC only fulfils a 'policy forum' function were those who did not even discuss potential political purposes. Third, the 'policy forum' function of the SPC was almost always discussed, but its fulfilment was often

155

questioned. Fourth, the majority of new delegates of the SPC (i.e. delegates from old member states who became members after the enlargement and delegates from new member states) claimed that the SPC cannot fulfil its 'policy forum' function. Moreover, those who argued that the SPC can only function as a 'political forum' though should also be a 'policy forum' (cell number 3) were all new delegates or observers of the SPC. Finally, the great majority of old delegates (i.e. delegates from old members states who became members of the SPC before the enlargement) stated that the SPC can fulfil the functions it has to accomplish, which was perceived to be both the 'policy forum' and the 'political forum' function in most cases.

What these statements indicate is that there might be an *indirect contestation* of the 'policy forum' function of the SPC by the new delegates of the committee. Although this contestation is rather weak – out of the twenty new delegates twelve were sceptical and eight were convinced about the functioning of the SPC as a 'policy forum' – it is still noticeable, especially in comparison to the much less self-critical attitude communicated by old SPC delegates. Interestingly, however, it was not delegates from new member states who were the least supportive of the SPC in this regard, but new delegates from old member states. They also became members of the committee after the enlargement. Therefore, their experiences are shaped by the post-enlargement organisational context as well. Thus, while new delegates do not question the basic normative principles of SPC meetings and the whole coordination process, they tend to be more sceptical about them and do not participate fully in performing and communicating the SPC as a 'policy forum'. The question that remains is whether these new delegates are simply at an early stage of a socialisation process, or the changing organisation of interactions will shape their perceptions in a different way about the functions of the SPC.

While these changes are relatively recent and still in flux, this process of indirect contestation certainly influences the institutionalisation of the SPC and the OMC as a whole

(see last chapter). Nevertheless, as the contestation of policy principles is more likely if the SPC fulfils its 'policy forum' function, the last two chapters of the dissertation will add new insights about the institutionalisation of the SPC.

# Chapter 5. Mechanisms of Policy (Non-)Contestation: Influencing Policy Developments

The previous two chapters discussed the main changes in the working methods within the SPC after the enlargement, role perceptions and resources of old and new actors, as well as institutional stories and acceptable modes of interaction as perceived by participants of the coordination process. The goal of this chapter is to present – in light of the findings of chapters 3 and 4 – how these participants interpret the potential influence of new member states on the policy agenda of the SPC. This analysis is crucial because no matter which definition of the SPC is taken as a basis, the policy content of SPC discussions has an important role in influencing policy discourses on the European and national levels.

Chapter 2 argued that the institutionalisation process of the SPC is assumed to have an impact on the possibilities of actors to contest policy principles and to bring about policy change. This means that actors are bound by the continuously changing rules which they enact and based on which they perform their interactions. Therefore, this chapter analyses how the different attitudes, perceptions, roles and interactions discussed earlier can be linked together to constitute potential *mechanisms of (non-)contestation* of the *policy work* of the SPC.

The question whether new member states have had an influence on policy problem definitions and the issue areas the SPC is dealing with has no straightforward answer. As in the case of chapters 3 and 4, the present chapter also mainly relies on interviews with participants of the coordination process. Similarly to the diverse accounts given about new member states' influence on the organisation of interactions, interviewees described the causes of policy changes or non-changes differently. While the 2004 Joint Report on Social

Inclusion acknowledged that 'with Enlargement, the Union will have to face new and comparatively greater challenges in promoting social inclusion' (European Commission 2004, 12), interviewees gave a variety of responses when asked about the impact of enlargement and the participation of new member states on the policy work of the SPC[45]. The goal of this chapter is to examine these various perceptions, outlining the potential mechanisms through which new actors could or could not contest accepted policy principles or could help to bring in new ones.

The following sections will present the main directions of these various opinions and potential mechanisms of policy (non-)change. As will be shown, some judgments of the respondents about the impact of enlargement or regarding the role of different actors, at least seemingly, contradict each other. Nevertheless, in the following analysis, these contradictions are treated as informative. Since different mechanisms of (non-)contestation can exist in parallel, these disagreements can be regarded as describing phenomena that are complementing rather than excluding each other. Consequently, the claim that enlargement did not have any impact on the policy work of the SPC does not necessarily defy other statements which maintain that enlargement led to certain policy changes. One has to go beyond the main lines of these arguments and connect these accounts to descriptions and perceptions about the institutionalisation of the SPC. Similarly, in the case of conflicting evaluations on the role of different actors, these inconsistencies – together with previous analyses in chapter 3 and chapter 4 – can help to highlight some of the inherent contradictions within the work of the SPC itself. Thus, similarly to the analyses of working methods and institutional stories, the following sections are going to reconstruct the elements of the main

---

[45] All interviewees were confronted with direct questions on the policy impact of enlargement and the participation of new member states. In addition, depending on the expertise of the interviewee, specific questions were asked about particular issue areas and the potential direct or indirect influence of new participants in the SPC.

story-lines of how different interviewees perceive or frame the impact of enlargement on policy substance.

The following four sections will thus identify the main 'frames' of the potential mechanisms of (non-)contestation. These mechanisms or patterns of interactions are regarded as 'skeletons', because they link different elements of interpretation without referring to the policy areas in connection to which the statements are made. However, as the next chapter will show, the emergence of new policy problems or new emphases does not necessarily go along the lines of only one mechanism. Nevertheless, distinguishing the 'ideal types' of the main mechanisms is a useful exercise, because it helps to link the different patterns of attitudes and interactions discussed in chapters 3 and 4 with the policy context presented in chapter 6.

## 5.1 Enlargement Had No Impact: 'Old Boy Network' Mechanism

One group of interviewees, including a very diverse set of respondents: delegates from old and new member states, officials of the Commission, NGO representatives, and experts, argued that 'contrary to expectations, (…) enlargement did not have a major impact' on the policy agenda of the SPC (anonymous interview, interviewee E1). This group of participants claimed that 'differences between old and new member states did not change significantly the work and ideas of the SPC' (Olivelli 2006). The reasoning behind this argument, if it is given at all, goes to two different directions.

On the one hand, as chapter 3 showed, some interviewees stressed the passivity of new member states in trying to influence the work of the SPC: new delegates 'were quite polite and just followed the rules that were already laid out' (anonymous interview, interviewee B2). Or else, 'new member states, being new to the process, had less influence in the decision-

making than the EU-15' (anonymous interview, interviewee E2). This opinion was also shared by some delegates from new member states themselves: 'it is not that long time ago that we became members, so probably now we are still receiving more and not really pushing the agenda for the meetings or for this coordination' (anonymous interview, interviewee M2). As a result, 'the agenda is more pushed, or the approaches are more pushed from the old member states' (anonymous interview, interviewee M2). The self-perception of new member states also includes self-criticism in some cases: 'at home I am also told that I should not do this [talk about new and relevant problems], that we need to pretend that our social situation is similar' to that of the older member states (anonymous interview, interviewee T1).

On the other hand, though only by very few interviewees, the responsibility of the Commission and older member states in sticking to old problems was also brought into the open. As one Commission official argued:

> I think we were conscious that we were still to a very large extent being driven by EU-15 issues rather than, you know, really integrating the challenges of the EU-10. And I think some of the new member states felt slightly sensitive about that (anonymous interview, interviewee Y1).

This statement is underlined by a new member state statement that can be found in Hungary's answer to the 2005 OMC evaluation questionnaire:

> in the case of post-Socialist countries we find a series of actual social problems that do not appear in the thematization of the OMC. The reason for this is, that the concept of social inclusion is the result of an organic evolution of the Western welfare sates, while the so-called "welfare states" in the Central Eastern European countries are the political-ideological products of the socialist political system (OMC evaluation, Hungary).

In the context of SPC meetings, similar arguments were formulated by delegates from both old and new member states. As a delegate from an old member state argued, 'there was no room, if the new member states would have had specific problems or would have raised issues, "this is very interesting but we want to discuss another issue", there would have been no room for that' (anonymous interview, interviewee B2). In a new member state perspective a related opinion also includes blaming the Commission:

> It would be good if the Commission could deal with the fact that enlargement meant the accession of member states in which social situations are fundamentally different. But for the

present this would complicate matters too much, they would not be able to handle it (anonymous interview, interviewee T1).

These opinions highlight the same problem which was also one of the main conclusions of the analysis of the post-enlargement institutionalisation of the working methods of the SPC: that new delegates tend to remain passive instead of actively shape discussions. While this passivity is partly self-imposed, new delegates might also find it difficult to get into the 'old boy network' of the 15 older member states. As a result, the policy *status quo* does not become contested. Therefore, this mechanism of non-contestation or non-change is labelled as the *'old boy network' mechanism*. The term 'old boy network'[46] is usually used to describe informal and closed – political or business – networks of people of the same social class or of the same background who help out each other while excluding others who do not belong to the network. In the context of the SPC, the term is not used to picture a deliberate exclusion, especially because it is difficult to assume that there is a strong informal bond between EU-15 countries. Nevertheless, due to the fact that old member states and the Commission have a longer experience in working together within the context of the SPC and the OMC – and also in other EU processes – and because new member states are sometimes perceived and pictured as relative outsiders, using this notion might be useful to illustrate certain patterns of behaviour and balances of power.

In this light, an important question is how the institutionalisation of the work of the SPC discussed in chapters 3 and 4 can influence how this 'old boy network' mechanism might work. As far as the post-enlargement organisation of discussions is concerned, this mechanism can certainly be linked to the emerging limitations on the possibilities of individual delegates to intervene in SPC meetings. These limitations have two important consequences. Firstly, as chapter 3 argued, due to the large number of representatives, those

---

[46] According to the Compact Oxford English Dictionary, an 'old boy network' is 'an informal system through which men use their positions of influence to help others who went to the same school or university, or who share a similar social background'. The notion can be also used to describe closed informal networks in a more general sense.

with more experience in participation might find it easier to push their views across. Furthermore, again as chapter 3 discussed, new member states have more problems with senior representation due to language barriers, as well as with preparations for the meetings due to insufficient human resources, which both can hinder their active participation. In the latter context, a delegate from a new member states recalled the following situation:

> In the social field, we wanted to propose some modifications to the integrated guidelines, but the unit responsible for development plans and the Ministry of Finance did not want to do it. It was not because they opposed the content professionally, but because they did not want to have extra work with it (…), because they also have only one or two people who deal with these tasks (anonymous interview, interviewee T1).

Secondly, because all delegates are afraid of long and timely meetings, they do not mind if several delegates are less active. As an old delegate explained, the meetings are 'so long that you hope not everybody will speak. And a lot of the new member states do not speak. And so sometimes we (…) agree that they do not' (anonymous interview, interviewee I1). As a consequence, the policy dialogue within the committee is seen to be hampered.

## 5.2 Enlargement Led to an Emphasis on New Issues: Commission-Driven 'Mirroring' Mechanism

Another group of interviewees argued that the enlargement of the EU in 2004 gave new opportunities for the Commission to highlight certain problems through looking at the social situation in new member states. As this mechanism was described by one of the interviewees:

> When you have huge problems in the provision of health care in some of the new member states and you have issues with ethnic minorities, (…) I think the interesting point is that as soon as you raise them for the new member states, they reflect back to the old member states, because you suddenly find it, of course not to the same extent, but I mean you have similar issues in the old member states. *So it is quite a good mirror imposed* (anonymous interview, interviewee D1, emphasis added).

Thus, this mechanism rests on the following assumptions. First, the Commission actively uses its power of initiative instead of only passively assisting the SPC. Second, new member states accept the recommendations or 'advice' of the Commission to deal with certain problems in

their national strategies. Finally, these recommendations also reflect back to the old member states and contribute to emphasising certain issues on a European level.

The role of the Commission in setting the agenda of the SPC and in initiating policy issues for discussion is rather controversial given the strong subsidiarity-component of the OMC. This means that the official discourse around the OMC emphasises the essential role of member states and their consensual decisions within the SPC:

> Officially the Commission really has to take up national priorities, so everything what [sic] the Commission does comes from the member states, from the SPC, they just facilitate. So the European Commission should not push for any issue on the agenda (anonymous interview, interviewee E2).

On the other hand, most interviewees acknowledged that 'the reality is sometimes a little bit different' (anonymous interview, interviewee E2), which means that 'it is more the Commission giving the push to the whole process of discussions on different themes of the SPC' (anonymous interview, interviewee O1). In a rather extreme phrasing, the Commission is described as a 'tank' which 'pushes through documents' (anonymous interview, interviewee V1). Though other respondents did not go this far, several of them indeed argued that member states do not really initiate topics for discussion in the SPC, or even if they do, they usually go through the Commission instead of presenting it to the whole SPC. As one interviewee argued: 'when you ask something directly, you will not get the approval of everybody, so the reactions can be very negative. If you have the approval of the Commission, then it is more difficult to go against it' (anonymous interview, interviewee F2). Thus, if member states 'want issues to become relevant, [they] obviously (…) need also the Commission' (anonymous interview, interviewee Z1).

The case of the new member states is particular in this regard. Chapter 4 showed that new member state delegates, being focused on the national level, sometimes had the perspective of being more the recipients than the constitutors of European processes. As an older participant of the OMC argued, before the enlargement, 'potential member states

thought that they had to do what the Commission told them' (anonymous interview, interviewee K2). This did not change for a while after 2004. The same perception can be found in accounts of delegates from new member states when they described their own position. As one delegate from a new member state explained:

> I am told that the best for our country is if we are not out of line, if we accept everything, because we are a new member state, we need to show that we can achieve everything even if we cannot do so (anonymous interview, interviewee T1).

Furthermore, several new delegates kept referring to a discrepancy between the situation in their country and 'the way the Commission would like' member states to perform (anonymous interview, interviewee P2).

Thus, under these circumstances and using enlargement as a pretext, it was possible for the Commission to highlight certain questions through pointing at problems in the new member states, hoping that such an emphasis can start a reflection process in old member states as well. This *'mirroring'* effect or *mechanism* is also connected to changing working practices within the SPC. Chapter 3 argued that the huge increase in the number of representatives after 2004 is seen to have caused difficulties in the organisation of discussions in SPC meetings and has made it essential to limit the possibilities of delegates to intervene in discussions. In addition, as the SPC deals with three main topics, the meetings can be 'very heavy' in terms of the number of items on the agenda (anonymous interview, interviewee H1). All this, together with a lack of enough human resources in some (new) member states and the limited experience of participation in such processes leads to a situation where delegates 'do not have time to make some proposals for the agenda' (anonymous interview, interviewee I1). Furthermore, these factors are seen to have contributed to a growing dominance of the Commission:

> Clearly, the role of the Commission is strong because member states cannot express all their views at the meetings because the meetings are not suitable for that. And sometimes the deadlines are set in a way that they reaffirm the strong role of the Commission, because if deadlines are close, the Commission will get fewer opinions on papers and there is a higher chance that their proposal will be accepted (anonymous interview, interviewee T1).

Other delegates also emphasised the problem that they 'often get the documents very late' (anonymous interview, interviewee A1), which makes proper preparation difficult.

Although the indirect contestation of the 'policy forum' function of the SPC (see chapter 4) certainly contributes to an increased role of the Commission, interestingly, this 'mirroring mechanism' mainly builds on institutional stories about the 'power of dialogue' (anonymous interview, interviewee A2) and learning as a basis for legitimation. Both principles were described in chapter 4 as parts of the 'policy forum' function of the SPC. The following quote illustrates well how the principle of communication or dialogue is seen as an essential element of this mechanism:

> First we look at them [new member states] and see they have huge problems, and then we [old member states] suddenly see well, maybe we have overlooked that we have, in smaller size and so on… And then you get this interesting dialogue between, which then I think makes it an interesting discussion. As long as it is sort of 'them' and 'us' or 'us' and 'them', it is not so interesting, but when they [member states] see well, we are not that far away from some of the issues, then it is getting interesting (anonymous interview, interviewee D1).

Thus, in this view, a dialogue and sharing experiences within the SPC makes it possible for member states to see their own situation in a different light and to get 'sensibilized to certain problems' (anonymous interview, interviewee G2). Furthermore, this process is regarded as the basis for 'mutual learning': raising awareness about certain problems and 'inducing changes in the member states' (anonymous interview, interviewee I2).

## 5.3 New Member States' Experiences Changed Discourse Coalitions: 'Widening Horizons' Mechanism

Several interviewees emphasised the impact of the different experiences and traditions new member states have concerning social protection systems and their reforms. Broadly speaking, this emerging heterogeneity of experiences is seen as having 'brought more ideas around the table' (anonymous interviewee, interviewee E2) and implied 'a bigger field of policy experience' that member states 'can learn from' (anonymous interviewee, interviewee

D2). The Joint Report on Social Inclusion argued in 2004 that the 'greater diversity of social situations and systems in the Union after enlargement will act as a powerful stimulant' and described enlargement as a 'positive opportunity for a more widespread two-way exchange of experience and good practice' (European Commission 2004). According to the UK's answer to the 2005 OMC evaluation questionnaire, this opportunity has been realised: 'the 2004 enlargement of the EU has further increased the pool of knowledge and good practice' (OMC evaluation, United Kingdom).

More specifically, as was evaluated by many interviewees, these new perspectives have not only widened the scope of ideas, but have done it by strengthening a particular angle of debates. As one respondent noted, 'the political agendas of a lot of the new member states were quite (…) dominated by a sort of fairly liberal, economic perspective' (anonymous interviewee, interviewee K2). As a result, new member states are seen to have 'insisted to move this process, the modernisation agenda in a more liberal sense, insisting more on responsibility, conditionality, and incentives to work' (anonymous interview, interviewee N2).

