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THE OMC IN THE EUROPEAN EMPLOYMENT POLICY: BRINGING SOCIALISATION IN

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Abstract: *This paper argues in favour of a more thorough analysis of a specific set of dynamics taking place in the Open Method of Coordination (OMC), the latter being conceived as an informal organizational framework aimed at mutual learning (de Burca and Zeitlin, 2003) and policy change (Dolowitz and Marsh, 2000; Radaelli, 2000). The aim of this paper is to uncover the missing link between these two elements, which has hitherto been black-boxed by the literature. Theoretical tools from International Relations (IR) theories (i.e. constructivist institutionalism) are borrowed in order to circumvent such a fallacy. The premises are the same as the ones hitherto employed by scholars studying the OMC (e.g. Jacobsson, 2004): can norms and values assume a binding character even outside the 'territorially bounded democratic government' (Héritier and Lehmkuhl, 2008) and thus leading to policy change? If so, how does this phenomenon take place? Nevertheless, the approach is different, in that it builds on two closely interrelated factors: the concept of socialisation with its micro-processes (Johnston, 2001; Johnston, 2008) and the institutional characteristics of social environments (Rogowski, 1999). Accordingly, this paper will address the question: is the OMC in European employment policy a social environment conducive of socialisation?*

Keywords: Open Method of Coordination, mode of governance, policy learning, socialisation
JEL Classification: L38, J48

INTRODUCTION

The theoretical relevance of this topic is multifaceted. On the one hand, the OMC is conceived as a real novelty in the European modes of governance, being significantly different from the European precedent uses of soft law (i.e. the BEPG), from deliberative practices carried out by other international organisations, such as the OECD (Jacobsson and Vifell, 2003; Borrás and Jacobsson, 2004) and from benchmarking procedures employed in the private sector (Jacobsson, 2004). Accordingly, many practitioners emphasized its relevance by referring to the OMC as the 'third way between intergovernmentalism and supranationalism' (Ekengren & Jacobsson 2000). On the other, the vast

literature on the OMC and the modes of European governance has often fallen short in deepening the concept of 'mutual learning' and its implications. Whilst many detailed analysis have been carried out in other specific aspects of the OMC (e.g. the benchmarking)[25], the majority of studies has failed in "[taking] account of the type of learning involved, where mimicking is merely one type of learning and probably not the most important one" (Jacobsson and Vifell, 2003 p.5).

Two caveats are needed. First of all, a theoretical rather than an empirical approach is preferable for several reasons: the short life of the OMC; the difficulties in assessing policy change in such an indirect and non-binding process; the unreliability of Commission's evaluations being more rhetorical and political documents than a proper empirical analysis (Eberlein and Kerwer, 2004; EIPA, 2000). Secondly, the focus will be on the committees acting in the European employment policy, namely the EMCO and its sub-groups: the Ad hoc group and the Indicators group[26]. Indeed, the OMCs differ sensitively across issue areas (Caviedes, 2004; Borrás and Jacobsson, 2004; Guy, 2008) and thus a macro approach is not viable. Furthermore, a micro approach is preferable for another reason, namely the fact that "a constructivist ontology allows (even demands) that the unit of socialization is the individual or small group" (Johnston, 2001 p.34): this permits to focus on group preferences as preference transformation, typical of deliberative practices, rather than as preference aggregation (Johnston, 2001; Eberlein and Kerwer, 2004). The focus on European employment policy may be explained also by the fact that similar but not equal practices to the OMC had been already in place in the European Employment Strategy (de la Porte and Nanz, 2004) before the Lisbon Strategy. In fact, the employment policy is perceived by many authors as the most developed example of OMC (e.g. Jacobsson and Vifell, 2003).

1. THE THEORETHICAL STATE OF ART: BRINGING SOCIALISATION IN

Given the infinite literature on the OMC, the modes of European governance and the concept of policy learning, this section limits the analysis to those theories which focus on two aspects: the institutional characteristics of committees and the concept of socialisation. Accordingly, the literature on European governance will be limited by the focus on policy, rather than polity or politics (Treib, Bahr and Falkner, 2007) and within this area, this paper will concentrate on the concept of deliberative

[25] For a detailed analysis of the process of benchmarking in the OMC see Arrowsmith J., Sisson K. and Marginson P., 2004, 'What can 'benchmarking' offer the open method of co-ordination?', *Journal of European Public Policy*, 11(2), pp.311-328.

