
Multi-Level Governance in the European Employment and Labour Market Policy: A Conceptual Outline and Some Empirical Evidence

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Abstract

Employment and labour market policy is a fairly new field in the European policy making process. Its complexity makes the sustained improvement of the unemployment problem difficult. This is not only because of the structural restrictions on state intervention in capitalistic economies, but also it is not easy to formulate and implement the appropriate policy owing to problems at member state level and the institutional obstacles to the EU's ability to act. Thus relatively open structures like policy networks and "soft forms" of governance are the most appropriate means to create the requisite internal complexity and allow for linkages between different levels and political systems, in order to deal with the problem adequately.

In order to investigate this topic, we would first like to present a few conceptual basics (1), and reconstruct the evolution of the European employment and labour market policy (2). In conclusion a number of hypotheses regarding the aspect of implementation in particular will be presented (3). This should allow one to gain an insight into the EU's ability to govern. We would like to point out that the following considerations result from a research project that has only just begun..

1. “Governance of Complexity” and the European Union

1.1 Problems to govern within the dynamic multi-level system.

The first aspect that needs to be considered is the *complexity* that needs to be overcome in the process of governance in the EU's dynamic multi level system, particularly with regard to employment and labour market policy. The EU's dynamic multi-level system is complex. It is both diverse and unified. Complexity in this narrow “system-theoretical” sense depends on the number of possible relations between the elements: as all elements in a system cannot be connected at the same time a selection is required to reduce the multitude of possible conditions down to one (cf. Luhmann 1978; also Simon 1962).

The different national structures in employment and labour market policy relate to this aspect of complexity. The EU's uniform governance approach with regard to employment determines how this selection is carried out. Both aspects are currently in a state of imbalance in the EU. This leads not only to the problems in finding consensus in the European decision making process, but also makes the implementation of programs difficult and leads to differences in the governance attempt. This is the primary focus of our study. We content that the differently structured policy networks in the member states are responsible for these problems. On the vertical level, this refers to the closely linked political institutions in the strict sense, while at a horizontal level, this refers to the established relations between the state and associations.

Possible general factors affecting the policy-output and the degree to which it varies are shown in the following Four-Field Matrix. Determinants central to our research project are indicated in the diagram.

Table 1:
Possible determinants of european employment and labour market policy (2)

	Fairly stable	Fairly changeable
Member state and EU specific	<p>1</p> <p>Level of socio-economic development Political culture and normative basis; basic attitudes towards the EU</p> <p>Political-administrative factors: structures and institutional framework (eg. federalism/ unitarism) Political and economic interconnection in the international system Political styles: method of formulating and implementing employment policy Policy-Profile: characteristic elements of policy production in employment policy</p>	<p>2</p> <p>Economic situation (eg. Inflation, unemployment) Public mood and opinion (eg. elections, referendums, degree of information) Composition of the government and organs of the EU Constraints and expectations coming from the international system Actual consensus and conflict processes (pressure of problems)</p>
	<p>3</p> <p>Notion of regulative policy and socio-political tradition Policy field network: Nature of relationship between state and non-state actors Degree of interconnection with other policy fields and with national labour markets Advocacy Coalitions und belief systems</p>	<p>4</p> <p>Current measures and experiences Current relations between the major actors Short-term policy coalitions focussing on issues</p>
Policy field specific		

Clearly the relatively changeable determining factors cited in Table 1 influence the employment and labour market policy output and the degree to which it varies in the member states. The employment crises in Europe and the change of government in important member states in the 1990s have played an important role in this regard. The role of the European Commission (in particular Jaques Delors and Jaques Santer) is not to be understated. It was responsible for establishing European employment and labour market policy as an independent policy field and the implementation of a community co-ordinated employment strategy for Europe.

The relatively stable determining factors exert a greater influence on policy output and its variance in the member states. The political culture and normative basics in the member states and/or the EU are fundamental. They have considerable influence on the basic attitudes and actor behaviour in determining employment and labour market policy. Employment and labour market policy in Europe is determined in the long run by three factors:

1. the degree of social economic development, measured by the employment level, per capita income and relative importance of primary, secondary and tertiary sectors, or the social security level. This includes the influence of the member state's economic linkage and the EU's economic linkage in the international system;
2. the varying labour markets and employment policy traditions of the member-states;
3. the different notions of regulative policy of member-states and actors on the Community level, as a further important determining factor of the policy area.