As most respondents in this group agreed, this particular perspective of several of the new member states changed the balance between existing discourse coalitions: 'the sheer presence of so many member states which are struggling in a way with sort of more market-oriented solutions is quite important' (anonymous interview, interviewee D1). As chapter 3 already mentioned, there said to be two main groups of member states who differ in the way they define the role of social policy: 'whether social policy should feed into jobs and growth or jobs and growth should feed into better social policy' (anonymous interview, interviewee L2). Besides different evaluations of the Lisbon Strategy, one manifestation of this division is that certain countries are 'reluctant', while others are enthusiastic 'towards any further EU steps' in the social field (anonymous interview, interviewee F1). This divide existed even

before the enlargement of the EU, traditionally, for example, between the UK and the Netherlands on the one hand, and France, Belgium and Luxembourg on the other[47].

New member states, instead of forming a new coalition, joined these existing groupings, 'highlighting a division that was already there within the EU-15' (anonymous interview, interviewee Y1). However, though it is possible to find new member states in both camps, it was the UK and the Netherlands who are seen to have gained more allies from among the new member states (most importantly Poland, the biggest new member state). As one interviewee described:

> The enlargement process has certainly modified the balance between both in the direction of more responsibility and more encouragement for risk-taking, more incentives and less solidarity, less social justice. The balance has been driven to that direction because new member states, they need to emulate competitiveness, to encourage entrepreneurship, to move away from state dependence, and they pushed very hard in that direction, and of course, they modified the balance within the Council and also within the SPC (anonymous interview, interviewee N2).

Therefore, as the UK and the Netherlands could feel more sidelined before, the distribution of power between the two main groups is regarded to have become more balanced since the enlargement. Nevertheless, while the balance is seen to have shifted, the original spread of views is evaluated to have stayed stable:

> It is not even a broader spread of views, I do not think. My feeling would be that if you have that spectrum from the Belgians to the Dutch, then the new member states, you know, put themselves between the existing member states rather than extending the limits at either end' (anonymous interview, interviewee Y1).

While some interviewees evaluated this development positively, others were less content about the new directions of discussions. On the positive side, these changes are seen to have brought 'more openness' to the discussions of the SPC (anonymous interview, interviewee D1). As formulated by one of the respondents:

> We were comfortable placed with our mental categories; social protection is a productive factor, like a mantra. Now we are looking at ways when and where this happens to be the case. This is also a result of the enlargement, the fact that some countries (…) said, we have to make our choices. So some (…) assumptions that we were making are now more called into question (anonymous interview, interviewee F1).

---

[47] This second group of countries became well defined when nine member states signed a declaration on 7 February 2007 titled '*Un Nouvel Elan pour l'Europe sociale*'/'*Enhancing Social Europe*' with the aim to 'strengthen the European social model' (Labour Ministers 2007). These member states were Belgium, Bulgaria, Cyprus, Spain, France, Greece, Hungary, Italy and Luxembourg.

Hence, the particular perspective of the new member states 'helped to open up new areas of debate which might have been closed down' (anonymous interview, interviewee Y1).

Other interviewees drew the attention to the negative impact of these changing discourse coalitions. They emphasised the fact that reaching consensual decisions became more difficult with a more balanced division of views. Furthermore, those who would have preferred a stronger social pillar for the Lisbon Agenda claimed that enlargement could have made it easier to refocus the original strategy: 'it is not that enlargement made this refocusing possible, but it might have made it easier' (anonymous interview, interviewee E1). Nevertheless, these interviewees also acknowledged that

> the balance within enlargement would have added to the difficulty but it would not have created the difficulty. It would have been there anyway, if you look at the balance in the older member states. And anyway there has been a less positive economic climate in recent times. So there are a lot of other factors and enlargement is only part of that (anonymous interview, interviewee K2).

Thus, this group of interviewees did not regard these changes as being detrimental to the work of the SPC itself, in contrast to others, shown in the next sub-section.

To sum up, this *mechanism of 'widening horizons'* relies on the particular experiences of new member states and the changing discourse coalitions after the 2004 enlargement. These changes are regarded as having created new possibilities to discuss existing topics from new angles. Chapter 3 discussed that being part of a discourse coalition constitutes an important resource for member states. In this logic, new member states could make better use of their particular policy expertise by joining an already existing, though weaker discourse coalition. In addition, a perceived need to rely more on informal, out-of-meeting sub-groups of countries due to the overburdened meetings could also reinforce the importance of such coalitions after the enlargement.

Nevertheless, the consensus-seeking practice within the SPC described in chapter 4 is said to limit how far a stronger discourse-coalition can push its own views. As a Commission official argued:

> The documents the SPC produces are, you know, they are always consensual; therefore they try
> to reflect the complete balance of views in the committee. So they avoid endorsing any one
> particular model and they try to present a different range of options (anonymous interview,
> interviewee Y1).

Or in another formulation: 'the good thing is that you have to get a compromise in the end; this means that you have to try to get softer and the other ones too' (anonymous interview, interviewee X1). This implies that the 'extremes' cannot 'jeopardise a consensus, which is quite strong on the balance' and which is important to reach from a political point of view (anonymous interview, interviewee N2). Certainly, a more equal balance of power between discourse coalitions might make it more difficult to attain such compromised solutions. However, in the interpretation of this group of interviewees, such problems are not insurmountable.

Besides the principle of consensus on the basis of which common opinions are adopted, the mechanism of 'widening horizons' also builds on the principles of dialogue and learning presented in chapter 4 and takes the 'policy forum' function of the SPC as a basis. 'Learning' is mostly interpreted in this case as involving the exchange of experiences and sharing information within the SPC. As was mentioned above, some interviewees argued that

> the really important thing (…) about enlargement is that it expands the range of social policies
> we can learn from. And the whole point of the Open Method of Coordination of course is about
> learning from other countries, so if we have got 27 instead of 15, you have got nearly twice as
> many possible practices to learn from (anonymous interview, interviewee D2).

Thus, in this formulation, the experiences of new member states have the potential to enrich policy discussions within the SPC, even if such enrichment has a particular direction that is not welcomed by all delegates of the committee.

## 5.4 Enlargement Diluted Social Inclusion and Can Weaken the OMC

Finally, a very small group of interviewees of only four respondents articulated very pessimistic views on the impact of enlargement on the work of the SPC and the coordination

process as a whole. This group of interviewees questioned whether the OMC could survive its expansion to 25, then to 27 member states. As one of them asked: 'But with this diversity how can we find a consensus and the definition of what is common? And what could be this famous European Social Model?' (anonymous interview, interviewee I1). These respondents emphasised the fact that it is called into question whether all member states 'share all the same principles' (anonymous interview, interviewee I1), and that the preoccupation of new member states with the growth and jobs agenda led to 'a dilution of the concern with social inclusion' (anonymous interview, interviewee D2).

According to this group of participants, all 'this creates a large problem' (anonymous interview, interviewee B2). They argue that since enlargement 'everything came to a standstill' in the social area (anonymous interview, interviewee B2). One reason for this, according to this interpretation, could be that 'the ambition of the Open Method of Coordination is really not adapted to the diversity of the situation. It is always general and generic strategy with general and generic solutions' (anonymous interview, interviewee J1). However, the few interviewees articulating these problems could not really come up with any examples when new member states obstructed the adoption of common documents or principles. In addition, in the narratives of these respondents one could also find the elements of other mechanisms when they described the impact of enlargement in relation to a specific policy issue. Therefore, there is a lack of a separate influence mechanism that can be distinguished in this case.

Nevertheless, it is still worth noting that this particular framing of the impact of enlargement also builds on some of the institutional stories discussed in chapter 4, particularly related to the principles of consensus-orientation and the visibility of social issues on the European level. As described above, interviewees articulating this view emphasised that enlargement made it difficult – if not impossible – to reach consensual decisions which are

acceptable to everybody. As a result, it is said to have become more difficult to define common views and opinions within the SPC. Consequently, the SPC is seen as neither being able to fulfil its 'policy forum' function nor capable to remain a successful social voice in Europe. This latter outcome is regarded as endangering the visibility of social issues on the European level.

## 5.5 Summary

Table 3 summarises the main elements of the three mechanisms and the fourth process which cannot be regarded as a comprehensive mechanism presented above. It shows the components of the main 'frames' describing policy changes and non-changes based on the following questions. First, in the relevant interpretations, which category of actors is pictured as playing the active, initiating role? Second, who are the actors who follow the path set by the initiator? Third, how is the given mechanism linked to descriptions about the post-enlargement organisation of interactions in SPC meetings? Fourth, what are the relevant individual or institutional resources evoked? Fifth, what are the normative principles that can serve as bases for (de-)legitimating the given mechanism of contestation (Commission-driven 'mirroring' and 'widening horizons' mechanisms) or non-contestation ('old boy network' mechanism)? Finally, who are the main actors who describe potential policy changes along the lines of these mechanisms?

As Table 3 shows, both the Commission-driven 'mirroring' and the 'widening horizons' mechanisms build on the 'policy forum' function of the SPC. This is not surprising, since the contestation of policy principles can most likely take place if the SPC serves as a forum for policy discussions. Furthermore, expertise – an element of the 'policy forum' function – is regarded as an important resource in connection with both of these mechanisms.

172

In addition, those old member state delegates who claimed that enlargement had no policy impact – thus described the 'old boy network' mechanism – usually argued that the SPC cannot or should not fulfil its 'policy forum' functions. All this shows a strong link between the perceived resources, institutional stories and the mechanisms of (non-)contestation which are acted upon by participants of the coordination process.

Table 3. *Summary of the main mechanisms of policy (non-)contestation*

| | 'Old boy network' | Commission-driven 'mirroring' | 'Widening horizons' | Dilution of social inclusion |
|---|---|---|---|---|
| **Initiating actor** | Commission<br>Old member states | Commission | New member states (Commission) | – |
| **Passive followers** | New member states | Old member states<br>New member states | Old member states (Commission) | – |
| **Post-enlargement organisation of interactions** | Limited possibility to intervene in meetings | Limited possibility to intervene in meetings;<br>Growing dominance of the Commission | Growing importance of informal sub-groups (indirect) | – |
| **Dominant resources** | Experience of meetings;<br>Human resources in capitals (including instructions);<br>Stable and senior representation | Experience of meetings;<br>Human resources in capitals;<br>Policy experience, expertise | Policy experience, expertise;<br>Discourse coalitions | Policy experience |
| **Related principles or bases for (de-)legitimation[48]** | Dialogue (–) | Dialogue (+, –);<br>Learning (+) | Dialogue (+);<br>Learning (+);<br>Consensus-orientation (+) | Consensus-orientation and common objectives (–);<br>Visibility of social issues (–) |
| **Framing actors (main actors in italics)** | *Old member states*<br>*New member states*<br>Commission<br>NGOs<br>Experts | *Commission*<br>*Old member states*<br>New member states<br>NGOs | *Commission*<br>*Old member states*<br>*New member states*<br>Experts | *Old member states*<br>NGOs |

---

[48] If a principle can be regarded as legitimating a given mechanism, it is shown with a (+) sign. In contrast, when a principle is referred to in order to de-legitimate a mechanism or to criticise a process (when there is a lack of a full-blown influence mechanism), a (–) sign is put in the cell.

173

The three mechanisms presented in the first three columns will serve as bases for the evaluation of certain developments within the policy work of the SPC in the following chapter.

# Chapter 6. Policy Development and Change: Shifts in the Policy Work of the SPC after the Enlargement

The working practices of the SPC are not separable from the policy context in which the committee operates. Hence, this final empirical chapter has two main goals. First, it addresses how the institutionalisation process outlined in previous chapters could influence policy developments and the substance of discussions within the SPC. Second, this chapter aims to contextualise the mechanisms of (non-)contestation that were reconstructed in chapter 5. In order to do so, the chapter presents three case studies in social protection and social inclusion in issue areas that are connected to enlargement and the participation of new member states: the social exclusion of ethnic minorities, the sustainability and adequacy of pension systems, and the child poverty priority.

In contrast to the other three empirical chapters, this chapter does not only rely on interviews and member state evaluations, but it also involves the analysis of documents, mainly produced by the SPC and the Commission (mainly Key Messages Papers and Joint Reports) but also by member states themselves. On the one hand, these documents can affirm or question the perceptions of the participants of the coordination process. On the other hand, they can help putting the emerging policy problems in context – both at the European and at the national level. Key Messages Papers are usually drafted jointly with the EMCO and contain the main messages the committees aim to send to the EPSCO Council and through this to the yearly Spring European Council. As chapter 4 showed, these messages are of great importance for several SPC members as the main channels for the SPC to communicate its opinion. Joint Reports are documents drafted by the Commission in which the Commission and the Council jointly summarise, analyse and assess the national strategic reports submitted

by member states. Joint Reports also identify the 'key challenges' and priorities which can be regarded as policy frames showing a 'European political vision' (Daly 2007, 10).

Besides these documents, the chapter also examines national evaluations of the implementation of specific policies by independent experts and by other academic studies. These evaluations are regarded as first evidence about the national level impact of the OMC in the three policy areas examined in this chapter. They serve to demonstrate the existing connection between European level policy discourses and national level policy-making and underline the relevance of looking at how enlargement has been contributing to the reframing of policy problems on the European level.

In order to have relatively comprehensive and detailed case studies, three issues, the social exclusion of ethnic minorities, the sustainability and adequacy of pension systems and child poverty, were chosen among the policy issues that the SPC has been dealing with since enlargement. The case studies were selected based on the following two criteria. First and foremost, a policy area was chosen if it was evaluated to be new or to have changed since 2004 by a sufficient number of interviewees. Policy documents were used in this case to affirm these evaluations. A connection with enlargement can take three different forms: there might be a direct, indirect or no influence of new member states on a new or changing emphasis within a given issue area[49]. Second, the new or changing emphasis should already have taken place so that it could be traceable in European and national policy documents. Therefore, issues that are under discussion but do not yet have any clear manifestation (e.g. absolute poverty through an indicator on material deprivation) were not considered for a case study.

All the issue areas the SPC is dealing with were evaluated based on these criteria. Interviewees were asked direct questions about the impact of enlargement and the

---

[49] A fourth theoretical possibility is the potential opportunity of new member states to block certain issues or to prevent their emergence. However, no mechanism suggests that anything similar has taken place. Therefore, this possibility is not discussed in this chapter.

participation of new member states in general as well as in connection with specific issue areas. As will be shown below, answers of participants in this regard differ in many cases. These differences can be dependent on or independent of the objective position or background of interviewees, can be linked to perceptions on the working practices and acceptable modes of interaction within the SPC, and are assumed be connected to the perceived mechanism of (non-)contestation. Thus, the case studies discuss and analyse the emergence of certain issues and new emphases from such a perspective. However, before turning to the case studies of this chapter, the next section briefly presents all issue areas that were mentioned during the interviews.

## 6.1 Choosing the Case Studies: Issue Areas within the SPC and their Perceived Links with Enlargement

Some of the most important mainstream issues within the area of social inclusion and social protection – also partly linked to employment – are flexicurity[50], activation, social services of general interest[51] and more recently active inclusion[52]. The first three of these issues existed both before and after the 2004 enlargement. They remained relatively marginal in the interviews, only a few respondents articulated any opinion concerning their link with enlargement. Therefore, these issues are not suitable for the case studies. Nevertheless, it is

---

[50] A Commission Communication on the common principles of flexicurity defines the term 'as an integrated strategy to enhance, at the same time, flexibility and security in the labour market' (European Commission 2007a, 4).

[51] According to a Commission Communication, there are three main categories of social services in the European Union (European Commission 2006b). The first group contains health services that are usually dealt with separately from the other two. The second category includes 'statutory and complementary social security schemes, organised in various ways (mutual or occupational organisations), covering the main risks of life, such as those linked to health, ageing, occupational accidents, unemployment, retirement and disability' (European Commission 2006b, 4). Finally, services that belong to the last category are 'other essential services provided directly to the person' which 'play a preventive and social cohesion role [and] consist of customised assistance to facilitate social inclusion and safeguard fundamental rights' (European Commission 2006b, 4).

[52] As it is defined in the Commission Communication on the active inclusion of people furthest from the labour market (European Commission 2007b, 2): the 'holistic strategy' of active inclusion 'combines income support at a level sufficient for people to have a dignified life with a link to the labour market through job opportunities or vocational training and through better access to enabling social services'.

CEU eTD Collection

CEU eTD Collection

CEU eTD Collection

CEU eTD Collection

CEU eTD Collection

CEU eTD Collection

CEU eTD Collection

CEU eTD Collection

still interesting to present here the main lines of disagreements. Some interviewees argued that within flexicurity discussions, the balance shifted a bit towards flexibility (as opposed to security), but others saw no such movement or any difference between old and new member states. Similarly, while some participants linked a slight move towards activation measures to enlargement – either directly as a result of a push coming from new member states or indirectly via the Commission – others could not make a clear connection between enlargement and discussions on activation. This dichotomy is also present in opinions about post-enlargement debates on social services of general interest. Thus, while only marginally, some elements of the 'widening horizons' mechanism can be distinguished in interpretations connected to these issues.

Active inclusion is a relatively new issue regarding which interpretations also differ. Almost all interviewees mentioning this topic agreed that active inclusion is the 'brain child' of the Commission (anonymous interview, interviewee F1). However, while most of them saw no connection between the emergence of discussions on active inclusion and enlargement, some argued that the Commission must have come up with this topic having the post-enlargement situation of the EU in mind. Nevertheless, again due to a lack of sufficiently coherent narratives, active inclusion is not a useful issue for a case study, even though one might find the elements of the Commission-driven 'mirroring' or the 'old boy network' mechanisms in the diverse interpretations.

Housing is a new issue item that is linked to enlargement and the inclusion of new member states by some interviewees. Under the heading 'homelessness and housing exclusion', this issue was chosen as the main topic of the second 'light year' of the streamlined social protection and social exclusion process in 2009 (the first such priority was child poverty, see below). However, since interviews were conducted in 2006 and 2007 when housing was only an emerging issue, it was not evaluated by a sufficient number of

respondents (only five of them mentioned the topic). This is also true for the policy area of health care. A few interviewees argued that the experience of new member states did not only shift discussions related to health and long-term care, but even helped to put this area on the agenda of the SPC: 'the fact that you had new member states in there, around the table discussing that, helped to establish the grounds on which it was possible to bring health into this framework' (anonymous interview, interviewee R1). However, as only a few participants could form an opinion related to this issue, it cannot serve as a basis for a case study either.