[26] Information about such committees is available at http://ec.europa.eu/social/main.jsp?catId=115&langId=en.

democracy. The latter may be conceived as a mode of governance whereby norms and values are interiorised and thus policy change is fostered through reasoning, arguing and persuasion dynamics (De la Porte and Nanz, 2004; Radulova, 2007; Eberlein and Kerwer, 2004). De la Porte and Nanz (2004) identify three models of deliberative democracy: Habermas's procedural theory, Joerges's deliberative supranationalism and Sabel and Cohen's directly deliberative polyarchy (or democratic experimentalism). In the first one the focus is on arguing and how it triggers policy change, which is perceived as preference transformation from micro to macro level rather than mere aggregation. Such an approach builds on Habermas's theory of communicative action, which stresses the importance of persuasion, namely the interiorization of norms and values through the logic of appropriateness (March and Olsen, 2009), though persuasion represents only one of the various processes which may lead policy change (Johnston, 2001). Sabel and Cohen's directly deliberative polyarchy emphasises the effectiveness of problem-solving deliberation through a bottom-up logic of participation (Eberlein and Kerwer, 2004), though the participatory character of the decision-making process eclipses the learning procedures. Indeed, learning processes are perceived only as the creation of a new common knowledge thus neglecting the mechanisms whereby such common knowledge is formed. Furthermore, the democratic experimentalism theory, despite stressing the importance of the institutional framework (Eberlein and Kerwer, 2004), is more concerned on the two-level policy network between the local deliberative units and the central authority rather than the analysis the internal characteristics of the social environments. Joerges's deliberative supranationalism focuses primarily on comitology, even though it may be applied also to other European committees (De la Porte and Nanz, 2004; Jacobsson and Vifell, 2003). Such an approach is the most suitable for the objectives of this paper for it concentrates on arguing as a mode of communication through the lenses of institutional requirements and not through public discourse (Neyer, 2003): only certain institutional conditions trigger learning processes.

Deliberative supranationalism approach is to be integrated by a more thorough analysis of the micro-processes of socialisation in order to better comprehend the dynamics taking place in the OMC which have hitherto been labelled under the generic term 'learning'. A caveat is needed: this paper does not focus only on policy learning, but it tries to establish a connection between it and policy change. Indeed, many authors have deeply analysed the concept of learning (e.g. Hemerijck and Visser, 2003), but the majority have fallen short in going beyond and analyse the *nexus* between policy learning and policy change. First of all it will be worth deepening the concept of social learning and policy

mimicking as they are conceived in this field of studies, namely the two main avenues to policy change (Hemerijck and Visser, 2003). Social learning may be defined as "a change of ideas or beliefs (cognitive and/or normative orientations), skills or competences as a result of the observation and interpretation of experience" (Hemerijck and Visser, 2003, p.5). What in the approach to policy learning is labelled as mimicking, namely borrowing or copying the others' behaviours as a rational way to face the challenges from the external environment, will be termed in this paper 'emulation' for reasons which will be clear below. The main characteristics of social learning and policy mimicking may be appreciated in Table 1.

Table 1 - Social Learning v. Policy Mimicking

Social learning	Policy mimicking
domestic	cross-national
inward-looking	outward-looking
trial and error	benchmarking

Source: Hemerijck A. and Visser J., 2003, Policy Learning in European Welfare States, unpublished manuscript, Universities of Leyden and Amsterdam