1.2 Investigating Implementation Networks

If the political negotiation process is regarded as policy cycle, then implementation research is directed primarily at the implementation phase of this policy cycle. Here, implementation is defined as a dynamic process of negotiations between several actors, occurring at multiple levels and between several organisations. (cf. Najam 1995; cf. also Heinelt/Naschold/Reissert 1997: 12f.) The nation regime of implementation will largely determine the success of labour market and employment policies (Hoecker 1998; Schmid/ Roth 2000). It helps to view the

EU as a dynamic multi-level system when considering the implementation of Community politics. The emphasis shifts from supranational to the national level, where regional and local actors play a role. As a result our research interest incorporates member states and their reaction to challenges posed by the EU. This study should prove to be particularly informative, especially in these policy fields and the promotion of the Structural Funds (the initiation of new policy strategies and the indirect influence of the labour markets of each member state). The development of EU employment and labour market policy shows that advocates and opponents of supranational governance in this field view the problem from different perspectives. Analysing implementation regimes in the EU provides the opportunity to learn how to organise governance more legitimately. For instance, knowledge of the difficulties the EU has in implementing policies that attain their goals is required to formulate policies which are likely to be successful. Analysing the regimes of implementation leads to a scientific benefit as well: by adding another detail to the big picture, the EU system can be better assessed. The effectiveness and efficiency of Common Market policies can only be evaluated during the implementation phase. The effectiveness and efficiency of Community policies only become apparent during the process of implementation. For this reason, only during this stage can statements be made about the EU's ability and potential to govern.

These considerations do not view problems of political governance as an "exogenously-determined non-ability" of politics (and its administration). Rather the problems relate more to political governance ability. These are considered inherent - but not insurmountable - political obstacles to achieving that which is desirable, known and objectively achievable (cf. Scharpf 1988: 64f). A number of governance problems deserve to be mentioned in this context (cf. Mayntz 1987: 96f.): Implementation: (i.e implementing policy in a manner that conforms to the original aims); the addressee's motives and willingness to adapt, and knowledge (ie knowledge about the policies effect). These structures create political and organisational focal points. They can promote innovation or become a barrier to it. However these mechanisms have not been thoroughly investigated and presently remain unclear. Considering the complexity of the EU's dynamic multi-level system in general, as well as the labour market and employment policy in particular, one has to take into account substantial differences and dissimilarities (cf. Heinelt/Naschold/Reissert 1997: 14).

The following figure illustrates a number of concurrent effects which can be observed in the complicated, multi level , multi issue area networks.

**Table 2:
Effects of Policy and Implementation Networks in a Dynamic
Multi-Level System**

Perspective/ Effect	Negative	Positive
Top down	Blockade Misuse	Innovation Legitimation
Bottom up	Disintegration	By-pass Imitation/Diffusion/Learning

The *Top-Down perspective* emphasises the central control of (de-centralised) implementation. It begins the analysis with policy decisions. It then assesses whether the implementation is consistent with the policy decision, whether the policy's objective has been reached and seeks to identify the principal factors for the effect and output of programs as well as the reformulation of policies (cf. Sabatier 1986). Negative effects of implementation regimes in this context are represented by inhibitive factors in the decision making process or the misuse of material resources. Positive effects are for example a higher preparedness to innovate as well as boost the legitimacy of EU common market policies. The *Bottom-Up perspective* focuses on the actors who implement the programs, rather than on those who make the original decisions to establish a program. Some form of discretionary leeway is desirable, because the program has to be reinvented during implementation, in order to adapt local requirements (cf. Najam 1955: 13). On the one hand this leeway can have disintegrative effects and increase the variation within implemented programs in the member-states. On the other hand this leeway could initiate learning processes in the respective regime of implementation (cf. Heinelt/Naschold/Reissert 1997: 13).

It is necessary therefore to create political governance over policy networks to correct these problems in implementation (cf. Mayntz 1993; Marin/ Mayntz 1991). Actors need to be capable of forming and articulating social groups interests, but also need to ensure that they comply these solutions that were negotiated with their participation (cf. Jachtenfuchs/ Kohler-Koch 1996: 23ff.). This network approach is particularly well-suited for application to the EU. In such a dynamic multi

level system policies are no longer made in a hierarchical fashion, but are formulated in diverse relations between and within the different levels. Typical network characteristics like the sectoralisation of policy, its functional differentiation and incoherence, the dominance of corporate actors in a horizontal interlinkage of inter-organisational relations based on negotiations, make the EU seem an ideal field in which to apply the policy field analysis (cf. Héritier 1993b: 435). The EU opens up to actors a diverse range of new coalition possibilities to convey their ideas. Therefore, these possibilities for interaction should be closer defined and one needs to part with the purely legal-institutional distinction. Furthermore this approach takes into consideration the specific heterogeneity of EU-actors, as well as the variety of state problems, perspectives, interests, solutions and strategies and the regulative competition between member-states and the Community (cf. Héritier 1994; Windhoff-Héritier 1992).