In contrast, most interviewees mentioned problems that arose around measuring poverty in a post-enlargement EU. They argued that the existing relative poverty indicators are not appropriate to measure differences between EU member states. Therefore, the Commission started working on the development of an indicator on material deprivation that is suitable for measuring absolute levels of poverty. However, though most interviewees argued that 'the political acceptance is there' (anonymous interview, interviewee K2), this indicator still does not exist, which is mainly said to be due to technical problems regarding its composition. Nevertheless, one interviewee claimed that there are not only technical reasons behind this delay, but also a lack of willingness: 'old countries did not want change and new member states did not insist' (anonymous interview, interviewee E1). This expert argued that the indicator would already be developed 'if new member states would have pushed it' (anonymous interview, interviewee E1). These statements can be partly linked to certain elements of the Commission-driven 'mirroring' mechanism or even the 'old boy network' mechanism, though stories describing the general acceptance of the topic might contradict the assumptions of the latter. However, as the indicator is not yet adopted, the issue of absolute poverty was not chosen as a case study[53].

---

[53] One might rightfully ask the question if this non-development can illustrate another possible scenario: new member states or the Commission try to push an issue, but old member states are against it, so it cannot emerge or materialise. However, as none of the interviews indicated this being a current state of affairs, this potential mechanism of non-contestation is not discussed in this chapter.

The first issue that was selected for a case study is a growing emphasis on the social exclusion of ethnic minorities as a result of enlargement. This issue was mentioned by almost all interviewees, and the link between an emerging consciousness of this problem and the inclusion of new member states was not questioned by anyone during the interviews. The main difference between respondents lies in how they evaluated the role of new member states and the Commission in bringing this issue up. On the one hand, some participants assumed that new member states played an active role in highlighting the issue of ethnic minorities through raising problems concerning the Roma in many of the EU-10 (and EU-12). On the other hand, the majority of interviewees claimed that new member states were rather reluctant to mention these problems, and it was the Commission who pushed the issue on the agenda as a result of the enlargement.

The second area which was chosen for a case study is the area of pension reforms. Most interviewees agreed that pension reform is 'maybe the most striking issue' in connection to which the impact of enlargement can be seen (anonymous interview, interviewee D1). Most SPC delegates or other participants used the example of pensions when talking about the changing balance between existing country 'alliances'. Nevertheless, it also has to be noted that there exists a minority point of view – expressed by interviewees from both old and new member states, though not from other groups – according to which enlargement did not change discussions in the SPC regarding pension reforms. In this interpretation, this topic was 'more or less settled' already before enlargement (anonymous interview, interviewee S1). Yet, the majority of interviewees described discussions on pension systems as changing due to the involvement of new representatives.

Finally, the last suitable issue is child poverty. Probably due to the fact that this priority emerged exactly at the time when the interviews were conducted, many interviewees formulated opinions about potential links between enlargement and an emerging focus on

child poverty. While many interviewees – especially from the old fifteen member states – argued that the choice of this issue as a policy priority is somehow connected to enlargement and partly reflects the situation in new member states, SPC members from new member states were united in the claim that they did not really participate in bringing this issue up. As far as the other opinions are concerned, they mostly suggest that first, the emergence of the issue of child poverty was Commission-driven, and second, that it could be accepted due to changing discourse coalitions. All this suggests that there might have been different and parallel mechanisms – or interpretations of patterns of behaviour – in place when the topic of child poverty emerged as a political priority.

Table 4 summarizes these issue areas and the way they were linked to enlargement by interviewees (thus assumptions about the direct, indirect or no influence of new member states). Issues that emerged after the 2004 enlargement are separated from those that were also discussed in detail by the SPC before. The chosen issue areas are marked in bold.

Table 4. *Categorisation of issue areas by interviewees*

|  | *Direct influence of new member states* | *Indirect influence of new member states* | *No or minor influence of new member states* |
|---|---|---|---|
| *New issue or new emphasis on an issue area* | Housing; **Ethnic minorities** | **Child poverty**; **Ethnic minorities**; Active inclusion; Absolute poverty/material deprivation | **Child poverty**; Active inclusion |
| *Changing emphasis within an issue area* | **Pensions**; Health care; Activation; Flexicurity; Social services of general interest | Activation | **Pensions**; Health care; Activation; Flexicurity; Social services of general interest |

The following sections will thus discuss three case studies in the areas of the social exclusion of ethnic minorities, the sustainability and adequacy of pension systems and child poverty. To recall, the main goal of these case studies is to illustrate and contextualise the mechanisms of (non-)contestation presented in chapter 5. In other words, the three case studies show how changing modes of interactions and diverging accounts of institutional stories might influence policy developments on the European level. Furthermore, since the case studies should analyse different interpretations of the causes of (perceived) policy changes, they add to the analysis of differences between SPC members. This also means that due to the varying interpretations on the impact of the inclusion of new SPC members, one case study does not necessarily illustrate only one mechanism.

While the main emphasis of this dissertation is on the European level – how policy issues are 'uploaded' by member states and how they are discussed within the SPC – all case studies make references to national level developments in the three policy areas. The main aim of these sub-sections is to illustrate the relevance of studying these particular issues and their emergence on the European level. As was mentioned above, looking at evaluations on the national impact of the OMC can demonstrate the important link between discussions within the SPC and national level policy design. While it is certainly not possible here to examine this connection in great detail, the first evidence presented below nevertheless show that domestic actors in some member states indeed use European level policy frames in the selected three areas.

## *6.2 The Social Exclusion of Ethnic Minorities*

The first case study of this chapter focuses on a growing emphasis on and an increasingly targeted approach to the social inclusion of ethnic minorities. As was already referred to

above, almost all interviewees mentioned this issue area in connection with the enlargement of the EU. Several interviewees argued that concerning this topic, one can see a 'shift' in the analysis of the Commission and in Joint Reports on Social Inclusion, and later in Joint Reports on Social Protection and Social Inclusion (anonymous interview, interviewee F1).

## 6.2.1 The Social Exclusion of Ethnic Minorities at the European Level

The social exclusion of ethnic minorities and immigrants has always been treated as an important problem in documents drafted by the Commission. It was already mentioned as a 'key risk factor' in the first Joint Report[54] (European Commission 2002). In this report, problems were mostly discussed from the perspective of immigrants: problems caused by 'increased ethnic diversity', illiteracy, racism and discrimination were mentioned. The 2004 Joint Report outlined six key priorities, the last one being 'making a drive to reduce poverty and social exclusion of immigrants and ethnic minorities' (European Commission 2004, 7). The Report labelled the exclusion of ethnic minorities and immigrants as 'increasingly significant' (European Commission 2004, 8) and included a section on good practices on policies concerning the social inclusion of immigrants and ethnic minorities, including the Roma and Travellers. However, when discussing these good practices, the Commission also argued that most countries 'continue to present the issue of immigrants and ethnic minorities in rather general terms' with only a 'brief reference' to their situation (European Commission 2004, 95).

These reports emphasised that problems related to the social exclusion of ethnic minorities and immigrants are to be tackled following a 'strategic and integrated approach'

---

[54] Originally, Joint Reports on Social Inclusion summarised and analysed the National Action Plans drafted by member states. The first cycle of National Action Plans in social inclusion was 2001-2003, which was followed by plans for 2003-2005. New member states submitted their first national action plans for the period 2004-2006. After streamlining, the first National Strategy Reports were drafted for the period 2006-2008. The newest cycle of strategy reports is for 2008-2010.

(European Commission 2002, 11). The suggestion of using 'targeted measures' to address 'multiple disadvantages and the needs of groups at particular risk such as (…) migrants and ethnic minorities (including the Roma)' appeared in the 2006 Joint Report on Social Protection and Social Inclusion (Council of the European Union 2006a, 10). As the Report formulates, '[t]here needs to be both improved access to mainstream provision and, where necessary, targeted measures' (Council of the European Union 2006a, 10). This mentioning of targeted measures – as will be shown below – broke the 'taboo' of only considering mainstreaming and integrated approaches in SPC discussions and shows a change in the Commission's approach to the problem (see also Daly 2007).

The 2007 Joint Report stated that the 'situation of immigrants and ethnic minorities needs particular attention' already in the first paragraph of its key messages (Council of the European Union 2007, 2). To date, on the website[55] of DG Employment and Social Affairs, the following key priorities are mentioned: poverty and social exclusion of children, active inclusion, housing and homelessness, the inclusion of vulnerable groups, and financial exclusion and indebtedness. Among the 'most vulnerable' groups it is the social exclusion of ethnic minorities and particularly the Roma which is discussed in the most detailed fashion.

## 6.2.2 The Social Exclusion of Ethnic Minorities at the National Level

So far, no detailed case studies have been conducted on the national impact of the social OMC in the field of the social exclusion of ethnic minorities. In general terms, the social inclusion process is said to have a great impact on new member states' social policy thinking, of which the social exclusion of ethnic minorities is certainly an important element due to the big proportion of the largely excluded Roma population in these countries.

---

[55] See: http://ec.europa.eu/employment_social/spsi/vulnerable_groups_en.htm (last accessed: 29 January 2009).

In the case of Hungary, for example, the participation in the OMC has had significant consequences on policy practices: there was a need for administrative changes as well as for establishing procedures for developing medium-term strategic plans. This practice of planning and coordination has been relatively new and has also had an important impact on the spreading of both EU policy jargon and EU policy principles in Hungarian policy discourses (Krizsán and Zentai 2006). As Lendvai (2004) argues, the EU has a very important role in the transformation of post-communist welfare:

> The open method of co-ordination (OMCs), and specifically the Joint Inclusion Memorandum, are important exercises in countries where there is no word for social inclusion, let alone meaningful understanding of it, and where there has been no serious government poverty strategy, with all the associated properties of deliberation, consensus, implementation, accountability and so forth attached (Lendvai 2004a, 330).

Similarly, Zsuzsa Ferge and Gábor Juhász (2004) argue that due to the involvement in preparing the JIM and later the NAPs and Strategy Reports, '[f]or the first time in postwar history, poverty and social exclusion have become early in 2004 a major topic in public political discourse' in Hungary (Ferge and Juhász 2004, 246). Governmental programmes such as the *Strategic Plan for a Decade of Roma Integration* are closely connected to European cooperation and coordination processes and are good examples of this trend.

The impacts of the social inclusion process in new member states is also linked to the availability of EU funding, especially that of the European Social Fund (ESF). For example, in the case of the Czech Republic, as Tomáš Sirovátka and Miroslava Rákoczyová (2007) argue,

> What has more markedly contributed towards the establishment of the principles of social inclusion at lower levels of public administration is the availability of financial support from the European structural funds – and the European Social Fund (ESF) in particular – and the conditions of access to these resources (Sirovátka and Rákoczyová 2007, 24).

The objectives and the financing principles of the ESF are connected to the policy coordination process that takes place within the framework the OMC. Thus, according to early studies, European level policy frames have the potential influence national policies also through this channel.

## 6.2.3 The Social Exclusion of Ethnic Minorities and Enlargement

Against this background, the question to be answered is how enlargement could contribute to this increasing 'consciousness' of the social exclusion of ethnic minorities. As far as the influence of the new member states is concerned, positions of interviewees differ. While some interviewees stated that this issue was injected into SPC discussions by these countries themselves, the majority of participants emphasised the important role of the Commission in this regard. As respondents argued, at the beginning of their involvement, new member states did not address these issues, because they 'themselves were slow in mentioning them' (anonymous interview, interviewee R1). This is said to be especially true for Russian language minorities in the Baltic States, but was also to some extent the case concerning Roma communities in Central Eastern Europe. As one Commission official argued, new member states 'did not want to talk about it at all' (anonymous interview, interviewee Y1). Therefore, as interviewees argued, these issues were 'for the Commission to push', because 'if the Commission would not do it, (…) nobody would put it on the agenda' (anonymous interview, interviewee D1). Thus, in this reading, 'the accession process obliged new member states to recognise a specific situation of ethnic minorities' (anonymous interview, interviewee J1).

This is partly also perceived this way by new member states themselves. As one respondent put it: 'maybe in the new member states, ethnic minorities were not treated before as they are treated now, because before we were not forced to, we did not have an EU legislation on that in our member states' (anonymous interview, interviewee M2). However, the majority of new member state respondents stressed their own important role. Furthermore, a more active role of new member states in pushing the issue of ethnic minorities is

186

highlighted by the Hungarian response to the OMC evaluation questionnaire. In its evaluation, Hungary stressed that

> there are some white spots, untouched areas, which are only relevant from the aspects of the post-Socialist countries and to which the interest of the EU does not extend. A new and practically uncovered issue is the integration of minorities and especially the case of the Roma (OMC evaluation, Hungary).

In addition, Hungary also proposed 'to develop further the indicators according to different social groups – first of all for the Roma, for people with disabilities and immigrants' (OMC evaluation, Hungary). The other two countries which also expected more focus on this issue were Italy and Spain. On the other hand, as a counter-example, in its evaluation Latvia stressed that 'sometimes too much attention has been devoted to [the] employment and social inclusion of ethnic minorities and immigrants' (OMC evaluation, Latvia).

Nevertheless, besides these few statements, the important role of the Commission in driving this issue is widely acknowledged. However, it is also important to note that while it was certainly the Commission which had the possibility to push new – and indirectly, old – member states to recognise the problems of ethnic minorities, it might have done so 'in response to pressures from civil society and the European Parliament' (anonymous interview, interviewee Y1). Some interviewees emphasised the role of European and national NGOs in drawing attention to the social exclusion of ethnic minorities and in persuading the Commission to take the issue up (anonymous interview, interviewee S2). Furthermore, others argued that national NGOs played an important role in helping the Commission to change positions in new member states. As one interviewee explained:

> The system only works if there is somebody within the member states who wants to create some change or if there is a mood for change there; (…) it works if Brussels is pushing in the same direction as people within the member state (anonymous interview, interviewee R1).

Nonetheless, the Commission is still regarded as an important driving force behind the growing emphasis on the social exclusion of ethnic minorities. Yet, such accounts on the role of civil society actors can also help to understand how reflections could be triggered in new

member states – and also in the old EU-15. As the arguments go, old member states also accepted or took up this issue which was 'not perceived as a problem before enlargement' (anonymous interview, interviewee F1). Some interviewees argued that 'enlargement has functioned as a sort of waking-up call' (anonymous interview, interviewee F1), because after the enlargement, 'suddenly everybody [became] aware' that the problem exists (anonymous interview, interviewee X1). As respondents explained: 'you have this *mirroring effect*, I mean you do not find Russian minorities, but suddenly you see your Turks, so suddenly you look at your own problems maybe with a slightly different eye' (anonymous interview, interviewee D1, emphasis added). Or else: 'thinking about Gypsies is a very good way of thinking (…) in detail about what is a much broader problem, which tended to be put in a migration pot rather than an ethnicity pot' (anonymous interview, interviewee D2).

This latter formulation draws the attention to potential ways in which the emphasis on ethnic minorities could actually contest an existing *status quo* in the SPC. On the one hand, such a new emphasis does not imply a direct contestation, since it essentially involves a new accent on a problem without really questioning existing policy principles. On the other hand, the indirect influence of new member states had the possibility to challenge an implicit *status quo*: the *status quo* of dealing with exclusion problems neither from a targeted nor from an ethnicity perspective. Hence, this *status quo* had two main elements. First, as was also referred to above, on a more general level, the social inclusion process was supposed to take a mainstreaming approach to social problems avoiding a particular targeted focus on specific social groups. As one interviewee explained:

> The predominant philosophy of the social inclusion process and of the Commission's side has been sort of to argue in favour of a fairly universal and comprehensive approach of inclusion for everybody and that that was the best way by and large of benefiting people in more marginal situations, by trying to ensure their inclusion in overall policies. But then when you look at situations that are more extreme, (…) that tends to put you in a focus of developing slightly more (…) targeted [policies] (…), but maybe at the expense of developing more comprehensive systems (anonymous interview, interviewee K2).

Thus, the situation of ethnic minorities in new member states brought about a 'reflection' within the Commission and within the SPC about such mainstreaming approaches (anonymous interview, interviewee O2).

Second, the more specific element of this *status quo* was the lack of discussions on minorities from an ethnicity angle. As one of the participants put it, 'quite often we have tackled the problem through the angle of migrants, partly to avoid the sensitivity that it raises about ethnic minorities or national minorities in some member states' (anonymous interview, interviewee Y1). This 'sensitivity' has been especially strong in France, where it is not possible for public authorities to collect data on ethnicity. As a consequence,

> The EU-15 maybe was in denial, but almost everybody was, the idea was that there are no ethnic minorities here, everybody is a *citoyen*, and you just go to court if you are discriminated. Then we realised that there was a problem, which was admitted and brought to the fore by the new member states, that there are inclusion problems in that respect (anonymous interview, interviewee F1).

Thus, focusing on the Roma made it possible for the Commission to introduce a new perspective into SPC discussions: 'the Commission who previously did not really take ethnic minority issues seriously, with the issue of the Roma (…) they had to' (anonymous interview, interviewee L1).

Interestingly, the country which most enthusiastically supported such a new framework on ethnic minorities was the United Kingdom. Interviewees from the UK all acknowledged that an intensified focus on the Roma helped the UK to get its points across on the importance of paying attention to ethnicity and the social exclusion of ethnic minorities. As one of the interviewees described a pre-enlargement situation,

> some time ago at a Social Protection Committee meeting (…) [there] was some report[56] on the need to get more concerned about problems associated with the social inclusion of migration, and the UK wanted to add 'and ethnic minorities' and name it, and the French completely refused, they said 'you could not mention ethnic minorities as a group, because we do not have ethnic minorities in France, we have only citizens'. And eventually they said, 'we would have to block this, we could not go back to France and agreed to have a report (…) on ethnic minorities as a recommendation' (anonymous interview, interviewee K2)

---

[56] In 2003, the SPC adopted an opinion on the Commission's Communication on immigration, integration and employment (Social Protection Committee 2003). This document does not mention the term 'ethnic minorities'.