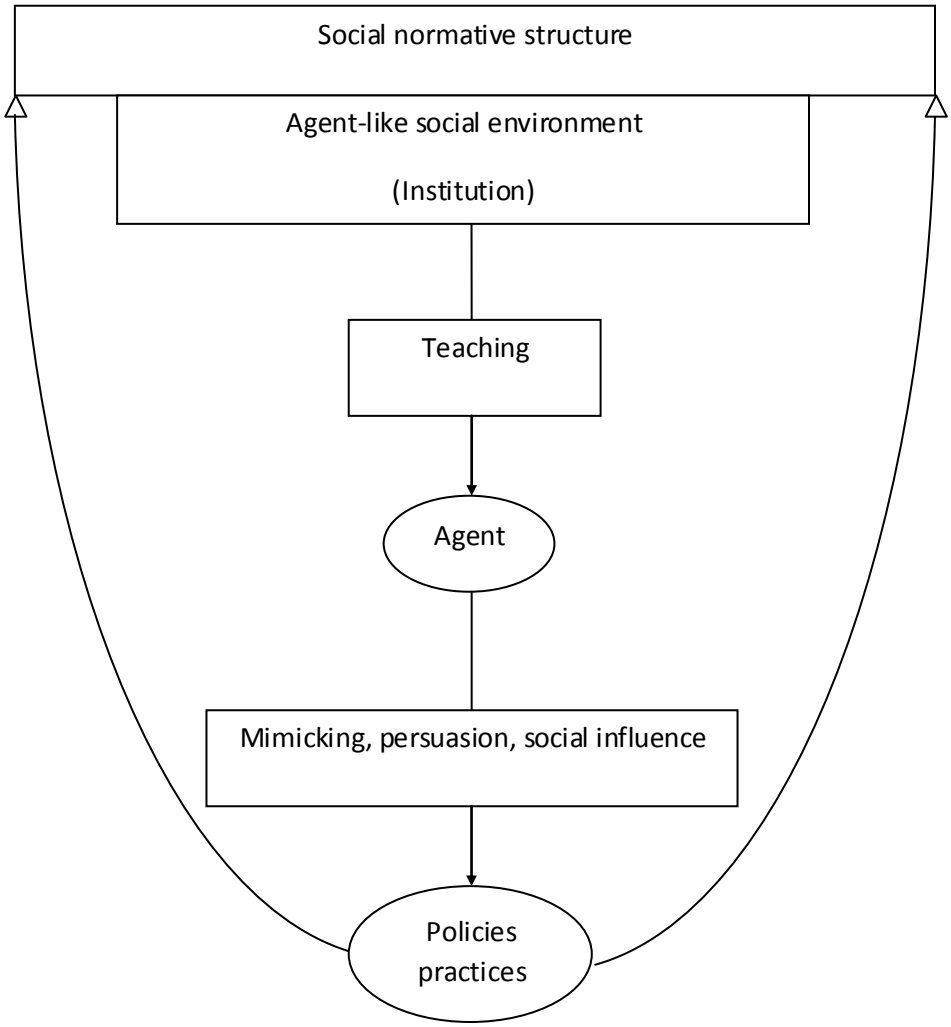
This paper calls into question two aspects of the this approach. First of all, it is questionable that policy mimicking and social learning represent the only avenues to policy change: there are other reasons why policy change is fostered other than an analysis of previous experiences or the emulation of 'the good guy'. Indeed, this approach is too agent-centered and too rational in its premises, being based on a markedly problem-solving perspective. As a consequence, this paper integrates such an approach utilised to analyse policy change in the OMC with the concept of socialisation employed in IR theories.

The concept of socialisation in IR theories has been utilised since the very beginning though being under-theorised in the majority of cases (Johnston, 2001). Only with the constructivist turn both at the agent level (e.g. Wendt, 1992) and at the structure level (e.g. Kratochwil and Ruggie, 1986) such a concept commenced to be properly considered. Socialisation is not only conceived as a motivation for pro-norm behaviour, but also as something affecting the agent's identity and interests: "a process of internalizing new identities and interests, not something occurring outside them [actors] and affecting only behaviour [...]; socialization is a cognitive process, not just a behavioural one" (Wendt, 1992 p. 399). Nevertheless, constructivist approach to socialisation is characterised by a relevant fallacy. Indeed, it tends to focus exclusively on persuasion as the only form of socialisation (Johnston, 2001).