In reconstructing implementation networks we take up the *seven network determining characteristics* identified by Frans van Waarden (1992):

- Actors (number, type, character);
- Function (eg. information exchange or co-ordination);
- Structures: determined by the number of actors, the frequency and intensity of interactions as well as network boundaries;
- Institutionalisation;
- Game-rules (eg. pragmatism, ideology);
- Power relationship (relationship between state and non-state actors);
- Actor strategies.

Applying these seven network determining characteristics of van Waarden to the EU, Schumann identified the following *characteristics of EU policy networks* (cf. Schumann 1993: 420ff.):

1. The EU has new types of actors (eg. Commission and Council of the EU)- unknown from nation states. In contrast to member state actors, the EU's common actors are distinguished by particularities. Actors on community level do have specific needs and interests. That creates a

- particular kind of interdependence and has considerable influence on the character of the policy networks.
2. The EU's obvious structural deficits (eg. lack of an European public) such as exchange of information and information gathering, are compensated with the central function of the EU's dynamic multi-level policy networks. A further specification is the reciprocal control of member states and the European Commission
 3. The policy networks are structured in functional and territorial levels (national and supranational). At the same time the EU can be characterised as possessing a fragmented organisational character, as very competitive , with little hierarchy, and the inability of European associations to have an upper hand on their national members. Member-states partly show substantial differences between national sub networks, that belong to the same dynamic multi-level network.
 4. In the process of institutionalising policy networks within EU states various levels of network development can be identified. These take place faster in the EU.
 5. Over a long period of time member states have deposited the rules of the game in cultural and legal traditions and political institutions. Yet, at community level differences can be seen between the individual policy fields. These differences are connected with the variations in authority distribution as well as to different decision making processes.
 6. The power relationships within the EU are related to different state actors at community level, within member states and between different levels. They are also related to different levels of non state actors (European associations and their national members) and also to state non state actors in and between the levels as well as inside the member states.
 7. Last, each actor strategy is distinctive, as they are tailored to the specific conditions of the EU system, targeted at influencing material politics, power relations, the structure and the rules of the game within networks.

The actual ability to govern such networks, depends on the dominance of a specific "interaction orientation" or policy style (cf.

Feick/ Jann 1988: 214ff.; Richardson/ Jordan 1985: 34f.). Here co-operation is preferred over a confrontationist approach. *Political style analysis* examines procedure and is determined by two factors: First, how social problems are treated with the authoritative allocation of resources (e.g. an active, anticipatory or reactive style of problem solving); second, the interaction between state and non state actors in the policy making process (e.g. whether the administration pursues a conflict or consensus orientated approach towards community actors). Richardson and Jordan distinguish between five characteristics in the determination of the political style of a political system, which Schumann applies to the European Union (cf. Schumann 1996: 78f.):

- The sectoralisation of the policy making within the EU is by means of institutional fragmentation and functional differences especially marked.
- The question of extent of clientelism is about the degree to which state actors are refuges for lobbying and to what extent they activate their self organised interests. Schumann criticises the EU's extreme clientelism, whose origins lie doubtlessly in the EU's systematic peculiarity.
- The extend, kind and method of consultation between the participating and affected actors inside the EU indicate a compulsion to consult on the basis of functional requirements and the legal framework of the EU system.
- The institutionalisation and regulation of compromises to bring about decisions are a distinctive feature of the EU.
- In Schumann's opinion the exchange relationship inside the EU, is characterised by a strong interdependency between the European Commission and the EP on the one hand, and between the European Commission and organised interests on the other hand.