Thus, in this reading, the UK gained more allies – active or passive – or more support after the enlargement.

Hence, on the basis of these interpretations, the growing emphasis on the social exclusion of ethnic minorities can be regarded as contesting some previously non-disputed elements of SPC discussions and the coordination process as a whole. Nevertheless, what is also part of the picture is that presenting the problem of the social exclusion of the Roma 'as a European issue and not a new member state issue' (anonymous interview, interviewee Y1) made it possible for new member states to shift the responsibility to the European level. A respondent from a new member state explicitly referred to this phenomenon: 'new member states were successful in persuading the SPC that this is not only their problem, but a problem of the whole of Europe' (anonymous interview, interviewee I2). Certainly, not everybody was happy about this development or such a generalisation of the Roma issue:

> When we had a discussion, a first discussion on that in the SPC, some representatives (…) came up with a lot of speeches about the Roma people, all ending in the line: the Roma people is typically a problem of the European Union. (…) We (…) feel that (…) it is a problem that has to be dealt with by every country in Europe, not meaning that it is a problem to be dealt with by the European Commission. And the scope of a lot of new member states was well, (…) we have this problem which we have not been able to solve for the last 500 years, and let's now convince them that it is their problem. Well, it is not our problem (anonymous interview, interviewee B2).

Nonetheless, this perspective was missing from other interviewees' accounts.

These interpretations contained elements from all the three mechanisms outlined in chapter 5. First, the perspective of the Hungarian evaluation reflects the 'old boy network' mechanism. Second, the changing balance of power between the UK and other countries regarding the issue of ethnicity is an indication for the 'widening horizons' mechanism. Nevertheless, the growing emphasis on the exclusion of ethnic minorities is probably the best illustration for the Commission-driven 'mirroring' mechanism. To recall, this mechanism relies on the role of the Commission to highlight certain issues through drawing attention to 'undeniable' problems – such as the social exclusion of ethnic minorities – in new member states. This growing emphasis has the potential to raise consciousness about similar problems

in old member states as well. This is the story according to which most interviewees described changes concerning the issue of ethnic minorities.

## *6.3 The Adequacy and Sustainability of Pension Systems*

The topic of the adequacy and sustainability of pension systems was introduced in the work of the SPC in 2001 at the Laeken European Council (Council of the European Union 2001) in order to respond to 'challenges of the ageing populations'[57] and to encourage the modernisation of pension systems. The first National Strategy Reports were drafted by the member states for the period of 2002-2005, which was followed by new cycles of reports for 2006-2008 and 2008-2010.

### 6.3.1 The Framing of Pension Reforms at the European level

The sustainability and adequacy of pension systems is one of the areas in which most interviewees perceived a frame shift after the enlargement, mainly due to the particular experiences of the ten countries that joined the coordination process for the second cycle of reporting. The 2006 Synthesis Report of the Commission (European Commission 2006c) described the situation in new member states from Central Eastern Europe the following way:

> The new Member States were not covered in the 2003 Joint Report on Pensions. In most Central and Eastern European Member States pension systems were transformed substantially in the 1990s establishing a new architecture combining a public pay-as-you-go scheme and a mandatory private funded scheme for people below a certain age and voluntarily available to older persons while maintaining the old system for those who did not want or were not obliged to join the new system. Private schemes are mandatory for new entrants to the labour markets in **Estonia, Latvia**, **Poland**, **Hungary** and **Slovakia** and voluntary in **Lithuania**. Furthermore, in **Latvia** and **Poland**, the public pay-as-you-go scheme has been reformed into a notional defined-contribution (NDC) scheme (European Commission 2006c, 7, emphasis original).

---

[57] See the website of DG Employment, Social Affairs and Equal Opportunities of the European Commission: http://ec.europa.eu/employment_social/spsi/adequacy_sustainability_en.htm (last accessed: 29 September 2008).

Thus, most new member states had already undergone pension reforms when joining the EU in 2004, which was not the case in several of the old 15.

On the basis of these different experiences of new member states, many interviewees argued that the accession of these new countries changed discussions in the SPC on the adequacy and sustainability of pension systems. As one Commission official noted:

> The arrival of the 10 made a shift (…) in the political balance, because (…) particularly in the field of social protection (…), they were going through reforms (…) and they had been much more daring in their reforms than the Western European countries' (anonymous interview, interviewee Y1).

In other words, new member states are seen to be 'more radical' in their pension reforms with a 'strong market-orientation' (anonymous interview, interviewee D1).

The question that certainly arises is whether such an impact is visible in the opinions and messages accepted by the SPC. A fact that might defy arguments about new member states being mainly responsible for highlighting privately funded pension schemes is that the SPC already launched a study on the topic a few months before the enlargement, in February 2004. Certainly, new member state delegates already participated in SPC meetings as observers at this time, but their influence could not be very significant.

Nevertheless, if one looks at Key Messages Papers from 2003 to 2008 drafted jointly by the SPC and the EMCO, early messages make no recommendations about the direction of pension reforms besides the general goals (e.g. the goal of ensuring that 'pension systems support longer working lives'; see The Employment and Social Protection Committees 2004). However, the 2007 Key Messages Paper already includes a sentence about occupational and private pension schemes: 'Occupational and private pension systems should ensure broad coverage and avoid creating obstacles for mobility both within and across Member States' (The Employment and Social Protection Committees 2007). Although this sentence is not a recommendation about choosing a particular pension system, it certainly acknowledges the existence of a variety of pension schemes and the spreading of privately funded pension

systems. According to interviewees, this could not have been possible before the enlargement. Similarly, the 2008 Key Messages Paper draws attention to an emerging diversity: 'Raising awareness of various issues associated to different schemes is required to allow citizens to make informed choices' (The Employment and Social Protection Committees 2008).

### 6.3.2 Pension Reforms at the National Level

Is this development at the European level relevant at all for national pension reforms, most importantly in old member states? The OMC in the area of pensions is usually considered to have a limited potential to induce or have an impact on national reforms (for an overview, see Vanhercke 2009). For example, David Natali (2007) argues that it had only marginally influenced the French and Dutch reforms that largely took place before the enlargement, though he also concludes that as far as the overall policy direction is concerned, 'the two countries do converge (…) along the three axes of the pensions OMC' (Natali 2007, 20). In the case of such limited impact, a European frame shift might not really matter.

However, there are empirical studies that do find evidence on the national impact of the pensions OMC. Most importantly, Bart Vanhercke (2009) analyses whether the pensions OMC has influenced the recognition of certain problems (agenda setting), the political playing field and the generation of policy alternatives in Belgium. He argues that domestic actors effectively used the pensions OMC in national policy and political debates. In other words, the pensions OMC 'penetrated' the national reform process in Belgium (Vanhercke 2009).

The 2005 OMC evaluations also confirm the positive attitude of some member states. For example, as it was mentioned above, Denmark emphasised the importance of the OMC in agenda-setting in the case of pensions. Similarly, although with reservations, Ireland

acknowledged that 'the OMC has significantly influenced the development of our pensions policy' (OMC evaluation, Ireland). Furthermore,

> The common objectives agreed by Member State and the EU have helped to shape the analysis and discussion at national level on the need for reform of the overall pension system. The current national pensions review being undertaken by the Pensions Board (A statutory body which advises the Government on pension matters) is examining the reforms undertaken in other Member States to meet the common challenges identified at EU level (OMC evaluation, Ireland).

In their evaluations, Spain and Portugal also stated that both the objectives and the exchange of information within the pensions OMC were useful in the national reform process (see also Zeitlin 2009). Therefore, it is important to look at whether and how the presence of new member states changed discussions in the SPC.

## 6.3.3 Pensions and Enlargement

As was discussed above, most interviewees emphasised that new member states have particular experiences that introduced new angles and topics into SPC discussions after the enlargement. As one interviewee argued, in the case of pensions, 'it is less that the issue is so new, or the need for reform is so new, it is more market, it is more pronounced and it goes in a certain direction' (anonymous interview, interviewee D1). As a consequence,

> It is not so abstract any more to speak about more market-oriented solutions if you have people in the SPC who can say 'we have tried it and we have run into the following problems and this has worked well' (…), [so] there is more openness, let's say, more ability or readiness to look at [these solutions], which of course then corresponds to developments in some old member states where this is also happening (anonymous interview, interviewee D1).

In this perspective, even older SPC members are 'not automatically defensive when they hear market solutions' (anonymous interview, interviewee D1) such as privately funded pension schemes and two- or three-pillar pension systems (anonymous interview, interviewee X1).

The active involvement of new member states in changing the directions of discussions is also more or less acknowledged by interviewees, emphasising particularly the

important role of the Polish delegate – a 'well-known'[58] pension expert – in the SPC. This means that it is usually perceived that 'there is clearly a driving force from the new member states' (anonymous interview, interviewee D1). Or as another Commission official argued: 'there was this sense of they had moved towards funded systems and they represented funding' (anonymous interview, interviewee R1). This perception of having an active role in this field is also present in new member states' narratives:

> We definitely tried to shift some of the accents, for example [when] discussing the pension systems, we tried to sort of discuss also the funded parts which are mandatory in (…) most of the new member states, and also trying to discuss the funded part as not being the evil or the risky part, but is simply there to diversify pension risk. So it's not that we try to change topics but sometimes changing the way the conversation was going (anonymous interview, interviewee L2).

At the same time, new members states, seeing themselves as 'the example of good practice' (anonymous interview, interviewee U1), are also perceived by other participants as being less willing to learn than to 'teach'. As one Commission official noted:

> A lot of the new member states felt that the pensions agenda was less challenging for them, (…) [so] what you sometimes had from the new member states was a sense that 'well, this is not a problem for us, we have already been through this' (anonymous interview, interviewee R1).

As far as the role of the Commission is concerned, only a few participants formulated clear opinions in this regard. According to a Commission official, in 'pensions probably the new member states pushed also the Commission a bit' (anonymous interview, interviewee D1). In contrast, a delegate from an old member state argued that:

> The model for the Commission is the second pillar and the third pillar, and of course, new member states, they have a second pillar in some cases more developed than in other countries. And for this reason they (…) have an agreement, an informal agreement with the Commission on this point (anonymous interview, interviewee X1).

This latter statement implies that there exists an informal alliance between the Commission and the new member states, with the additional assumptions that the Commission plays the more active role. However, this interpretation is not present in any other interviewee's

---

[58] As one interviewee put it, the Polish delegate is 'at the European level one of the well-known and leading pension people in these circles' (anonymous interview, interviewee R1).

account. Instead, most participants talked about a new alliance between more liberal old member states and many of the new EU-10.

A very important element of narratives related to pension debates is that the inclusion of new member states into SPC discussions changed the existing balance of views in relation to pension issues. As one delegate from an old member state summarised the situation:

> Before the ten joined, only Ireland and the UK and the Netherlands, and in a way the Netherlands is a slightly different case, only those three countries had pension systems that were dependant on funded private or private occupational schemes. (…) And the result was that the framework for measuring the adequacy of pensions tended to be dominated by measuring whether pensions were adequate in traditional, publicly funded, earnings-related, very generous schemes that existed in Germany, Italy, France and actually now Spain, and tended to ignore what I call UK-Irish-to-some-extent-Dutch scheme. (…) In contrast, Poland, Hungary, the Baltics, I think Slovakia but not Czech, but the majority of these countries have got pension systems that do not rely virtually 100% on pay-as-you-go public pension systems, they have chosen to move towards defined contribution, more or less privately run pension schemes. And, you know, the weight of that has altered I think the way in which we are looking at pensions (anonymous interview, interviewee C2).

Thus, in another formulation,

> Before the enlargement, except – [it is a] caricature – the UK and Ireland, all the other countries [prioritised publicly funded] (…) pension systems, and the discussion, thirteen against two, was easy. But with enlargement, it was not thirteen against two, [but] it was thirteen against twelve: equality (anonymous interview, interviewee P1).

Certainly, this was evaluated more positively from the perspective of the United Kingdom: 'for the UK this is one area where enlargement has helped, because the new member states have got such, their pension systems are different again, so the increased diversity helps discussions I think, certainly for the UK' (anonymous interview, interviewee L1).

Nevertheless, some interviewees emphasised that not all new member states played a strong role on the side of the UK, Ireland and the Netherlands, and neither is it only these three old countries that support privately funded pension schemes. As a Commission official argued:

> It would be wrong to say that (…) individualised accounts only exist in the new member states. The Czechs do not want to do it, the Hungarians are still reasonably reluctant and the Slovenians and so on, but we have Sweden, the UK, Italy clearly moving to this direction (anonymous interview, interviewee D1).

Yet, the majority of new member states are seen to have a relatively strong liberal position which has the potential to affect policy debates. Thus, while 'it is strong to say *the* new

196

member states, (…) there is a significant impact on issues where several of the new member states sort of move in the same direction' (anonymous interview, interviewee D1, emphasis original).

Thus, interviews suggest that the issue of the sustainability and adequacy of pension systems is a good illustration of the 'widening horizons' mechanism. As chapter 5 discussed, the 'widening horizons' mechanism rests on the principles of dialogue, peer-to-peer learning and consensus-orientation. Peer-to-peer learning in the area of pensions is well illustrated by the Danish evaluation of the OMC:

> In a few cases, the open method of coordination has inspired specific policy development, but the OMC has particularly added knowledge from other Member States, which we have broadly used to understand our own problems. The pension area has produced particular examples of how common problems have been compared and put on the agenda (OMC evaluation, Denmark).

Furthermore, when describing the impact of enlargement through the 'widening horizons' mechanism, most interviewees brought up the example of pensions.

## 6.4 The Child Poverty Priority

While child poverty has been an important area within social inclusion since the beginning, it became a flagship topic for the social protection and social inclusion OMC through the priority year in 2007, when a specific Task Force within the SPC was commissioned to draft a comparative study on policies targeting child poverty in EU member states. The following section briefly discusses the importance of child poverty within the social protection and social inclusion OMC.

## 6.4.1 Child Poverty at the European Level

Child poverty emerged as an important issue within the social inclusion process at a relatively early stage. In their first National Action Plans, almost all member states – old and new – addressed the problem of poverty among children. All of the Joint Reports dealt with the social exclusion of children and the intergenerational transmission of poverty among the most important priority areas. The goal of 'eliminating poverty and social exclusion among children' was the fifth among the six key priorities in the 2004 Joint Report and the fourth among the seven priorities in the 2005 Report (European Commission 2004, Council of the European Union 2005b). In 2006, child poverty and the social exclusion of ethnic minorities were the most emphasised topics (Council of the European Union 2006a).

Before the priority year of 2007, two European Council Conclusions in 2005 and 2006 already called for more decisive action in this area (Council of the European Union 2005a, 2006b, see also Marlier et al. 2007). The priority of child poverty in 2007 included a number of sub-processes and activities initiated by the Commission, among which the most prominent were a process of looking at and developing indicators for child poverty within the SPC's Indicators' Sub-Group, a peer review process, a comparative study on child poverty in the EU, and consultations with different stakeholders.

The institution of having priority years is relatively new within the OMC and signals a shift in working methods towards 'a more thematic approach to learning' (anonymous interview, interviewee H1). This shift forms part of an attempt to redefine and reinforce the 'social OMC' (see European Commission 2008). Most participants who were willing to form an opinion about this development – mainly interviewees from the Commission – agreed that it emerged mainly as a result of streamlining and the revision of the Lisbon Agenda. As described by participants, streamlining required 'a slight adaptation of the process with clear targeting' for the 'light years' (anonymous interview, interviewee E2). As member states

started having significantly less paperwork with the synchronisation of different processes and also with relatively longer reporting cycles, resources became available to pay specific attention to the most important and shared problems. In other words, streamlining finally provided an 'opportunity to have some focus during a year' (anonymous interview, interviewee F1).

Furthermore, as the relaunching of the Lisbon strategy is seen as a factor which slightly marginalised the OMC in social protection and social inclusion, it created a new need to prove that it is still worth to pursue this coordination process and 'to make the process credible' with providing good policy analysis (anonymous interview, interviewee E1). As one interviewee described the effects of the new focus on jobs and growth, 'the initial exclusive concentration on jobs and growth meant that there was an enormous outcry, you know, from some member states, but particularly from civil society' (anonymous interview, interviewee Y1). New developments within the field of social protection and social inclusion are evaluated as being the results of this 'outcry': 'in some ways it is unlikely that we would have got where we are on active inclusion or (…) child poverty, if they had not sort of made that (…) tactical mistake' of letting social cohesion being sidelined (anonymous interview, interviewee Y1). Thus, according to this interpretation, the relaunching of the Lisbon strategy 'boomeranged' (anonymous interview, interviewee Y1).

## 6.4.2. Child Poverty on the National Agenda of EU Member States

Has the fact that child poverty was chosen as the main topic for the 2007 priority year had any impact on the policy agenda in EU member states? While there are no detailed case studies about the national impact of the OMC in this area, early studies and expert evaluations suggest that the answer is yes in many European countries.

In the priority year of 2007, non-governmental experts in the area of social inclusion were asked to draft national reports on child poverty policies in their country. The synthesis of these reports was written by Hugh Frazer and Eric Marlier (2007). In these national reports, several experts coming from countries with no policy tradition of focusing on child poverty claim that the priority year, and the social protection and social inclusion OMC in general had an important impact on the possibilities of domestic actors to put the issue of child poverty on the agenda. For example, according to the Belgian experts:

> Choosing child poverty as one of the policy priorities in the Belgian 'National action plan on social inclusion' (NAP/Inclusion) illustrates the growing influence of Europe and the 'Open method of coordination' on the Belgian social inclusion agenda. Prior to the appearance of child poverty as a priority in the Belgian NAP/Inclusion 2006-08, child poverty was not explicitly on the political agenda and received little attention. Unlike in Anglo-Saxon countries, where child poverty is often alarmingly high and consequently receives a great deal of attention, children living in poverty were almost invisible in the Belgian social inclusion discourse (Morissens et al. 2007, 5).