Accordingly, socialisation is limited to a specific meaning attached to persuasion close in spirit to Habermas's theory of communicative action: deliberation as the strategic attempt to convince other actors in an *inter pares* situation through reasoning and arguing (Hasenclever *et al*, 1997). Given the non-exhaustive approach to socialisation provided by earlier constructivist theories, this paper builds on socialisation as theorised by Johnston (1993; 2001; 2008). Socialisation is seen as "a process by which social interaction leads [actors] to endorse expected ways of thinking, feeling, and acting" (Johnston, 2001) and it comprises three micro-processes: mimicking, social influence and persuasion. This novel approach neatly differentiates learning from socialisation. In fact, teaching is only the first step in order to trigger socialisation processes, as illustrated in Figure 1. Once the agent is exposed to new information and *stimuli* from a social environment, it may change its behaviour for two main reasons: socialisation or emulation.

Emulation is a (bounded) rational selection of perceived successful exemplars in order to maximise utility; it also comprises a first-stage learning since the actor, first of all, has to comprehend the causal models which the successful exemplars utilise (Johnston, 2008). Social learning is not so different, in that it is based on rational premises and it entails learning too; the only difference is its inward-looking nature (Hemerijck and Visser, 2003).

Figure 1 - Learning and Socialisation



Source: Johnston A.I. (2008) *Social states: China in international institutions, 1980-2000,* Princeton University Press

The theories on the OMC and the new modes of European governance (e.g. Tömmel, 2009) implicitly entail something more than mere emulative processes, with continuous references to terms such as 'socialisation' or 'persuasion', without going further though. Accordingly, it will be worth analysing the concept of socialisation and its micro-processes. First of all, mimicking represents the borrowing of behaviours and attitudes due to the spirit of survival in a novel environment or in response to a novel *stimulus.* The action *per se* is the same as the one typical of emulation, though the logic behind it differs. In fact, emulation is driven by a rational choice, whereas mimicking is triggered

by the necessity of survival in uncertainty (Johnston, 2008): "I shall do X because everyone seems to do it and thus survives. So until I know better, X is what I shall do"(Betz, Skowronski and Ostrom,1996). Secondly, social influence conceives pro-norm behaviour as inherently interconnected with the social status of the agent in the social environment: social status markers, such as backpatting and *opprobrium*, are crucial in determining agent's attitudes: "I believe the answer is X, but others said Y, and I do not want to rock the boat, so I shall say Y" (Betz, Skowronski and Ostrom,1996). Thirdly, whereas social influence and mimicking are characterized by a rational element, namely the maximization of a utility, persuasion is totally based on the 'logic of appropriateness' (Johnston, 2001): "I do X because it is good and normal for me"(Betz, Skowronski and Ostrom,1996). Indeed persuasion represents public conformity due to private acceptance (Johnston, 2008).

2. THE EMPLOYMENT COMMITTEES AND SOCIALISATION

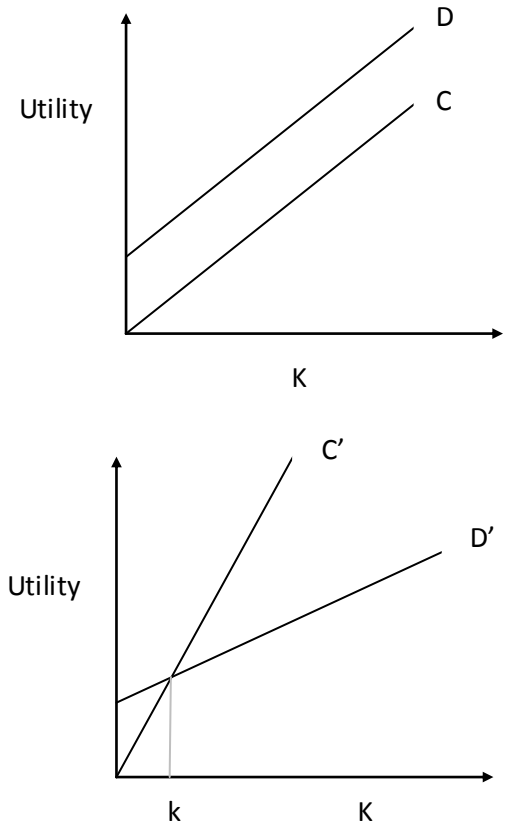
This section analyses the committees acting within the European employment policy as a social environment with their own internal logics, norms, values etc. (Kohler-Koch, 2002 in Jacobsson and Vifell, 2003). The importance to focus on social environments when analysing the process of socialisation relies on several factors: the effects of social status markers are more pronounced in a restricted context (that is why social influence may be isolated only within delimited environments) and the same is true also for the role of norm-entrepreneurs, for instance. The assumption is that certain institutional arrangements (of an international organisation or a committee), create a favourable environment for the conduction of one micro-process of socialisation or another. Johnston (2001;2008), building on Rogowski's (1999) model of strategic choice, draws a theory which unites the micro-processes of socialisation and the institutional constraints of a social environment. This sections applies such an approach to the OMC practices taking place within the European employment committees building also on the deliberative supranationalism approach to the European governance. The aim is to address the question: are the employment committees a social environment conducive of socialisation? If so, what type?