According to the current state of policy field analysis research (Héritier 1993a), the political process is fuelled not only by the types of interest and by power resources that are channelled, modified and stabilised through political actors. In addition, ideas, knowledge and learning lessons play a role in the process of dealing with the problem. One basic assumption here is, that ideas are not independent from interests and institutions. Ideas can be traced back to the interests and institutions. Such notions were systematically developed and analysed in Sabatier's (1993) *advocacy coalition approach* (cf. here also Schmid,

batier's (1993) *advocacy coalition approach* (cf. here also Schmid, J.1998; Bandelow 1999)

During the seventies and early eighties only individual decisions were examined in the research of the classic policy analysis approach. Now the research interest is being directed more at explaining long term policy development. Modern policy analysis has therefore to explain, how political change occurs with change in values and attitude preferences and which function information has in this process. It also has to explain if and when political actors discard their previous convictions . Put shortly: how actors learn. For Schumann (cf. 1996: 90) the advocacy coalition approach has some important advantages when considering the EU from a policy analytical viewpoint. He considers the policy field perspective and factors external to the policy field (in particular the value dimension of policy) and thereby explains the long term development of policy. In this respect the advocacy coalition approach of the policy analysis departs the dynamic perspective of a fixed policy cycle.

The advocacy coalition approach emphasises, that any explanation based on an objective rationality of the actors, has a very limited meaning only. The development of the employment and labour market policy in the EU shows, that the supporters and opponents of supranational governance in this policy field at a supranational level perceive this debate in a different context. For supporters, the European employment and labour market policy is an unavoidable element of the European integration process; partly in order to compensate for the imbalance caused by economic integration, and to improve the legitimacy in the integration process with citizens of the EU. Opponents adhere however to a neo-liberal view of the world, in which the political control of the EU in the field of employment policy are assessed as non-market compliant therefore sub-optimal.

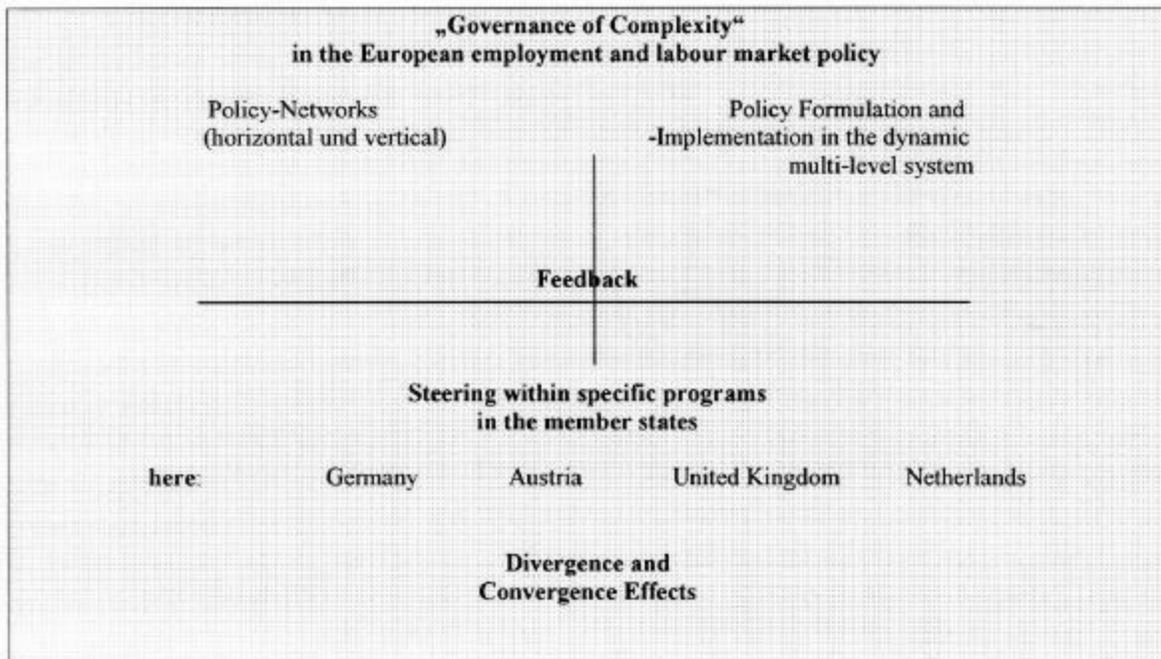
The confirmation of attitudes amongst supporters and opponents in their groups reinforces the differing perspective in this discussion. Members of both advocacy coalition change their belief system through the absorption of information and personal experience. New found knowledge and experiences have hardly been able to change the deeply ingrained convictions of individual politicians and representatives of interest groups. This has however influenced the composition of the respective advocacy coalitions. This process explains a large part of the

political changes in the policy field of European employment and labour market in the 1990s. In this context it is important to indicate the diversity in the field of social policy in constitutional political perspective. It is also important to point out to the establishment of an independent policy field on a supranational level as well in the governance perspective on the transition from regulative and distributive instruments to new soft forms of control that find their equivalent in the Community co-ordinated employment strategies.