Or else, the Portuguese expert argues that the 'specific issue of child poverty (…) only became a clear policy priority with the approval of the first Portuguese NAP inclusion' (Baptista 2007, 19). The importance of the National Action Plan in promoting child well-being is also emphasised in the Slovak report (Kusá 2007).

On a slightly more sceptical account, some experts criticise the lack of governmental attention paid to child poverty issues, but some of them still acknowledge the positive impact of the OMC. For example, according to the Greek report:

> Undoubtedly, over the most recent years, the issue of child poverty has been steadily growing in importance in almost all EU Member-States in the context of the Open Method of Coordination on social inclusion. And Greece is not an exception to this. Yet, differently from other countries, combating child poverty in Greece has not as yet become a key priority for social policy. This is reflected in the National Strategy Report on Social Protection and Social Inclusion 2006-2008, where the issue of child poverty is mainly tackled through the reconciliation of work and family perspective (Ziomas et al. 2007, 4).

Similarly, the Polish expert states that although the focus on child poverty has been relatively weak in Poland, the 'Open Method of Coordination positively influenced the perception of problems related to poverty and the risk of children exclusion' in the country (Wóycicka 2007, 2).

Some of these statements are confirmed by the brief analysis of Marie-Pierre Hamel and Bart Vanhercke (2009) on Belgium and France. According to the authors, domestic actors in Belgium and – more covertly – in France were successful in introducing the problem of child poverty to the national policy agenda 'using' the European policy frame. As they argue, domestic actors could successfully use 'the OMC toolbox to legitimize their own preferences' (Hamel and Vanhercke 2009, 109). Thus, choices made on the European level about choosing child poverty as the main priority for 2007 have enabled policy shifts on the national level.

## 6.4.3 Child Poverty and the EU Enlargement

The question that is most importantly under discussion here, therefore, is why and how the issue of child poverty was chosen as the first European priority. As was shown above, child poverty is not a new issue at all within the area of social inclusion. Nonetheless, interviewee respondents were not always able to give a clear answer to why child poverty emerged as the first priority. Some interviewees emphasised that child poverty 'is a very rational focus, [because] if you want to tackle poverty, you look at intergenerational transmission' (anonymous interview, interviewee F1), or it is 'the key theme for all member states if you really want to make a difference in the long term' (anonymous interview, interviewee Y1). Nevertheless, most participants acknowledged that it primarily had been a political choice: the problem of child poverty was one of the few issues on which there had been a 'general consensus' (anonymous interview, interviewee E1). Or in another formulation, 'if there ever was a consensual decision, it was for child poverty' (anonymous interview, interviewee F1), because 'it is very difficult for any country to argue against it' (anonymous interview, interviewee Y1). The consensual nature of this particular problem made it relatively easy to

accept it as the first common issue to tackle, as opposed to, for example, a focus on family poverty, which is a less consensual formulation of similar problems.

Furthermore, it was argued that the importance of this problem also stems from the fact that it can be connected to many other topics that have been important issues for the Commission and within the OMC:

> the advantage of it is that (…) it is more difficult for people politically to resist focusing on child poverty, (…) [and] if you are entering it (…) [in] difficult political circumstances, it is a way to keep some things alive that you might not have (anonymous interview, interviewee K2).

Other participants also referred to this advantage of child poverty: 'the focus now on child poverty is a way of getting at questions to do with absolute poverty and so on, put in a way that everybody can accept' (anonymous interview, interviewee R1). Thus, it allows participants 'to raise other issues' that are seemingly less consensual (anonymous interview, interviewee K2).

Can this choice be linked to enlargement in any way? On the one hand, one group of interviewees, almost entirely coming from old member states, could imagine that the issue of child poverty 'got more momentum' after the enlargement (anonymous interview, interviewee O1), and this choice 'in part reflects the bigger Europe that we have now' (anonymous interview, interviewee R1). As one of them noted, 'I think for instance child poverty is a topic, even if it was not introduced by those [new member] states, but I think we are aware now that it does exist in Europe' (anonymous interview, interviewee X1). There are also voices with a more critical tone: 'we can certainly observe that there is a change of political priorities (…) after the enlargement, the big enlargement. I think it is normal, but it is not really useful for old actors' (anonymous interview, interviewee J1). Or else: with child poverty, 'I think the UK took the opportunity of the enlargement of the European Union to transform a national priority into a European one, because it is answering also to a preoccupation of the new member states' (anonymous interview, interviewee J1). Thus, this

group of interviewees, while not assuming that new member states had an active role in initiating the issue, linked this development to enlargement.

On the other hand, SPC members from new member states – together with other participants of the coordination process not coming from capitals or member state representations – did not see any connection between child poverty and enlargement. They argued that enlargement did not have 'any real effect' (anonymous interview, interviewee Y1) on the child poverty priority, because 'child poverty was emerging as an issue before enlargement' (anonymous interview, interviewee K2). This group of respondents also explicitly denied that delegates from new member states had any role in initiating child poverty: 'child poverty was not on the radar, I do not think in most of them [the new member states], (…) so I would not say the push was coming from there' (anonymous interview, interviewee K2). Or as an SPC delegate from a new member state put it:

> It is not new member states who brought this issue up, I think it is old member states, (…) *they* started on the political level, on the really prime minister level talking about child poverty and *they* made goals on this political level (anonymous interview, interviewee M1).

Moreover, as one interviewee argued, it is old member states who participated more in the activities of the priority year.[59]

Thus, there seem to be contrasting interpretations about the links between child poverty and enlargement. Though most interviewees seem to agree that new member states did not play an active role in the emergence of child poverty as the topic of the first priority year, there are different views on whether enlargement had any indirect impact. A potential starting point for reconciling these different narratives is to look at the background and normative perceptions of respondents who linked or did not link the emphasis on child poverty with enlargement. However, in order to be able to make conclusions based such an

---

[59] This statement proves to be true when one looks at the participants of 'EU Task-Force on Child Poverty and Child Well-Being', a sub-group of the SPC's Indicators' Subgroup. Among the 18 members only 3 were from the new member states (from Hungary, Malta and Poland). However, it is not true for the peer reviews, where many new member states participated.

examination, one has to be aware who are said to be the most active players in initiating the child poverty priority.

Interviewees provided rather ambiguous[60] accounts on who has been the driving force behind this issue. On the one hand, some participants stressed that because everything depends on the member states within the OMC, this time it was also member states who initiated the issue with the primary role of the United Kingdom and Ireland. As one interviewee noted, 'child poverty at the origin was a clear priority of Tony Blair's government' (anonymous interview, interviewee J1). On the other hand, others argued that member states do not really take part in initiating policy priorities (see also chapter 5), and it is the Commission which 'has the capacity to bring the items up and also to push the process forward' (anonymous interview, interviewee O1). Therefore, these interviewees claimed that 'it was really the Commission that drove' the child poverty priority, and 'it was not driven by the UK government' (anonymous interview, interviewee Y1). Nevertheless, also in this latter case, the role of the United Kingdom and Ireland in supporting the initiative is acknowledged.

Therefore, the most interesting questions to answer regarding the background of interviewees are the following. First, how did participants from the UK and Ireland and officials from the Commission interpret the links between the child poverty priority and enlargement? Second, what is the background of respondents who connected this issue with the inclusion of new member states? The answer to the first question was partly given above: Commission officials who relatively closely followed recent developments claimed that the choice of the issue of child poverty is not related to enlargement in any specific way. As far as delegates from the UK and Ireland are concerned, they also did not make a connection between the child poverty priority and the participation of new member states. Regarding the second question, if one looks at the background of respondents in the group which

---

[60] As one interviewee noted, 'I would be very hesitant in stating anyone to be the key actor, or the key person, or the key whatever to raise that issue [of child poverty] and to get the effect that it got' (anonymous interview, interviewee O1).

emphasised the indirect impact of enlargement, one can find that most interviewees in this group are from Southern European member states, which are the countries that are said to be the ones who did not particularly welcome the child poverty priority being a more dominant focus than one on families. Therefore, it is possible to observe a certain 'blame the new member states' attitude on part of these delegates.

When looking at normative perceptions and general interpretations about the impact of enlargement on the work of the SPC, one can find that those who argued that enlargement reinforced an emphasis on child poverty particularly by strengthening the UK usually interpreted all changes this way. Similarly, interviewees who perceived the work of the SPC as pushed by the Commission argued that the child poverty priority was driven by the Commission. Interestingly, this is not necessarily true for the other policy areas, where interpretations about policy developments were much more uniform. Thus, in the case of child poverty, many mechanisms are seen to be at place. Some interviewees perceived a non-change or non-contestation of policy problems, which could suggest that the issue of child poverty is an illustration of the 'old boy network' mechanism. Others argued along the lines of the 'widening horizons mechanism' or even to some extent the Commission-driven 'mirroring' mechanism, emphasising the principle of consensus-seeking in both cases. This shows that general perceptions about how the OMC does or should work influence how enlargement-induced policy developments are interpreted by participating actors.

## *6.5 Conclusion*

As chapter 4 argued, the contestation of policy principles is more likely if the SPC fulfils its 'policy forum' function. This chapter examined the policy context of SPC discussions and showed that minor frame shifts occurred in the policy work of the SPC after the enlargement,

especially in the areas of the social exclusion of ethnic minorities and pensions. While in both cases there were interviewees who argued that new member states participated actively in initiating these changes, pensions is the only policy area in the case of which the majority of interviewees perceived frame shifts this way.

This was important to look at because these European level frame shifts influence the possibilities of domestic actors to induce policy changes at the national level. In other words, the inclusion of representatives from new member states into SPC discussions can have an impact on national level policy-making in all the member states, new and old alike. In order to demonstrate this link, the chapter pointed to first evidence which reveals that in some member states, domestic actors have made use of European level policy frames during national policy reforms.

Comparing the impact of enlargement in the case of the three policy issues, it can be concluded that while almost all three mechanisms (the 'old boy network', the Commission-driven 'mirroring' and the 'widening horizons' mechanisms) were seen to be in place in the case of all the three policy case studies (social exclusion of ethnic minorities, adequacy and sustainability of pension systems and child poverty), child poverty is the policy area in which interpretations varied the most. In this case, actors seemed to be the least convinced about how enlargement could have an impact on policy developments.

As a result, contrary to the other cases, it was not necessarily the policy issue that informed the interpretations of participants in the case of child poverty. Instead, the perceptions of actors were rooted in their own identities linked to their background on the one hand and in their general perceptions of the working methods and operation of the SPC on the other. This implies that differences between interviewees in connection with the child poverty priority were mostly dependent on the backgrounds and self-perceptions of actors and their perceptions of the acceptable modes of interaction within the SPC. A good illustration for the

latter is the frequent reference to the principle of consensus-seeking as a basis for choosing child poverty as the first policy priority.

In contrast, in the case of the first two policy issues, it was the perception of the topic that primarily influenced interpretations on the impact of enlargement. Thus, the perceived mechanism of policy contestation was also partly informed by the policy issue in question. Nevertheless, also in these cases, perceived changes were described as necessarily being brought about through (changing) institutionalised channels of influence. For example, the role of the Commission was strengthened by post-enlargement working methods. As a result, enlargement could be used as a pretext by the Commission in order to strengthen emphasis on certain issues, most importantly on the social exclusion of ethnic minorities. In this case, the *status quo* of not talking about this issue and not suggesting targeted measures has been contested. Or else, new member state delegates altered the existing balance between discourse coalitions, which led to a frame shift in the area of the adequacy and sustainability of pension systems.

# Conclusion

The thesis explored the micro-level foundations of enlargement-induced institutional change and identified discursive mechanisms of organisational and policy adjustment and contestation in the case of the SPC. It analysed the fragile, informal and constantly developing institutional context in which the committee operates and examined policy areas within social protection and social inclusion that are all highly prone to contestation. This last chapter of the dissertation summarises and concludes the empirical results of chapters 3 to 6 on the basis of the framework of discursive institutionalisation established in chapter 2.

**Discursive institutionalisation**. The framework of discursive institutionalisation rested on seven assumptions that provided the structure for the empirical case study on the SPC. The first three assumptions concerned the *inter-subjective construction* of governance arrangements and implied that the principles of the SPC's institutional design on the one hand and actors' perceptions of and commitments to these principles on the other hand are crucial subjects of study. For this reason, the empirical research proceeded along the following steps. First, special attention was paid to the institutional framework of the OMC (chapter 1) and the SPC (chapter 3) and the principles based on which the committee is supposed to operate, since these principles can influence and legitimise specific modes of interaction. These principles included mutual learning, respecting diversity, subsidiarity, and participation. Second, the thesis examined normative organising principles and institutional stories through looking at interviewees' perceptions of appropriate behaviour (chapter 4). The aim of this analysis was to identify the principles that are enacted, performed and *discursively reconstructed* within the institutional setting of the SPC. The empirical research found that five main principles of legitimation are communicated by members and observers of the SPC:

the principles of dialogue, consensus-seeking, 'social Europe', mutual learning, and participation.

The fourth and fifth assumptions of the framework of discursive institutionalisation were the following. On the one hand, the inter-subjective construction of governance arrangements acquires a certain degree of stability through the process of *institutionalisation*. On the other hand, this institutionalisation process is influenced by factors such as the enlargement of the EU that are sources of *endogenous institutional change*. This process of endogenous institutional change is brought about by *rule contestation*, which is based on emerging tensions between competing interpretations of rules and organisational practices (direct contestation) and between actual behavioural patterns and perceptions of appropriate behaviour (indirect contestation).

On the basis of these assumptions, the thesis analysed the changing routines within the SPC and the ways in which these changes are linked to participants' identities and opportunities for resource-mobilisation. Furthermore, it examined how enlargement was perceived as an episode in the institutionalisation process: whether and how it was regarded as necessitating change (chapter 3). The analysis found that several procedural adjustments were made in order to adapt to the drastic increase in SPC membership. These changes resulted in, for example, the relative passivity of new member state delegates and strengthened discourse coalitions. In addition, the thesis analysed differences in commitments, rule interpretations, and perceptions of appropriate behaviour between interviewees from old and new member states in order to identify mechanisms of rule contestation (chapter 4). This study found that the main principles of legitimation are not contested directly by old or new SPC members. However, the 'policy forum' function – as opposed to the 'political forum' function – of the committee is indirectly challenged by increasing tensions between these principles and perceived patterns of behaviour.

Finally, the last two assumptions of the discursive institutionalisation framework described the impact of the institutionalisation process on the possibilities of actors to bring about policy change. According to these assumptions, rule contestation contributes to or influences *policy contestation*. Therefore, the thesis distinguished different mechanisms of policy contestation and non-contestation (i.e. the prevalence of the *status quo*) as rooted in the changing organisation of interactions and as (de-)legitimated by the institutional stories that have been enacted (chapter 5). Mechanisms of policy contestation were labelled as the Commission-driven 'mirroring' mechanism and the 'widening horizons' mechanism. The mechanism of policy non-contestation was named the 'old boy network' mechanism. The thesis examined these mechanisms in the context of concrete policy issues: the social exclusion of ethnic minorities, the adequacy and sustainability of pension systems, and child poverty (chapter 6). This analysis found that although radical frame shifts did not occur, changes in the procedural rules within the SPC did enable certain actors to shift attention towards new policy problems.

Looking at these shifts was all the more important since in the case of all the three policy areas, national actors in several member states have utilised European policy frames to induce changes in the domestic political discourse. This means that the presence of new representatives in the SPC after the enlargement has brought about policy contestation not only at the European, but also at the national level. Therefore, it was crucial to look at how European level policy frames were formulated in the post-enlargement period.

**Soft social governance after the enlargement**. Table 5 connects these empirical findings. As shown in the table, enlargement was a source of endogenous institutional change in two ways. First, enlargement was used as a pretext to initiate changes in the policy work of the SPC (depicted in the last row of Table 5). This was well illustrated by the issue of the social exclusion of ethnic minorities and partly also by that of child poverty. In these cases,

enlargement and the inclusion of new member states were used as an argument in favour of focusing on and targeting particular social groups who live in poverty (e.g. ethnic minorities or children), predominantly by the Commission. This implies that enlargement contributed to the contestation of a mainstreaming approach to social inclusion. Some members and observers of the SPC interpreted this development as part of a 'dilution' of the social inclusion process. However, contrary to expectations, this frame shift cannot be regarded as being the result of a direct contestation of policy frames by new member states themselves. Instead, enlargement has had an impact on the content of the 'European vision' on social inclusion by being used by long-standing participants of the SPC, particularly by the Commission.

Table 5. *Mechanisms of adjustment, rule contestation and policy contestation*

| Impact of enlargement | Mechanisms of adjustment | Mechanisms of rule contestation | Mechanisms of policy contestation |
|---|---|---|---|
| Direct influence through including new members:<br>→ increased group size;<br>→ new members with particular qualities | Increasing reliance on written procedures and limiting discussion time;<br>Agreement on working languages | Indirect contestation of the 'policy forum' function:<br>→ Mechanism of formalisation limited by socialisation into learning<br>→ Contestation by non-participation | Commission-driven 'mirroring' mechanism<br><br>'Old boy network' mechanism |
| | Forming informal coalitions/sub-groups | Mechanism of fragmentation limited by socialisation into consensus-seeking | 'Widening horizons' mechanism |
| Enlargement as a pretext | | | Increasing analytical focus and targeting (partly: dilution of social inclusion);<br>Commission-driven 'mirroring' mechanism |

Second, enlargement was perceived as a factor that made it necessary to make organisational adjustments due to a drastic increase in the number of committee members. This change did not only imply that the number of delegates almost doubled, but also that the SPC included new members with particular experiences, identities and resources. Mechanisms of adjustment include an increasing reliance on written procedures and new limitations on discussion time, as well as agreements on a growing reliance on the working languages of the SPC (English and French) especially in written communication. The large number of SPC delegates and the limited possibility to intervene in discussions also reinforced informal discourse coalitions and partly the formulation of ad hoc working groups. Since the SPC works within the semi-formal framework of the OMC, these informal adjustments within the committee can have a significant rule-altering function in the longer run. The same changes might not have further consequences for policy-making in a different – more formal – setting, but have the potential to more considerably alter the character of semi-formal modes of governance that are more dependent on informal exchanges. In other words, mechanisms of adjustment, rule contestation and policy contestation are interlinked.