2.1. Membership

A large membership influences the effects of social status markers within a group and the same is true also for a high level of publicity of internal dynamics, attitudes and behaviours (Johnston, 2001; Johnston, 2008). First of all, many authors stress the difficulties faced by bargaining dynamics in presence of a large membership (Neyer, 2003): arguing is a more feasible tactic in such a case. Nevertheless, the importance of the size of membership is relevant not only with respect to the mode of interaction (i.e. bargaining or arguing), but also it is a precondition for social influence (Johnston, 2001): large membership maximises the utility of backpatting and shaming[27]. The reason is illustrated in Figure 2, which represents the passage from a situation in which backpatting/*opprobrium* has no influence on the agent to a situation in which the agent is influenced by social status markers (i.e. a situation in which social influence is at work).

[27] A relevant issue derives from this assumption: the accumulation of social status markers. The latter have a more marked effect when the possibility of accumulation is available. There are several factors which may bolster such an organizational memory (Hemerijck and Visser, 2003): a structured secretariat, the availability of information in a database, the iterative nature of interaction etc. The EMCO and its sub-group present all these characteristics: a structured secretariat within the Commission, a rather high degree of availability of information with an online database and an average of 16 meetings a year (Jacobsson and Vifell, 2003).

Figure 2 - The Effects of Social Influence



- K: members
- C: payoffs of cooperation
- D: payoffs of defection

This figure represents an N-person prisoners' dilemma model, in which the utility of defection is always higher than the one of cooperation, regardless the size of membership (indeed, the D slope is above and parallel to the C slope).

- k: equilibrium audience
- C': payoffs of cooperation with the effect of backpatting
- D': payoffs of defection with the effect of *opprobrium*

The influence of backpatting makes the C slope more upward (now C'). Indeed, for any additional member of the group the utility of cooperation increases more than in the case of the previous C slope.

The influence of *opprobrium* makes D slope more downward (now D'). In fact, for any additional member of the group the utility of defection increases less than in the case of the previous D slope.

k represents the number of members of the group above which cooperation brings more utility than defection.

Source: Johnston, A.I. (2001), "Treating International Institutions as Social Environments", *International Studies Quarterly*, 45(4): 487-515.

As demonstrated, an increase in the number of participants augments the effects of backpatting/*opprobrium* and thus fostering cooperation. The EMCO consists of two representatives and two alternates for each member state and the sub-groups are composed of one representative and one alternate. Therefore, including the members of the EMCO Support Team and the ones of the EMCO Secretariat, an elevate number of officials operate in this sector meeting more than once a month in Brussels. Indeed, the iterative character of policy cooperation within the OMC has marked effects

(Caviedes, 2004). Furthermore, several officials of the Commission and of the Council are involved in the daily work of EMCO and its sub-groups.[28]