This affects not only governance outputs (in the sense of policy outputs, as opposed to outcomes; for example in the sense of unemployment within European states) but also the feedback and learning processes that result from the tension between horizontal and vertical integration (governance) and variation between the member states (complexity).

The following chart depicts a number of important aspects:

**Table 3:
Policy Formulation, -Implementation and -Networks**



One can refer to the *concept of policy profiles* for the program analysis in the vertical and horizontal perspective (cf. Feick/ Jann 1988: 203). It represents a typically ideal construction, with which characteristic elements of the policy production of liberal democratic systems can be understood. With the construction of a specific EU policy profile for ADAPT it became possible to bring together results of implementation analysis of this community initiative, and to relate them to the entire system. Characteristics of the policy production that illustrate program variance are as follows:

- Formalisation: to what extent are legal binding criteria given in the Community initiative ADAPT?
- Integration: are the promoted steps marked by a high degree of co-ordination or fragmentation within the EU's dynamic multi level system? To what extent do planning and implementation networks correspond?
- Continuity: to what extent do the promoted steps correspond to a long term developed policy strategy?
- Intensity of intervention: to what extent does the commission govern and co-ordinate the programming and implementation of the individual support steps?
- Programming: to what extent are measures fixed and what is the degree of the resulting leeway for actors and addresses in the implementation process?

This approach to the study of policy production within the EU is so interesting, because even in the policy formulation phase (be it package deals, policy-without-laws, directives, community initiatives or action programs) it is possible to glean some indication of the actors' problem solving behaviour in the implementation phase. And from this success of governance becomes evident.

2. Employment and labour market policy in the EU – characteristically features

2.1 Employment as a new policy field

In the discussion about the EU's political dimension, employment and labour market policy does play an increasingly important role. The constitutional- political development of the European labour

market and its long term effect on the labour markets of member states, show that it has been continually developing - although with differing emphasis - at supranational level into its own independent policy field. Its development has been influenced by the unemployment crisis in Europe, as well as, by changes in government in important member states in the 1990s. Previously, the European employment and labour market policy had been conceived as a component of European social policy. However, the issue area has acquired a new status with the inclusion of an employment title in the Treaty on the European Union, which will result in further differentiation of policies (cf. Roth 1998).

A brief outline of the historical and political development provides evidence of this:

The Treaty establishing the *European Coal and Steel Community* contains provisions aimed at the combating of unemployment. First, it contains provisions regarding the undertaking of studies to make re-employment easier, and also provisions concerning the promotion of retraining and re-employment of the workforce by providing aid that will help workers to adapt and adjust to new jobs. The allowance system, provided for in Article 56 ESCS, which benefits workers in the Coal and Steel industry, was the first political labour market instrument of the EU.

In the spirit of the "Montan Union" the *Treaty on the EEC* then provided for the creation of an European Social Fund, to improve employment possibilities of workers as well as to increase their standard of living. Like the social policy in general, the policy of the European Social Funds has been closely related to Europe's economic integration. Its primary task is to complement economic integration with social policy, which is also its source of legitimation. Social policy removes social inequality in the Community solidarity, caused by the (economic) Community. In particular the ESF should reduce the "adopting performance" of those employees, who have been made redundant, or who were forced to migrate within the Community because of intensified structural change, caused by economic unification. Despite its name, the Social Fund was not conceived as an instrument of comprehensive social security, but rather to support national labour markets.

Due to the sustained mass unemployment in the EU in the seventies and eighties, more and more attention was directed at labour

market and employment policies. There were many arguments resulting from desperate attempts of the commission, leading to a number of decisions, recommendations and conclusions of the commission regarding political employment and labour market questions (which had virtually no effect). The main reason why the labour market and employment policies of the Community failed during the developmental stage, was that every member state was too engrossed in its own employment policy and saw its salvation in withdrawing from the integration process (cf. Berié 1993: 55). Catchwords like neo-liberal economic policy, deregulation, flexibility, the questioning of the social security system and the decay of the power of unions were major topics of the social-political discussions in the member states. At the end of that development phase a "take off point" in the integration of the EU's employment policy can be identified. After the establishment of the common market and the passing of the social charter, as well as the associated action programs and the social protocol in the Maastricht Treaty regarding the EU, an increasing number of community actors like the European Commission exercised more influence on the policy field's further development.