Accordingly, these mechanisms of adjustment enabled specific mechanisms of rule contestation. As shown in the table, the changing organisation of interactions contributed to the *indirect contestation of the 'policy forum' function* of the SPC by new delegates. This can be linked to the organisation of interactions in two ways. First, the increasing reliance on written procedures and the limited time devoted to discussions in meetings are often interpreted as having led to more formal meetings where it is not possible to discuss policy problems in depth. This process can be labelled as the *mechanism of formalisation*[61]. However, in the case of the SPC, this mechanism of formalisation is limited by the fact that new member state delegates showed more openness towards one important organising

---

[61] The definition of formalisation is different from the one referred to in the introduction. In this case, formalisation does not necessarily involve the creation of more formal rules, but rather the decreasing reliance on available informal practices.

principle of the operation of the SPC: *learning*. This means that although the dialogue within the SPC is not seen as being as open as it should be, this does not necessarily influence the potentials of the OMC to induce policy learning – at least in the short run. This was also illustrated by the policy case studies and the impact of European level policy frames at the national level.

The second element of the indirect contestation of the 'policy forum' function of the SPC is the *mechanism of contestation by non-participation*. As chapter 4 discussed, an open dialogue in which all delegates participate equally is an important normative principle based on which the SPC is seen to operate. Therefore, if certain delegates are more passive than others and do not influence the content of discussions, then this principle of dialogue – and the 'policy forum' function of the SPC as a whole – is indirectly contested. This can be evaluated to be problematic from a legitimacy perspective: the non-participation of SPC members certainly weakens the inclusiveness of the OMC.

As far as its potential influence on the OMC is concerned, the indirect contestation of the 'policy forum' function of the SPC can have different consequences. On the one hand, new member states seem to be more committed to learning in the form of policy adjustments than old member states, which can strengthen the OMC. On the other hand, the changing environment and working methods within the SPC which have weakened its 'policy forum' function work against the possibility of exchanging information, the contestation of policy objectives by member states and, as a consequence, also against learning. Furthermore, delegates from new member states participate less in shaping the content of discussion in several areas, which can decrease their commitments in the longer run. The question is, therefore, whether further institutional adjustments will be made to strengthen the 'policy forum' character of the SPC. Recent institutional innovations – like focusing on priority areas

in 'light years' after streamlining – can be evaluated as attempts that intend to inject more policy content into SPC discussions.

However, with the creation of sub-working groups, this effort might reinforce another mechanism of rule contestation: the *mechanism of fragmentation*[62]. The mechanism of fragmentation is linked to the more balanced informal discourse coalitions within the SPC and partly to the formation of ad hoc working groups. This mechanism contests the epistemic character of the SPC and its potential to produce common positions. On the one hand, if there are two coalitions which are equally strong, it is more difficult to reach a consensus on a given problem. On the other hand, in the case of ad hoc working groups, if not everyone participates in formulating a position then the strength of that position – and its potential to be listened to – might be endangered. This, together with other institutional developments – for example the fact that the SPC has to produce opinions together with the EMCO and sometimes the EPC – might weaken the SPC as a social voice. A more fragile SPC can certainly have less impact on the EPSCO Council – and in turn on the European Council – which can lead to a less effective representation of social issues on the European level. Nevertheless, the general acceptance of the normative principle of consensus-seeking certainly weakens this mechanism of contestation. If the norm of consensus-orientation is accepted then it is easier to reconcile opposing positions. In addition, more radical positions cannot be put forward or agreed upon.

These mechanisms of rule contestation are linked to three mechanisms of policy (non-) contestation. The mechanism of formalisation – which is limited by new members' socialisation into learning – facilitates the *Commission-driven 'mirroring' mechanism* through strengthening the position of the Commission. As chapter 5 discussed, more limited and formal discussions, as well as new members' relative openness towards learning make it

---

[62] The mechanism of fragmentation is not the same as the mechanism of oligarchisation mentioned in the introduction. While it does describe the emergence of different groups, it does not have presumptions about power imbalances between these groups.

easier for the Commission to push through its own agenda. This was illustrated in chapter 6 by discussions in the SPC especially on the issue of the social exclusion of ethnic minorities. The *'old boy network' mechanism* – which is the only mechanism of policy non-contestation – is certainly linked to the passivity of delegates from new member states and their relative non-participation in shaping the policy agenda of the SPC.

Finally, the last mechanism of policy contestation is the *mechanism of 'widening horizons'*. As chapter 6 showed, the issue of the adequacy and sustainability of pension systems is the main policy area in which new delegates are seen as actively contesting the *status quo* of favouring publicly funded pension schemes. They have been enabled to do so by altering the balance between existing discourse coalitions and strengthening the position of the UK. However, due to a generally accepted need to find consensual solutions, they can only influence discussions as far as other members of the SPC accept it. Thus, while many delegates interpreted changes in the area of pensions as having a more liberal direction, radical changes and frame shift within the SPC are hindered by the consensus-seeking attitude of SPC members.

In sum, focusing on these mechanisms and their limitations helped to understand how the 2004 enlargement has had an impact on the operation of the SPC and in turn on the potentials of soft social governance in the EU. The analysis showed that several expected changes occurred after the enlargement due to the radical increase in membership. Thus, enlargement has influenced the institutional development of the committee. However, there has been no deadlock in decision-making and in agreeing on consensual documents, and no radical shifts have occurred in the policy agenda of the SPC either. The analysis showed that this was made possible by three main factors: new member states commitments to the principles of learning and consensus-seeking, as well as their relative passivity in SPC meetings. Until now, these factors were sufficient to counterbalance the mechanisms of

formalisation and fragmentation. Thus, focusing on participating actors' perceptions and commitments as the micro-foundation of informal institutional change revealed the 'hidden' directions of an institutional transformation and thus helped to resolve contradictions between pre-enlargement expectations and post-enlargement observations. The analysis demonstrated that the 2004 enlargement induced both mechanisms of adjustment and contestation, which simultaneously shaped the institutionalisation of the SPC. This highlights the usefulness of the methodological approach used in the dissertation.

**Comparative insight**. Certainly, it is difficult to draw general conclusions based on a single case study on the SPC. Furthermore, since the political-institutional context of the OMC is not analysed directly (only indirectly through the perspective of interviewees), it is difficult to construct concrete hypotheses about the diverse ways in which enlargement could influence different committees or other organisations. In addition, given the interpretative strategy of the research design, forming explanatory hypotheses based on the research is questionable. Nevertheless, the mechanisms that were distinguished can potentially be applied in a more general way.

For example, a potential 'fragmentation hypothesis' can be the following: (1) enlargement leads to an increased fragmentation of opinions/discussions through the increasing number of participants; (2) however, in soft governance settings, socialisation into consensus-seeking can counterbalance this mechanism of fragmentation. Or similarly, it is possible to formulate a 'non-participation hypothesis' with the following presumptions: (1) in settings that are based on the principle of dialogue, new members of the group in a given organisation are likely to face systematic disadvantages when aiming to contribute to debates; (2) and this in turn contests the normative basis of this organisation setting.

These potential hypotheses can provide a basis and a structure for further research on the post-enlargement institutionalisation of other governance settings. First, future research

can look at potential differences between the SPC on the one hand and the EMCO and the EPC on the other. The different position of these committees within the Lisbon Strategy might induce different mechanisms of adjustment and contestation, which can give additional information on the operation of soft modes of governance in the EU. In addition, the mechanisms identified in this thesis can provide a theoretical basis for future research on differences between 'hard' and 'soft' governance methods. Further analyses can reveal the conditions under which these mechanisms operate in different post-enlargement settings. Finally, future research can examine in detail the connection between the contestation of European level policy frames and national policy changes. Thus, new policy case studies can study the link between the circumstances or mechanisms of policy contestation and the national usage of reframed policy problems.

# Annex: List of Interviews

| Interview no. | Interviewee's position | Date |
|---|---|---|
| A1 | SPC member, new member state | 21 May 2006 |
| B1 | Representative from permanent representation, new member state | 27 September 2007 |
| C1 | Representative from permanent representation, new member state | 19 September 2007 |
| D1 | Commission official, DG EMPL | 25 September 2007 |
| E1 | Social inclusion expert | 9 October 2007 |
| F1 | Commission official, DG EMPL | 5 April 2006, 14 September 2007 |
| G1 | Representative from permanent representation, old member state | 27 September 2007 |
| H1 | SPC member, old member state | 22 March 2006 |
| I1 | SPC member, old member state | 19 September 2007 |
| J1 | NGO/social partner representative | 23 November 2007 |
| K1 | SPC member, old member state | 17 July 2006 |
| L1 | SPC member, old member state | 22 March 2006 |
| M1 | Representative from permanent representation, new member state | 10 September 2007 |
| N1 | Commission official, DG EMPL | 17 December 2007 |
| O1 | Representative from permanent representation, old member state | 19 September 2007 |
| P1 | NGO/social partner representative | 9 November 2007 |
| Q1 | SPC member, new member state | 22 May 2006 |
| R1 | Commission official, DG EMPL | 20 September 2007 |
| S1 | SPC member, old member state | 19 June 2007 |
| T1 | SPC member, new member state | 11 January 2008 |
| U1 | SPC member, new member state | 21 June 2007 |

| V1 | SPC member, old member state | 6 May 2006 |
|----|------------------------------|------------|
| W1 | Representative from permanent representation, new member state | 6 September 2007 |
| X1 | Representative from permanent representation, old member state | 23 October 2007 |
| Y1 | Commission official, DG EMPL | 26 November 2007 |
| Z1 | Representative from permanent representation, old member state | 10 September 2007 |
| A2 | Representative from permanent representation, old member state | 6 September 2007 |
| B2 | SPC member, old member state | 7 December 2007 |
| C2 | SPC member, old member state | 22 March 2006 |
| D2 | Social inclusion expert | 3 October 2007 |
| E2 | NGO/social partner representative | 23 October 2007 |
| F2 | Representative from permanent representation, old member state | 22 October 2007 |
| G2 | SPC member, old member state | 22 June 2006 |
| H2 | SPC member, old member state | 30 March 2006 |
| I2 | Representative from permanent representation, new member state | 24 September 2007 |
| J2 | SPC member, new member state | 13 July 2007 |
| K2 | Social inclusion expert/Commission official | 8 November 2007 |
| L2 | SPC member, new member state | 31 March 2006 |
| M2 | Representative from permanent representation, new member state | 24 September 2007 |
| N2 | Commission official, DG EMPL | 26 April 2006 |
| O2 | Commission official, DG EMPL | 22 January 2008 |
| P2 | SPC member, new member state | 22 May 2006 |
| Q2 | SPC member, old member state | 19 June 2007 |
| R2 | SPC member, old member state | 22 May 2006 |
| S2 | NGO/social partner representative | 30 October 2007 |

# References

Adler, Emanuel and Peter M. Haas. 1992. Conclusion: Epistemic Communities, World Order, and the Creation of a Reflective Research Program. *International Organization* 46(1): 367-390.

Alfé, Manuela, Thomas Christiansen and Sonia Piedrafita. 2008a. Comitology Committees in the Enlarged European Union. *ARENA Working Paper* No. 18, http://www.arena.uio.no

Alfé, Manuela, Thomas Christiansen and Sonia Piedrafita. 2008b. Implementing Committees in the Enlarged European Union: Business as Usual for Comitology? In *The Institutions of the Enlarged European Union: Continuity and Change*, ed. Edward Best, Thomas Christiansen and Pierpaolo Settembri. Cheltenham: Edward Elgar, pp. 205-221.

Amtenbrink, Fabian. 2008. On the European Union's Institutional Capacity to Cope with Further Enlargement. In *Reconciling the Deepening and Widening of the European Union*, ed. Steven Blockmans and Sacha Prechal. The Hague: T.M.C. Asser; Cambridge: Cambridge University Press, pp. 111-131.

Armstrong, Kenneth A. 2003. Tackling Social Exclusion through the OMC: Reshaping the Boundaries of EU Governance. In *State of the Union: Law, Politics and Society*, ed. Tanja Börzel and Rachel A. Cichowski. Oxford: Oxford University Press, pp. 170-194.

Armstrong, Kenneth and Claire Kilpatrick. 2007. The Changing Governance of Social Inclusion. *Columbia Journal of European Law* 13(3).

Arrowsmith, James, Keith Sisson and Paul Marginson. 2004. What can 'Benchmarking' Offer the Open Method of Co-ordination? *Journal of European Public Policy* 11(2): 311-328.

Bacchi, Carol Lee. 2004. Policy and Discourse: Challenging the Construction of Affirmative Action as Preferential Treatment. *Journal of European Public Policy* 11(1): 128-146.

Bailer, Stefanie, Robin Hertz and Dirk Leuffen. 2009. Oligarchization, Formalization, Adaptation? Linking Sociological Theory and EU Enlargement Research. *Journal of European Public Policy* 16(1): 162-174.

Baptista, Isabel. 2007. *Portugal: Tackling Child Poverty and Promoting the Social Inclusion of Children. A Study of National Policies.* Drafted on behalf of the European Commission, DG Employment, Social Affairs and Equal Opportunities, May 2007.

Barbier, Jean-Claude. 2004. *Research on 'Open Methods of Coordination' and National Social Policies: What Sociological Theories and Methods?* Paper for the RC 19 International Conference, Paris, 2-4 September.

Berger, Peter L. and Thomas Luckmann. 1966. *The Social Construction of Reality: A Treatise in the Sociology of Knowledge.* Garden City, N.Y.: Doubleday.

Bernhard, Stefan. 2006. The European Paradigm of Social Exclusion. *Journal of Contemporary European Research* 2(1): 41-54.

Best, Edward. 2008. Widening, Deepening ... and Diversifying: Has Enlargement Shaped New Forms of EU Governance? In *The Institutions of the Enlarged European Union: Continuity and Change*, ed. Edward Best, Thomas Christiansen and Pierpaolo Settembri. Cheltenham: Edward Elgar, pp. 222-242.

Best, Edward, Pierpaolo Settembri and Thomas Christiansen. 2008. Introduction. In *The Institutions of the Enlarged European Union: Continuity and Change*, ed. Edward Best, Thomas Christiansen and Pierpaolo Settembri. Cheltenham: Edward Elgar, pp. 1-15.

Bieler, Andreas. 2003. What Future Union? The Struggle for a Social Europe. *Queen's Papers on Europeanisation*, No. 1/2003, http://www.qub.ac.uk/pais/Research/PaperSeries/EuropeanisationPapers/

Borrás, Susana and Bent Greve. 2004. Concluding Remarks: New Method or Just Cheap Talk? *Journal of European Public Policy* 11(2): 329-336.

Borrás, Susana and Kerstin Jacobsson. 2004. The Open Method of Co-ordination and New Governance Patterns in the EU. *Journal of European Public Policy* 11(2): 185-208.

Borrás, Susana and Thomas Conzelmann. 2007. Democracy, Legitimacy and Soft Modes of Governance in the EU: The Empirical Turn. *Journal of European Integration* 29(5): 531-548.

Börzel, Tanja. 2002. Pace-Setting, Foot-Dragging, and Fence-Sitting: Member State Responses to Europeanization. *Journal of Common Market Studies* 40(2): 193-214.

Bruno, Isabelle, Sophie Jacquot and Lou Mandin. 2006. Europeanization through its Instrumentation: Benchmarking, Mainstreaming and the Open Method of Co-ordination … Toolbox or Pandora's Box? *Journal of European Public Policy* 13(4): 519-536.

Büchs, Milena. 2008. The Open Method of Coordination as a 'Two-Level Game'. *Policy & Politics* 36(1): 21-37.

Carmel, Emma. 2005. Governance and the Constitution of a European Social. In *Remaking Governance*, ed. Janet Newman. Bristol: The Policy Press, pp. 39-58.

Charmaz, Kathy. 2006. *Constructing Grounded Theory: A Practical Guide Through Qualitative Analysis.* London: Sage Publications.

Chayes, Abram and Antonia Handler Chayes. 1993. On Compliance. *International Organization* 47(2): 175-205.

Checkel, Jeffrey T. 1999. Why Comply? Constructivism, Social Norms and the Study of International Institutions. *ARENA Working Paper* WP 99/24, http://www.arena.uio.no

Checkel, Jeffrey T. and Andrew Moravcsik. 2001. A Constructivist Research Program in EU Studies? (Forum Debate). *European Union Politics* 2(2): 219-249.

Christiansen, Thomas, Andreas Føllesdal and Simona Piattoni. 2004. Informal Governance in the European Union: An Introduction. In *Informal Governance in the European Union*, ed. Thomas Christiansen and Simona Piattoni. Northampton, MA: Edward Elgar, pp.1-21.

Christiansen, Thomas, Knud Erik Joergensen and Antje Wiener (eds.) 2001. *The Social Construction of Europe*. London: Sage Publications.

Christiansen, Thomas and Emil Kirchner. 2000. Introduction. In *Committee Governance in the European Union*, ed. Thomas Christiansen and Emil Kirchner. Manchester: Manchester University Press, pp. 1-22.