Many scholars emphasize the importance of publicity as a factor supporting arguing rather than bargaining (Neyer, 2003), though publicity has a marked role also in sustaining social influence. Transparent procedures, the availability of information and the attention by mass media and the public opinion have a manifold effect. First of all, they are indispensable for the accumulation of social status markers, which in turn reinforces the social influence dynamics. Secondly, publicity creates two types of constraints on actors: the consistency constraints, which forces the agent to maintain his/her precedent positions, and the plausibility one, which prevents actors to take unfeasible positions (Neyer, 2003). As a consequence, publicity enhances the effects of backpatting and *opprobrium*, rendering thus cooperation a more viable strategy than defection. Despite the availability of reports and working documents on the Commission website (De la Porte and Nanz, 2004) and the vast academic literature developed during the last decade, publicity has hitherto shown weak effects on the internal dynamics of the employment committees due to two main reasons. First of all, the lack of an European-wide social and political platform has led to the segmentation of the public debate on employment policies (Neyer, 2003; Jacobsson and Vifell, 2003), remained linked to the national arenas. Secondly, studies show that the media coverage of the employment policy is almost negligible at the EU level, being the focus on the national level (De la Porte and Nanz, 2004). As a result, "governments do not face pressure from broader public debate to comply with the recommendations of the EES" (Meyer, 2003 p.6).

2.2. Franchise and Decision-making Rules[29]

Deliberative democracy theories underline the importance of authority allocation within a group: asymmetrical allocation bolsters bargaining dynamics (Meyer, 2003). Indeed, institutional constraints shape modes of interaction (Scharpf, 1997), but they also influence the way in which socialisation mechanisms function. In fact, with an even allocation of authoritativeness the weight assigned to social status markers from each member of the group is equal and there is not only one 'persuader'[30]. In the EMCO and in the two sub-groups the power is unevenly allocated, as stated by the internal procedural

[28] Given the uniqueness of the status of the EMCO and few other committees, which have a 'double-hat' character being formally under both the Commission and the Council (Jacobsson, 2004)

[29] Johnston's model considers franchise and decision-making rules as two separate dimensions. This paper treats them as a single factor given the low importance of formal voting procedures within the employment committees.

[30] As in the case of persuasion, in which socialisation is closely interconnected with the relation between the persuadee and the persuader and the latter's specific characteristics (Johnston, 2001).

rules, though many studies emphasize the tendency of consensus-building rather than voting (Jacobsson and Vifell, 2003; Haahr, 2004). As a consequence, although the QMV voting procedure allocates more power to certain members and less to others (Borrás and Jacobsson, 2004), the consensus culture developed in such committees rebalances the situation.

Another aspect is noteworthy: authority is not only related to institutional procedures or rules. In fact, within a group an actor may play the role of norm-entrepreneur even without formal powers (Finnemore and Sikkink, 1998). Many authors (some of them implicitly, e.g. Jacobsson, 2004, others explicitly, e.g. Schmidt, 2000) emphasise the role of the Commission as norm-entrepreneur, which is a characteristic of persuasive dynamics rather than social influence. The Commission has played a pivotal role with respect to many aspects. First of all, it provides materials, logistic support and expertise to the committees through the secretariat (Jacobsson, 2004). Secondly, it bolsters the diffusion of common framework of analysis of labour markets (Jacobsson, 2004; Kaiser and Prange, 2004), such as the so called 'flexicurity' at the basis of the European Social Model. Thirdly, the Commission has always promoted the use of EU jargon within the employment committees, but also in the national realm, such as the concepts of 'prevention', 'activation' and 'lifelong learning'. Furthermore, with the support of Eurobarometer and Eurostat agencies, it has spread the use of objective criteria, common standards and statistics, which facilitates deliberative dynamics (Jacobsson, 2004). Nevertheless, two points are important. First, "there have been no empirical tests on the extent of the Commission's influence as a norm entrepreneur" (De la Porte and Pochet, 2004 p. 72). Second, the role of the Commission may be perceived more as a 'knowledge editor' than a proper norm-entrepreneur (Jacobsson, 2004). Indeed, despite acknowledging the fragility of this distinction, its role has been more oriented towards the diffusion of common theoretical and practical tools in order to create a fertile ground for deliberative dynamics, rather than proposing specific policy paradigms.