The *Treaty on the European Union* defines the promotion of a high degree of employment to be a central task of the EU (Art.2 EUT, Art.2 ECT). Furthermore Art.118 ECT gives member-states the option to co-ordinate their employment policies. Corresponding to these objectives, the EUT contains since Amsterdam, a new title VIII on employment policy (Art.125-130). Finally Art. 123 ECT defines the European Social Funds to be an instrument of financial policy, which should help to improve employment possibilities in the Common Market.

With the European Employment Strategy, which is located in the Treaty of Amsterdam, member states were urged to co-ordinate the employment policies in four areas. The *Employment title in the Treaty of Amsterdam* is binding and structures procedure). It contains five aspects:

- According to the employment chapter, member states and EU work towards the development of a co-ordinated employment strategy. Special emphasis is placed on qualification/skills, education and flexibility of employees and ensure that labour markets adapt to the requirements of economic change.

- Employment policy remains the principal responsibility of member-states. But they have to regard the promotion of employment as a matter of common concern and co-ordinate their action in the council. The European Union promotes and supports co-operation between member-states and takes into account the objective of a high level of employment.
- The EU support consists of the adoption of employment policy guidelines set up by the council annually, which member-states have to take into consideration. The guidelines are used to evaluate the employment policy of member states. As a result the Council may issue recommendations to the member states.
- To promote cooperation between member states the council can also decide on measures of incentive character (ex. pilot projects), upon the exclusion of harmonising laws of member states.
- To promote employment the Union will create an advisory committee on employment issues.

Table 4:
Overview of Goals and Strategic Principals of the Co-ordination of the
European Employment Strategy

<p><u>Most important goals:</u></p> <ul style="list-style-type: none"> • A high level of employment in the national economy and for all sectors of groups on the labour market. • A shift from passive fighting of unemployment to a sustainable improvement of the employability and towards the creation of jobs. • Favouring new approaches to the work organisation so that EU companies are able to cope with economic change while reconciling both, security and adaptability, and allowing individuals to participate in life long training. • Provision of equal opportunities on the labour market so that all people can have access to work and to ensure their participation. <p><u>Most important strategic principals:</u></p> <ul style="list-style-type: none"> • A shift towards prevention and early intervention in employment policies: this means helping people before or as soon as they become unemployed, rather than addressing their needs only once they have been out of job for some time. • "Management by Objectives" - a new approach whereby member states set concrete goals and objectives (in some cases at EU level) as benchmarks for the evaluation of the success or failure of their employment policies. • Annual multilateral mechanisms for monitoring and evaluating the progress in pursuit of the strategy: member states together with the Commission will set up institutional mechanisms and common employment indicators to allow for systematic assessment of action taken. • Integration of the employment policy in other policy areas : other policies (both at national and Community level) , must take into account the impact of the employment. • Progress towards an employment pact: the employment policy is not the responsibility of the governments alone. Social partners, regional and local partners and NGOs all have a role to play by committing themselves to meeting the employment objectives.
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All in all one cannot regard the EU labour market and employment policy as clearly defined entities. Rather it is to be understood as a

number of measures which aimed to increase the number of save jobs and encourages the active promotion of employment creating measures. Three forms of *employment and labour market policy* can be distinguished here (cf. Deppe 1996: 14):

1. Efficiency-orientated regulatory policy: eg promoting increased flexibility of labour markets.
2. Objective orientated promotion of employment sectors (target groups and/or regions).
3. Distributive policy: includes the expansion of EU competences as well as mobilization of financial resources for employment policy.

The European labour market and employment policies consist of two components: a structural policy whereby the promotion and maintenance of competitiveness is crucial to improve the employment situation on the European labour market; and a policy that targets problem groups and focuses on improving the individual's employment skills.

2.2 Features of the Policy Field

The European employment and labour market policy is generally eclectic, evidenced by a high degree of fragmentation on the vertical level. Complementarity's exists on the horizontal level between the European dimension of this policy field with its national counter parts. This was laid out in Community law from the beginning and has influenced the integration of European labour market and employment policy.