Christiansen, Thomas and Torbjörn Larsson. 2007. Introduction: The Role of Committees in the Policy-Process of the European Union. In *The Role of Committees in the Policy-Process of the European Union: Legislation, Implementation and Deliberation*, ed. Thomas Christiansen and Torbjörn Larsson. Cheltenham, UK; Northampton, MA: Edward Elgar, pp. 1-11.

Cohen, Joshua and Charles Sabel. 1997. Directly-Deliberative Polyarchy. *European Law Journal* 3(4): 313-342.

Cohen, Joshua and Charles Sabel. 2003. Sovereignty and Solidarity: EU and US. In *Governing Work and Welfare in a New Economy: European and American Experiments*, ed. Jonathan Zeitlin and David M. Trubek. Oxford: Oxford University Press, pp. 345-375.

Council of the European Union. 2000a. *European Council Presidency Conclusions, Lisbon Extraordinary European Council, 23-24 March*. Available at:

http://europa.eu/european-council/index_en.htm (Last accessed: 26 November 2008).

Council of the European Union. 2000b. *European Council Presidency Conclusions, Nice European Council*, *7-9 December*. Available at: http://europa.eu/european-council/index_en.htm (Last accessed: 26 November 2008).

Council of the European Union. 2000c. *Council Decision of 29 June 2000 setting up a Social Protection Committee*, Brussels, 2000/436/EC

Council of the European Union. 2001. *European Council Presidency Conclusions, Laeken European Council, 14-15 December*. Available at: http://europa.eu/european-council/index_en.htm (Last accessed: 26 November 2008).

Council of the European Union. 2004. *Council Decision of 4 October 2004 establishing a Social Protection Committee and repealing Decision 2000/436/EC*, Brussels, 2004/689/EC

Council of the European Union. 2005a. *European Council Presidency Conclusions, Brussels European Council*, *22-23 March*. Brussels, 7619/05. Available at: http://europa.eu/european-council/index_en.htm (Last accessed: 26 November 2008).

Council of the European Union. 2005b. *Joint Report on Social Protection and Social Inclusion*. Brussels, 16 March 2005, 7341/05

Council of the European Union. 2006a. *Joint Report on Social Protection and Social Inclusion*. Brussels, 13 March 2006, 7294/06

Council of the European Union. 2006b. *European Council Presidency Conclusions, Brussels European Council, 23-24 March 2006*. Brussels, 7775/1/06. Available at: http://europa.eu/european-council/index_en.htm (Last accessed: 26 November 2008).

Council of the European Union. 2007. *Joint Report on Social Protection and Social Inclusion.* Brussels, 23 February 2007, 6694/07

Daly, Mary. 2007. Whither EU Social Policy? An Account and Assessment of Developments in the Lisbon Social Inclusion Process. *Journal of Social Policy* 37(1): 1-19.

de la Porte, Caroline. 2008. *The European Level Development and National Level Influence of the Open Method of Coordination: The Cases of Employment and Social Inclusion*. PhD Thesis. Florence: European University Institute.

de la Porte, Caroline and Patrizia Nanz. 2004. The OMC – a Deliberative-Democratic Mode of Governance? The Cases of Employment and Pensions. *Journal of European Public Policy* 11(2): 267-288.

de la Porte, Caroline, David Natali and Philippe Pochet. 2009. Self-Governance through Committees in the Open Method of Co-ordination: The Cases of Employment and

Social Inclusion. In *The Politics of Self-Governance*, ed. Eva Sørensen and Peter Triantafillou. Aldershot: Ashgate, Forthcoming.

de la Porte, Caroline and Philippe Pochet. 2002. Supple Co-ordination at EU Level and the Key Actors' Involvement. In *Building Social Europe through the Open Method of Co-ordination*, ed. Caroline de la Porte and Philippe Pochet. Bruxelles: P.I.E.-Peter Lang, pp. 27-68.

de la Porte, Caroline and Philippe Pochet. 2005. Participation in the Open Method of Coordination. The Cases of Employment and Social Inclusion. In *The Open Method of Coordination in Action: The European Employment and Social Inclusion Strategies*, ed. Jonathan Zeitlin and Philippe Pochet with Lars Magnusson. Bruxelles: P.I.E.-Peter Lang, pp. 353-389.

de la Rosa, Stéphane. 2005. The Open Method of Coordination in the New Member States – the Perspectives for its Use as a Tool of Soft Law. *European Law Journal* 11(5): 618-640.

Dey, Ian. 1999. *Grounding Grounded Theory: Guidelines for Qualitative Inquiry*. San Diego: Academic Press.

Diez, Thomas. 2001. Speaking 'Europe': The Politics of Integration Discourse. In *The Social Construction of Europe*, ed. Thomas Christiansen, Knud Erik Joergensen and Antje Wiener. London: Sage Publications, pp. 85-100.

Easton, David. 1965. *A Systems Analysis of Political Life*, New York: Wiley.

Eberlein, Burkard and Dieter Kerwer. 2004. New Governance in the European Union: A Theoretical Perspective. *Journal of Common Market Studies* 42(1): 121-142.

Egeberg, Morten. 1999. Transcending Intergovernmentalism? Identity and Role Perceptions of National Officials in EU Decision-Making. *Journal of European Public Policy* 6(3): 456-474.

Egeberg, Morten. 2004. An Organisational Approach to European Integration: Outline of a Complementary Perspective. *European Journal of Political Research* 43(2): 199-219.

Egeberg, Morten, Günther F. Schaefer and Jarle Trondal. 2003. The Many Faces of EU Committee Governance. *West European Politics* 26(3): 19-40.

The Employment and Social Protection Committees. 2004. *Key Messages Paper on Employment, Social Protection/Inclusion and Gender Equality*. Brussels, 20 February 2004, 6208/1/04

The Employment and Social Protection Committees. 2007. *Draft Key Messages from the EPSCO Council to the Spring European Council*. Brussels, 7 February 2007, 6096/07

The Employment and Social Protection Committees. 2008. *Draft Key Messages from the EPSCO Council to the Spring European Council.* Brussels, 11 February 2008, 5986/08

Eriksen, Erik O. and John Erik Fossum (eds.) 2000. *Democracy in the European Union: Integration through Deliberation?* London: Routledge.

European Commission. 2001. *European Governance. A White Paper*, Commission Communication, COM(2001) 428 final.

European Commission. 2002. *Joint Report on Social Inclusion.* Luxembourg: Office for Official Publications of the European Communities.

European Commission. 2003. *Strengthening the Social Dimension of the Lisbon Strategy: Streamlining Open Coordination in the Field of Social Protection*, Commission Communication, COM(2003) 261 final.

European Commission. 2004. *Joint Report on Social Inclusion.* Luxembourg: Office for Official Publications of the European Communities.

European Commission. 2005. *Working Together, Working Better: A New Framework for the Open Coordination of Social Protection and Inclusion Policies in the European Union*, Commission Communication, COM(2005) 706 final.

European Commission. 2006a. *Evaluation of the Open Method of Coordination for Social Protection and Social Inclusion*, Commission Staff Working Document, SEC(2006) 345.

European Commission. 2006b. *Implementing the Community Lisbon programme: Social Services of General Interest in the European Union*, Commission Communication, COM(2006) 177 final.

European Commission. 2006c. *Synthesis Report on Adequate and Sustainable Pensions.* Commission Staff Working Document on Annexes to the Joint Report on Social Protection and Social Inclusion 2006, SEC(2006) 304.

European Commission. 2007a. *Towards Common Principles of Flexicurity: More and Better Jobs through Flexibility and Security*, Commission Communication, COM(2007) 359 final.

European Commission. 2007b. *Modernising Social Protection for Greater Social Justice and Economic Cohesion: Taking Forward the Active Inclusion of People Furthest from the Labour Market*, Commission Communication, COM(2007) 620 final.

European Commission. 2008. *A Renewed Commitment to Social Europe: Reinforcing the Open Method of Coordination for Social Protection and Social Inclusion*, Commission Communication, COM(2008) 418 final.

Farrell, Henry and Adrienne Héritier. 2007. Introduction: Contested Competences in the European Union, *West European Politics* 30(2): 227-243.

Ferge, Zsuzsa and Gábor Juhász. 2004. Accession and Social Policy: the Case of Hungary. *Journal of European Social Policy*, 14(3): 233-251.

Finnemore, Martha and Kathryn Sikkink. 1998. International Norm Dynamics and Political Change. *International Organization* 52(4): 887-917.

Fischer, Frank. 2003. *Reframing Public Policy: Discursive Policies and Deliberative Practices*. Oxford: Oxford University Press.

Fischer, Georg and Luc Tholoniat. 2006. The European Employment Strategy in an Enlarged EU. *Zeitschrift für ArbeitsmarktForschung - Journal for Labour Market Research* 39(1): 123-142.

Frazer, Hugh and Eric Marlier. 2007. *Tackling Child Poverty and Promoting the Social Inclusion of Children in the EU: Key Lessons. A Synthesis Report.* Independent overview based on the 2007 first semester national reports of national independent experts on social inclusion, drafted on behalf of the European Commission, DG Employment, Social Affairs and Equal Opportunities, September 2007.

Friedrich, Dawid. 2006. Policy Process, Governance and Democracy in the EU: the Case of the Open Method of Co-ordination on Social Inclusion. *Policy & Politics* 34(2): 367-383.

Greif, Avner and David D. Laitin. 2004. A Theory of Endogenous Institutional Change. *American Political Science Review* 98(4): 633-652.

Grosche, Günter and Uwe Puetter. 2008. Preparing the Economic and Financial Committee and the Economic Policy Committee for Enlargement. *Journal of European Integration* 30(4): 527-543.

Haahr, Jens Henrik. 2004. Open Co-ordination as Advanced Liberal Government. *Journal of European Public Policy* 11(2): 209-230.

Haas, Peter M. 1992. Introduction: Epistemic Communities and International Policy Coordination. *International Organization* 46(1): 1-35.

Hajer, Maarten A. 1993. Discourse Coalitions and the Institutionalization of Practice: The Case of Acid Rain in Britain. In *The Argumentative Turn in Policy Analysis and Planning*, ed. Frank Fischer and John Forester, London: UCL Press, pp. 43-76.

Hajer, Maarten A. 2003a. Policy without Polity? Policy analysis and the Institutional Void. *Policy Sciences* 36(2): 175-195.

Hajer, Maarten A. 2003b. A Frame in the Fields: Policymaking and the Reinvention of Politics. In *Deliberative Policy Analysis: Understanding Governance in the Network Society*, ed. Maarten Hajer and Hendrik Wagenaar. Cambridge: Cambridge University Press, pp. 88-110.

Hajer, Maarten A. 2006. The Living Institutions of the EU: Analysing governance as Performance. *Perspectives on European Politics and Society* 7(1): 41-55.

Hajer, Maarten A. and Wytske Versteeg. 2005. Performing Governance through Networks. *European Political Science* 4(3): 340-347.

Hajer, Maarten A. and Hendrik Wagenaar. 2003. Introduction. In *Deliberative Policy Analysis: Understanding Governance in the Network Society*, ed. Maarten Hajer and Hendrik Wagenaar. Cambridge: Cambridge University Press, pp. 1-30.

Hall, Peter A. 1993. Policy Paradigms, Social Learning, and the State. The Case of Economic Policymaking in Britain. *Comparative Politics* 25(3): 275-296.

Hamel, Marie-Pierre and Bart Vanhercke. 2009. The Open Method of Coordination and National Social Policy Reforms in Belgium and France: Window Dressing, One-Way Impact, or Reciprocal Influence? In *Changing European Employment and Welfare Regimes: The Influence of the Open Method of Coordination on National Reforms*, ed. Martin Heidenreich and Jonathan Zeitlin. London: Routledge.

Hartwig, Ines and Christoph O. Meyer. 2002. Towards Deliberative Network Governance? Theorising Socio-Economic Policy Coordination in the European Union. *GOVECOR Working Paper*, 12 December, http://www.govecor.org

Hatzopoulos, Vassilis. 2007. Why the Open Method of Coordination is Bad for You: A Letter to the EU. *European Law Journal* 13(3): 309-342.

Hay, Colin. 2006. Constructivist Institutionalism. In *The Oxford Handbook of Political Institutions*, ed. R.A.W Rhodes, S.A. Binder and B.A. Rockman. Oxford: Oxford University Press, pp. 56-74.

Hay, Colin and Ben Rosamond. 2002. Globalization, European Integration and the Discursive Construction of Economic Imperatives. *Journal of European Public Policy* 9(2): 147-167.

Heard-Lauréote, Karen. 2008. The Commission's Advisory Groups and Committees in the Field of Agricultural Policy. *Journal of European Integration* 30(4): 579-596.

Heidenreich, Martin and Gabriele Bischoff. 2008. The Open Method of Co-ordination: A Way to the Europeanization of Social and Employment Policies? *Journal of Common Market Studies* 46(3): 497-532.

Heisenberg, Dorothee. 2005. The Institution of 'Consensus' in the European Union: Formal versus Informal Decision-Making in the Council. *European Journal of Political Research* 44(1): 65-90.

Hemerijck, Anton. 2004. *Recasting Europe's Semi-Sovereign Welfare States and the Role of the EU*. Paper presented at the conference on 'Enlarging Social Europe: The Open Method of Coordination and EU's New Member States', Madison WI, 29-30 October.

Héritier, Adrienne. 2001. *New Modes of Governance in Europe: Policy-Making without Legislating?* Bonn: Max Planck Project Group Preprint 2001/14.

Héritier, Adrienne. 2007. *Explaining Institutional Change in Europe*. Oxford: Oxford University Press.

Hix, Simon and Abdul Noury. 2006. *After Enlargement: Voting Behaviour in the Sixth European Parliament*. Paper prepared for presentation at the Federal Trust conference on 'The European Parliament and the European Political Space', 30 March 2006, London.

Hooghe, Liesbet and Marks, Gary. 2001. *Multi-Level Governance and European Integration*. Lanham, MD: Rowman & Littlefield.

Horvath, Anna. 2008. From Policy to Politics? Informal Practices within the Social Protection Committee after the Enlargement. *Journal of European Integration* 30(4): 545-561.

Idema, Timo and R. Daniel Kelemen. 2006. New Modes of Governance, the Open Method of Coordination, and other Fashionable Red Herring. *Perspectives on European Politics and Society* 7(1): 108-123.

Ingham, Mike and Hilary Ingham. 2004. Enlargement and the European Employment Strategy: Turbulent Times Ahead? *Industrial Relations Journal* 34(5): 379-395.

Jachtenfuchs, Markus. 1995. Theoretical Perspectives on European Governance. *European Law Journal* 1(2): 115-133.

Jachtenfuchs, Markus, Thomas Diez and Sabine Jung. 1998. Which Europe? Conflicting Models of a Legitimate European Political Order. *European Journal of International Relations* 4(4): 409-445.

Jacobsson, Kerstin. 2004. Soft Regulation and the Subtle Transformation of States: The Case of EU Employment Policy, *Journal of European Social Policy* 14(4): 355-370.

Jacobsson, Kerstin and Åsa Vifell. 2003. *Integration by Deliberation? On the Role of Committees in the Open Method of Coordination*. Paper presented at the workshop on 'The Forging of Deliberative Supranationalism in the EU', Florence, 7-8 February.

Jacquot, Sophie and Cornelia Woll. 2003. Usage of European Integration – Europeanisation from a Sociological Perspective. *European Integration Online Papers (EIoP)* 7(12), http://eiop.or.at/eiop/texte/2003-012a.htm (last accessed 20 February 2009).

Joerges, Christian. 2002a. 'Deliberative Supranationalism' – Two Defences. *European Law Journal* 8(1): 133-151.

Joerges, Christian. 2002b. The Law in the Process of Constitutionalizing Europe. *EUI LAW Working Papers*, No. 2002/4, http://hdl.handle.net/1814/182 (last accessed 28 February 2009)

Joerges, Christian. 2005. Rethinking European Law's Supremacy: A Plea for a Supranational Conflict of Laws. *EUI LAW Working Papers*, No. 2005/12, http://hdl.handle.net/1814/3332 (last accessed 28 February 2009)

Joerges, Christian and Jürgen Neyer. 1997. From Intergovernmental Bargaining to Deliberative Political Process: The Constitutionalisation of Comitology. *European Law Journal* 3(3): 273-299.

Juncos, Ana E. and Karolina Pomorska. 2007. The Deadlock that never Happened: the Impact of Enlargement on the Common Foreign and Security Policy Council Working Groups. *European Political Economy Review*, No. 6 (March 2007): 4-30.

Juncos, Ana E. and Karolina Pomorska. 2008. Does Size Matter? CFSP Committees after Enlargement. *Journal of European Integration* (30)4: 493-509.

Jupille, Joseph, James A. Caporaso and Jeffrey T. Checkel. 2003. Integrating Institutions: Rationalism, Constructivism, and the Study of the European Union. *Comparative Political Studies* 36(1-2): 7-41.

Kerber, Wolfgang and Martina Eckardt. 2007. Policy Learning in Europe: The Open Method of Co-ordination and Laboratory Federalism. *Journal of European Public Policy* 14(2): 227-247.

Knill, Cristoph and Andrea Lenschow. 2005. Compliance, Competition and Communication: Different Approaches of European Governance and their Impact on National Institutions. *Journal of Common Market Studies* 43(3): 583-606.

Kohler-Koch, Beate and Berthold Rittberger. 2006. Review Article: The 'Governance Turn' in EU Studies. *Journal of Common Market Studies* 44(s1): 27-49.

Krizsán, Andrea and Violetta Zentai. 2006. Gender Equality Policy or Gender Mainstreaming: the Case of Hungary on the Road to an Enlarged Europe. *Policy Studies* 27(2): 135-151.

Kröger, Sandra. 2006. When Learning Hits Politics or: Social Policy Coordination Left to the Administrations and the NGOs? *European Integration Online Papers (EIoP)* 10(3), 31 May, http://eiop.or.at/eiop/texte/2006-003a.htm (last accessed 28 February 2009)

Kröger, Sandra. 2007. The End of Democracy as We Know it? The Legitimacy Deficits of Bureaucratic Social Policy Governance. *Journal of European Integration* 29(5): 565-582.