2.3 Mandate and Autonomy Principal-agent[31]

Social influence is at work when agents enjoy little room for manoeuvre. Otherwise, independent agents are more likely to be persuaded if they enjoy a high level of discretionary power within the social environment (Johnston, 2001; Johnston, 2008). Empirical findings illustrate the tendency of the

[31] Also these two factors originally were distinct and then this paper has merged them given that the autonomy of the agent is strictly interconnected with the specific mandate with which the committees are invested from time to time (De la Porte and Nanz, 2004).

EMCO meetings towards becoming 'drafting sessions' rather than deliberative fora (Radulova, 2007). Indeed, due to a more proactive role of the Presidency and more stringent agendas (De la Porte and Nanz, 2004), the EMCO meetings have gradually become fora in which locked national positions are engaged in a bargaining on the wording of the final documents (Jacobsson and Vifell, 2003). As a result, more deliberative and thus persuasive dynamics have moved from the EMCO to the more technical sub-committees (Jacobsson and Vifell, 2003; De la Porte and Nanz, 2004). Accordingly, the situation radically differs according to the mandate which the committee official enjoys. In the Indicators group, for instance, where the mandate is markedly technical, officials enjoy large room for manoeuvre and thus deliberative dynamics bolster persuasion[32]. Conversely, in those occasions in which there is a controversial issue on the agenda the EMCO is characterised by bargaining dynamics between fixed national positions and officials are constrained by precise political mandates. Yet in normal situations (i.e. no salient issue at stake) the EMCO officials are not restrained by so stringent mandates (although total discretion is rare) and thus social influence is at work.

CONCLUSION

As demonstrated, the employment committees acting according to the OMC represent a social environment close to the idealtype of social influence, as drawn by Johnston (2001; 2008). Needless to say, reality and theory are not perfectly overlapping. For instance, a large membership is a factor supporting social influence dynamics, though publicity has revealed to fall short in creating constraints on the internal mechanisms of the committees. Furthermore, although an even allocation of authoritativeness creates the precondition for social influence, the role of the Commission as 'knowledge editor' may be perceived as a subtle way to act as a norm-entrepreneur and thus exerting influence (Schmidt, 2000). Finally, only in certain occasions that combination between mandate and autonomy typical of social influence arises. In fact, only when the political mandate of the committee concerns issues of not salient nature the autonomy of the agents is such that social status markers exert influence on them. As a consequence, when certain conditions are met, the OMC in the employment policy may be considered as a social environment conducive of social influence.

[32] Arguing on technical issues is suitable for the type of persuasion based on the content of the message (Johnston, 2008). In fact, scientific data, statistics etc. are perfect tools to support a persuasive strategy. Conversely, persuasive dynamics in political issues are more based on the prestige/authority of the persuader. For a detailed analysis of the types of persuasion see Johnston, 2001.

The objective of this paper is to focus on a topic often under-theorised and to illustrate the potentialities it bears. In fact, the *nexus* between policy learning and policy change within the OMC has hitherto been black-boxed by the literature: as stated above, there are other reasons why policy change is fostered other than an analysis of previous experiences or the emulation of 'the good guy'. An agent may adopt a policy paradigm because it is seen as the only sensitive and appropriate solution or due to the necessity of recognition within a group. Future research projects should concentrate on the empirical analysis of social influence dynamics within these committees in order to verify the theory. Through a qualitative discourse analysis (e.g. cognitive mapping) it will be possible to trace the consequences of social influence on actors' behaviours and attitudes (Johnston, 1995). As pointed out by Johnston (2001; 1995), if social influence is at work, cognitive mapping will reveal a marked attention towards social status markers. Telling examples may already be found in the existent literature: "the whole process is driven by proving to be capable in the eyes of the Commission or other member states" (interview, Swedish government official in Jacobsson, 2004 p.363), "as a group pressure is created, you can't see it as your mission to divert all the unpleasant things said about your country" (Jacobsson and Vifell, 2003 p. 14-15), "one does not want to be the worst one in the class" and "Peer pressure feels" (Jacobsson and Vifell, 2003 p. 20).

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