These policies will therefore not only be effected by economic considerations. They will also be influenced by social bargaining and wage policy (as are different integrated community policies that are closely intertwined) and their developments. In particular, the Common Market and Foreign Economic Policies, monetary policy, the economic and monetary union (EMU), the sector policies (for instance, coal, steel and agriculture) and the different coordinated and/or partially integrated (social-, research and development, industrial, regional and structural policy) fields need to be taken into consideration (cf. Platzer 1997: 235). Not all of the norms in the European Union Treaty (Amsterdam) possess the same legal effect. Different provisions require dif-

ferent decision-making procedures. This eclectic character is reinforced by the fact, that policies are directed at and formulated on different levels and operate with different instruments.

European employment and labour market policy correlate more and more with their national counterparts. This is due to the increasing influence of EU funded employment (political) programs in the member states. The European employment and labour market policy has to however take into consideration the different political administrative conditions and socio-political traditions in each member-state, which inhibits the development of these policies. Consequently it is difficult to create, formulate and implement European employment and labour market policy, which is only possible under the condition of policy inter-linkage in the dynamic multi-level system of the EU. Macroeconomic governance remains the responsibility of member-states. The EU and European Commission's only effective instrument to develop policies seems to be the Structural Fund. Due to this the "constitutional political" dimension of this policy field is connected with the European employment and labour market policy's instrument of (re-) distribution. The European employment and labour market policy has a special status because of the financial political instrument of the Structural Fund.

The employment and labour market policies of member states primarily follow the logic of a social progress function and aim at integrating all members of society into the work force. The European employment and labour market policy however provides a kind of stabilising function by compensating for problematic developments that result from the integration process. Community law envisioned this complementarity's from the beginning and shaped the integration process of the European labour market and employment policy.

A further characteristic of European labour market and employment policy is the "*Policy-Mix*". This encompasses co-ordination measures and specific Community regulations, which do not affect national law (cf. Roth 1998: 91).

3. Implementation of European policies: Resources and Structures

3.1 Governance Possibilities and Deficits at Supra-national Level

During the development of the policy area various attempts have been undertaken to organize the labour market and employment policies by using national approaches as a guide. The EU developed a series of (mostly distributive) financial political instruments. It is necessary to distinguish between the aid programs in the coal and steel sector, common agricultural and tariff policies, the structural funds (especially the European Social Funds) and specific Community initiatives and social promotion programs.

The European Social Fund (ESF) deals with employment and human capital both in regions and in the whole EU. Since its establishment in 1957, the ESF has financed programs in partnership to enhanced workers qualifications. Those who receive particular benefit from this fund are those who face major difficulties, like finding and keeping their jobs. The most important consideration is to improve the workers employment skills and his/her ability to adapt to the workforce. In line with its founding ethos the ESF has traditionally supported many of the political goals that were later incorporated in the employment policy guidelines. The four pillars of the guidelines are actually clearly recognisable in the Fund's setting of priorities and many member-states have already taken up measures to incorporate ESF- support more adequately into their respective labour market policy. A connection with the European Employment Strategy was established in the new Structural Fund Regulations covering the years 2000-2006, particularly in areas relating to the ESF. With this new regulation the ESF should become the most important financial instrument of the employment strategy at Community level and will direct its enormous potential- in both the financial as well as the political sense- towards supporting the national action plans.

The new ESF regulation for the period of 2000-2006 sets out five areas of intervention for the ESF, that are consistent with the four pillars of the employment guideline:

- Develop active policies to combat unemployment, to prevent long term unemployment, to help the long-term unemployed back into the job market, and to provide support for those entering job market-either young people starting work for the first time, or those returning to work.
- Promote social inclusion and equality of opportunity for everyone to access work.
- Develop education and training as part of a policy of life-long learning to enhance and sustain employability, mobility, and integration into the labour market.
- Promote a skilled trained and adaptable workforce, foster innovation and adaptability in work organisation support, entrepreneurial spirit and employment creation and boost human potential in research, science and technology.
- Improve the participation of women in the labour market including their career development their access to new job opportunities and to entrepreneurship and to reduce vertical and horizontal segregation in the labour market.

The most important employment and labour market policy programs launched by the EU are: the community initiatives "Employment and Creation of Human Capital", the community initiatives ADAPT, aimed at enabling employees threatened by industrial change, to adapt to new working procedures and methods; RECHARII which supports the education and employment of miners, and their new professional orientation; The action program LEONARDO which supports and promotes the quality and innovative ability in the area of education.