Kurpas, Sebastian and Justus Schönlau. 2006. Deadlock Avoided, but Sense of Mission Lost? The Enlarged EU and its Uncertain Constitution. *CEPS Policy Brief* No. 92/February 2006

Kusá, Zuzana. 2007. *Slovakia: Tackling Child Poverty and Promoting the Social Inclusion of Children. A Study of National Policies*. Drafted on behalf of the European Commission, DG Employment, Social Affairs and Equal Opportunities, May 2007.

Kusá, Zuzana and Daniel Gerbery. 2007. *Europeanisation of Slovak Social Policy*. Paper prepared for the ESPAnet conference, Vienna, 20-22 September.

Kvale, Steinar. 1996. *Interviews: An Introduction to Qualitative Research Interviewing*. London: Sage Publications.

Kvist, Jon. 2004. Does EU Enlargement Start a Race to the Bottom? Strategic Interaction among EU Member States in Social Policy. *Journal of European Social Policy* 14(3): 301-318.

Laffan, Brigid and Colin Shaw. 2005. *Classifying and Mapping OMC in Different Policy Areas*. NEWGOV New Modes of Governance deliverable, available at: http://www.eu-newgov.org

Lascoumes, Pierre and Patrick Le Gales. 2007. Introduction: Understanding Public Policy through Its Instruments – From the Nature of Instruments to the Sociology of Public Policy Instrumentation. *Governance: An International Journal of Policy, Administration, and Institutions* 20(1): 1-21.

Lempp, Jakob and Janko Altenschmidt. 2008. The Prevention of Deadlock through Informal Processes of 'Supranationalization': The Case of Coreper. *Journal of European Integration* 30(4): 511-526.

Lendvai, Noémi. 2004a. The weakest link? EU Accession and Enlargement: Dialoguing EU and Post-communist Social Policy. *Journal of European Social Policy* 14(3): 319-333.

Lendvai, Noémi. 2004b. *The Indigenisation of Social Inclusion Policy in Post-Communist Europe and its Implication for EU Social Policy after Enlargement*. Paper presented at the second annual ESPAnet conference, Oxford, 9-11 September.

Lindner, Johannes and Berthold Rittberger. 2003. The Creation, Interpretation and Contestation of Institutions – Revisiting Historical Institutionalism, *Journal of Common Market Studies* 41(3): 445-473.

Lodge, Martin. 2007. Comparing Non-Hierarchical Governance in Action: the Open Method of Co-ordination in Pensions and Information Society. *Journal of Common Market Studies* 45(2): 343-365.

López-Santana, Mariely. 2006. The Domestic Implications of European Soft Law: Framing and Transmitting Change in Employment Policy. *Journal of European Public Policy* 13(4): 481-499.

Lord, Christopher and Paul Magnette. 2004. E Pluribus Unum? Creative Disagreement about Legitimacy in the EU. *Journal of Common Market Studies* 42(1): 183-202.

March, James G. and Johan P. Olsen. 1989. *Rediscovering Institutions: The Organizational Basis of Politics*. New York: Free Press.

March, James G. and Johan P. Olsen. 1995. *Democratic Governance*. New York: Free Press.

March, James G. and Johan P. Olsen. 2004. The Logic of Appropriateness, *ARENA Working Papers*, WP 04/09, http://www.arena.uio.no

Marks, Gary, Liesbet Hooghe and Kermit Blank. 1996. European Integration from the 1980s: State-Centric v. Multi-Level Governance. *Journal of Common Market Studies* 34(3): 341-78.

Marlier, Eric, A.B. Atkinson, Bea Cantillon and Brian Nolan. 2007. *The EU and Social Inclusion: Facing the Challenges*. Bristol: The Policy Press.

Moravcsik, Andrew. 2002. Reassessing Legitimacy in the European Union. *Journal of Common Market Studies* 40(4): 603-624.

Morissens, Ann, Ides Nicaise and Gijs Ory. 2007. *Belgium: Tackling Child Poverty and Promoting the Social Inclusion of Children. A Study of National Policies*. Drafted on behalf of the European Commission, DG Employment, Social Affairs and Equal Opportunities, May 2007.

Mosher, James S. and David M. Trubek. 2003. Alternative Approaches to Governance in the EU: EU Social Policy and the European Employment Strategy. *Journal of Common Market Studies* 41(1): 63-88.

Natali, David. 2007. *Pensions OMC's Influence on National Reforms*. New Modes of Governance (NEWGOV) Deliverable 1/D47. Available at: http://www.eu-newgov.org/database/DELIV/D01D47_WP_Pensions_OMCs_influence_on_national_reforms.pdf (last accessed 28 February 2009).

Neyer, Jürgen. 2003. Discourse and Order in the EU: A Deliberative Approach to Multi-Level Governance. *Journal of Common Market Studies* 41(4): 687-706.

Neyer, Jürgen. 2006. The Deliberative Turn in Integration Theory. *Journal of European Public Policy* 13(5): 779-791.

North, Douglass C. 1990. *Institutions, Institutional Change and Economic Performance*. Cambridge: Cambridge University Press.

Olivelli, Paola. 2006. *Practical Experiences – The Field of Socio-economic Governance*. Paper prepared for the workshop 'Committee Governance in an Enlarged European Union', 6 May 2006, Central European University, Budapest.

Olsen, Johan P. 1997. Institutional Design in Democratic Contexts. *The Journal of Political Philosophy* 5(3): 203-229.

Olsen, Johan P. 2000. Organising European Institutions of Governance: A Prelude to an Institutional Account of Political Integration, *Arena Working Papers* 00/2, http://www.arena.uio.no

Palpant, Catherine. 2006. European Employment Strategy: An Instrument of Convergence for the New Member States? *Notre Europe Policy paper* N°18, http://www.notre-europe.eu/

Pierson, Paul. 2000. Increasing Returns, Path Dependence, and the Study of Politics. *American Political Science Review* 94(2): 251-267.

Pollack, Mark A. 1997. Delegation, Agency, and Agenda Setting in the European Community. *International Organization* 51(1): 99-134.

Pollack, Mark A. 2003. Control Mechanism or Deliberative Democracy? Two Images of Comitology. *Comparative Political Studies* 36(1-2): 125-155.

Puetter, Uwe. 2003. Informal Circles of Ministers: A Way Out of the EU's Institutional Dilemmas? *European Law Journal* 9(1): 109-124.

Puetter, Uwe. 2006. *The Eurogroup. How a Secretive Circle of Finance Ministers Shape European Economic Governance*. Manchester: Manchester University Press.

Puetter, Uwe. 2007. Providing Venues for Contestation: The Role of Expert Committees and Informal Dialogue among Ministers in European Economic Policy Coordination, *Comparative European Politics* 5(1): 18-35.

Puetter, Uwe. 2008. Adapting to Enlargement: The Role of Formal and Informal Processes of Institutional Adjustment in EU Committee Governance. *Journal of European Integration* 30(4): 479-491.

Quaglia, Lucia. 2008. Financial Sector Committee Governance in the European Union. *Journal of European Integration* 30(4): 563-578.

Radaelli, Claudio M. 2003. *The Open Method of Coordination: A New Governance Architecture for the European Union? Preliminary Report*. Stockholm: Swedish Institute for European Policy Studies.

Radulova, Elissaveta. 2007. The OMC: An Opaque Method of Consideration or Deliberative Governance in Action? *Journal of European Integration* 29(3): 363-380.

Rein, Martin and Donald A. Schön. 1993. Reframing Policy Discourse. In *The Argumentative Turn in Policy Analysis and Planning*, ed. Frank Fischer and John Forester, London: UCL Press, pp. 145-166.

Rein, Martin and Donald A. Schön. 1994. *Frame Reflection. Toward the Resolution of Intractable Policy Controversies*. New York: Basic Books.

Risse, Thomas and Antje Wiener. 1999. Something Rotten and the Social Construction of Social Constructivism. *Journal of European Public Policy* 6(5): 775-782.

Rittberger, Berthold. 2003. *Endogenizing Institutional Change: Moving beyond the Institutionalist 'Holy Trinity'*, Paper prepared for panel 12-9 'Beyond Institutionalism' at the 2$^{nd}$ General Conference of the European Consortium for Political Research, 19-21 September 2003, Marburg.

Sabatier, Paul A. 1998. The Advocacy Coalition Framework: Revisions and Relevance for Europe. *Journal of European Public Policy* 5(1): 98-130.

Sabatier, Paul A. and Hank C. Jenkins-Smith (eds.) 1993. *Policy Change and Learning: an Advocacy Coalition Approach*. Boulder, CO: Westview Press.

Sabel, Charles F. and Jonathan Zeitlin. 2006. *Learning from Difference: The New Architecture of Experimentalist Governance in the European Union*. Paper presented at the ARENA seminar, Centre for European Studies, University of Oslo, June 13, 2006.

Sandholtz, Wayne and Alec Stone Sweet. 2004. Law, Politics, and International Governance. In *The Politics of International Law*, ed. Christian Reus-Smit. Cambridge: Cambridge University Press.

Scharpf, Fritz W. 1999. *Governing in Europe: Effective and Democratic?* Oxford: Oxford University Press.

Scharpf, Fritz W. 2002. The European Social Model: Coping with the Challenges of Diversity. *Journal of Common Market Studies* 40(2): 645-670.

Schimmelfennig, Frank and Ulrich Sedelmeier. 2002. Theorizing EU Enlargement: Research Focus, Hypotheses, and the State of Research. *Journal of European Public Policy* 9(4): 500-528.

Schmidt, Vivien A. 2002. *The Futures of European Capitalism.* Oxford: Oxford University Press.

Schmidt, Vivien A. and Claudio M. Radaelli. 2004a. Policy Change and Discourse in Europe: Conceptual and Methodological Issues. *West European Politics* 27(2): 183-210.

Schmidt, Vivien A. and Claudio M. Radaelli. 2004b. Conclusions. *West European Politics* 27(2): 364-379.

Scott, Joanne and David M. Trubek. 2002. Mind the Gap: Law and New Approaches to Governance in the European Union. *European Law Journal* 8(1): 1-18.

Sedelmeier, Ulrich and Alasdair R. Young. 2006. Editorial: Crisis, What Crisis? Continuity and Normality in the European Union in 2005. *Journal of Common Market Studies* 44(s1): 1-5.

Sirovátka, Tomáš and Miroslava Rákoczyová. 2007. *The Strategy of Social Inclusion in the Czech Republic*. Paper prepared for the ESPAnet conference, Vienna, 20-22 September.

Smismans, Stijn. 2006. New Modes of Governance and the Participatory Myth. *European Governance Papers (EUROGOV)* No. N-06-01, March 7, http://www.connex-network.org/eurogov/pdf/egp-newgov-N-06-01.pdf (last accessed 28 February 2009)

Sørensen, Eva and Jacob Torfing. 2007. Introduction: Governance Network Research: Towards a Second Generation. In *Theories of Democratic Network Governance*, ed. Eva Sørensen and Jacob Torfing. Houndmills, Basingstoke, Hampshire; New York: Palgrave Macmillian, pp. 1-24.

Social Protection Committee. 2003. *Opinion of the Social Protection Committee on the Commission's Communication on Immigration, Integration and Employment*. Brussels, 14 October 2003, 13476/03

Stacey, Jeffrey and Berthold Rittberger. 2003. Dynamics of Formal and Informal Institutional Change in the EU. *Journal of European Public Policy* 10(6): 858-883.

Steunenberg, Bernard (ed.) 2002. *Widening the European Union: The Politics of Institutional Change and Reform*. London: Routledge.

Stone Sweet, Alec, Niel Fliegstein and Wayne Sandholtz. 2001. Institutionalization of European Space. In: *The Institutionalization of Europe*, ed. Alec Stone Sweet, Wayne Sandholtz and Niel Fliegstein. Oxford: Oxford University Press, pp. 1-28.

Szyszczak, Erika. 2006. Experimental Governance: The Open Method of Coordination. *European Law Journal* 12(4): 486-502.

Teague, Paul. 2001. Deliberative Governance and EU Social Policy. *European Journal of Industrial Relations* 7(1): 7-26.

Thedvall, Renita. 2005. *The Meeting Format as a Shaper of the Decision-making Process: The Case of the EU Employment Committee*. Score Working Paper 2005:1, Stockholm: SCORE.

Thedvall, Renita. 2007. The EU's Nomads: National Eurocrats in European Policy Making. In *Observing Government Elites: Up Close and Personal*, ed. R. A. W. Rhodes, Paul 't Hart and Mirko Noordegraaf. Basingstoke [England]; New York: Palgrave Macmillan, pp. 160-179.

Treib, Oliver, Holger Bähr and Gerda Falkner. 2007. Modes of Governance: Towards a Conceptual Clarification. *Journal of European Public Policy* 14(1): 1-20.

Trondal, Jarle. 2001. Is There Any Social Constructivist-Institutionalist Divide? Unpacking Social Mechanisms Affecting Representational Roles among EU Decision-Makers. *Journal of European Public Policy* 8(1): 1-23.

Trondal, Jarle. 2002. Beyond the EU Membership–Non-membership Dichotomy? Supranational Identities among National EU Decision-Makers. *Journal of European Public Policy* 9(3): 468-487.

Trondal, Jarle and Frode Veggeland. 2003. Access, Voice and Loyalty: the Representation of Domestic Civil Servants in EU Committees. *Journal of European Public Policy* 10(1): 59-77.

Trubek, David M. and Louise G. Trubek. 2005. Hard and Soft Law in the Construction of Social Europe: the Role of the Open Method of Co-ordination. *European Law Journal* 11(3): 343-364.

Vandenbroucke, Frank. 2002. The EU and Social Protection: What Should the European Convention Propose? *MPIfG Working Paper* 02/6, June, http://www.mpi-fg-koeln.mpg.de/pu/workpap/wp02-6/wp02-6.html (last accessed 28 February 2009)

Vanhercke, Bart. 2009. The OMC as a Selective Amplifier for Reforming Belgian Pension Policies. In 'What We Have Learnt: Advances, Pitfalls and Remaining Questions of

235

OMC Research', ed. Sandra Kröger. *European Integration online Papers*, special issue 1(13), Forthcoming.

van Tatenhove, Jan, Jeannette Mak and Duncan Liefferink. 2006. The Inter-play between Formal and Informal Practices. *Perspectives on European Politics and Society* 7(1): 8-24.

Vaughan-Whitehead, Daniel. 2003. *EU Enlargement versus Social Europe? The Uncertain Future of the European Social Model*. Cheltenham, UK; Northampton, MA: Edward Elgar.

Vennesson, Pascal. 2008. Case Studies and Process Tracing: Theories and Practices. In *Approaches and Methodologies in the Social Sciences: A Pluralist Perspective*, ed. Donatella della Porta and Michael Keating. Cambridge: Cambridge University Press, pp. 223-239.

Verdun, Amy. 2000. Governing by Committee: The Case of Monetary Policy. In *Committee Governance in the European Union*, ed. Thomas Christiansen and Emil Kirchner. Manchester: Manchester University Press, pp. 132-144.

Verdun, Amy. 2005. The Challenges of the European Union: Where are We Today, How did We Get Here and What Lies Ahead? In *The European Union in the Wake of Eastern Enlargement: Institutional and Policy-making Challenges*, ed. Amy Verdun and Osvaldo Croci. Manchester: Manchester University Press, pp. 9-22.

Verdun, Amy and Osvaldo Croci (eds.) 2005. *The European Union in the Wake of Eastern Enlargement: Institutional and Policy-making Challenges*, Manchester: Manchester University Press.

Vobruba, Georg. 2003. The Enlargement Crisis of the European Union: Limits of the Dialectics of Integration and Expansion. *Journal of European Social Policy* 13(1): 35-62.

Wallace, Helen. 2005. Can a Reformed European Union Bear the Weight of Enlargement? In *The European Union in the Wake of Eastern Enlargement: Institutional and Policy-making Challenges*, ed. Amy Verdun and Osvaldo Croci. Manchester: Manchester University Press, pp. 23-34.

Wessels, Wolfgang. 1998. Comitology: Fusion in Action. Politico-Administrative Trends in the EU System. *Journal of European Public Policy* 5(2): 209-234.

Widmaier, Wesley W., Blyth, Mark and Leonard Seabrooke. 2007. Exogenous Shocks or Endogenous Constructions? The Meanings of Wars and Crises, *International Studies Quarterly* 51(4): 747-759.

Wiener, Antje. 2007. Contested Meanings of Norms: A Research Framework, *Comparative European Politics* 5(1): 1-17.

Wóycicka, Irena. 2007. *Poland: Tackling Child Poverty and Promoting the Social Inclusion of Children. A Study of National Policies*. Drafted on behalf of the European Commission, DG Employment, Social Affairs and Equal Opportunities, May 2007.

Zeitlin, Jonathan. 2005. Social Europe and Experimentalist Governance: Towards a New Constitutional Compromise? *European Governance Papers (EUROGOV)* No. C-05-04, May 30, http://www.connex-network.org/eurogov/pdf/egp-connex-C-05-04.pdf (last accessed 28 February 2009)

Zeitlin, Jonathan. 2009. The Open Method of Coordination and Reform of National Social and Employment Policies: Influences, Mechanisms, Effects. In *Changing European Employment and Welfare Regimes: The Influence of the Open Method of Coordination on National Reforms*, ed. Martin Heidenreich and Jonathan Zeitlin. London: Routledge.

Zielonka, Jan. 2007. Plurilateral Governance in the Enlarged European Union. *Journal of Common Market Studies* 45(1): 187-209.

Ziomas, D., N. Bouzas and D. Ntontis. 2007. *Greece: Tackling Child Poverty and Promoting the Social Inclusion of Children. A Study of National Policies*. Drafted on behalf of the European Commission, DG Employment, Social Affairs and Equal Opportunities, May 2007.