European Social Fund measures are implemented in the framework of the so-called program planning or through Community initiatives. 47 Billion ECU were made available in the planning period 1994-1999. Community initiatives like ADAPT allow the European Commission to independently formulate a supranational employment and labour market policy. The measures to be implemented must correspond to the support principles of trans-nationality, innovation and complementarity's, display a multiplying effect and have to be carried out according to the Bottom-Up principle. These support criteria narrow

valid provisions relating the Social Funds. Community initiatives, however make the enhancement of aspects and new target groups possible. Considerable problems can arise during the implementation process of the European Social Funds. These problems can be traced back to the complex system of goals, support criteria and actor networks. The European Commission has only shown passing interest in reducing this problems. This complexity creates an opaqueness and gives the commission considerable autonomous room for manoeuvre during the implementation process, in comparison to the constitutional-political questions of European social policy.

The political bargaining of member states with the Commission influence the type of support measure. The Commission has the final power to interpret, evaluate and formulate policy. To get support funds, member states are actually forced to yield and make concessions. The applicants compete for the support money, but are not however assessed by the expected success of the employment-policy measures. Rather their compliance with the support directives of the EU is the crucial selection criterion. The establishment of so-called planning committees on the regional as well as on a trans-regional level, represents merely a gradual opening-up of the exclusive European policy networks (limited to the policy implementation phase) (cf Cooke 1996). The introduction of neo-corporative structures (through the establishment of the partnership principal, that was supposed to increase the efficiency and legitimacy of the structure policy by institutionalising the participation of interest groups) could not decrease the European Commission's influence on policy implementation. Its influence is proportional to the relative importance of the European support measures compared to the national structural policy budgets (cf. Marks 1996: 333). The Fund's resources are coupled to national instruments. An implementation system is created for every support program, that contains elements of national policy implementation on the one hand and the Structure Fund logistics on the other. This results in different implementation processes in the member-states (cf. Heinel 1996b). Therefore it is to be expected that the conformity of implemented EU employment and labour market programs will vary. The variance is particularly apparent when the material implementation of the programme is examined – not just the member states' conformity to the stated goals of the program.

Two factors indicate a high degree of intervention intensity and programming in the European employment and labour market policy: the degree of enactment measures and decision making processes in the programs promoted by the EU (in particular by the Commission) and the room for manoeuvre for addressees and those implementing the measures. This is evidenced by the opportunity to govern policy, an authority the EU grants itself through its programs. Measures that the Union may undertake are clearly defined in the objectives of the structure fund and in particular in the European structure fund. Community initiatives and budgets are also clearly spelled out. However, the high degree of fragmentation in the policy field network in the policy making process indicates problems in the governance of the EU. These problems are caused by the move between the different levels and the different institutional arrangements in the implementation phases. During this phases of the policy cycle the governing abilities shift from European to national level. The Commission, that dominates the political negotiation process right through to the policy formulation phase, loses its ability to act.

The targets of the Structural Fund support are tightly related, as they are with other national and supranational strategies of governance. During policy making, moreover, levels and participants acting on the various levels interact in a process which is hardly transparent for its participants. These factors give rise to the danger of multi-dimensional policy interconnection, in which actors, levels, objectives and the policies developed to reach these objectives overlap, causing sub-optimal strategies of governance (cf. Roth 1999; Hannowsky 1998).

During the Structural Fund's implementation phase, the Commission sought the expertise of regional actors. The establishment of planning committees at the trans-regional level shows also how the introduction of the partnership principle and the territorial employment pacts, have led to an opening up of the exclusive European policy network in the implementation phase. Thus, the regions can influence the implementation of projects. To a somewhat lesser extent then they are able to influence the formulation of policy (cf. Marks 1996: 328). This is even more visible the higher the degree of autonomy (for example, the institutional particularities of the state) the affected regions enjoys inside the respective state. The inclusion of regions in European policy processes seems to correspond with the objectives of a subsidiary

European labour market and employment policy. It conflicts with national constitutional norms and values.

Governance problems and implementation deficiencies in employment-political measures can however teach national and supranational actors important lessons. If European employment and labour market policy is to reveal a governing effect, (for example by promoting measures of member states which meet certain criteria) then it could lead to the incorrect allocation of resources, because it does not adequately take into consideration individual requirements and regional peculiarities. This could result in programs and projects being designed with the sole goal of attracting subsidies of the Community. This would lead inevitably to sub-optimal governance on the local level.

In reaction to the above mentioned restrictions on political control, a new conceptual approach has come into existence on the EU level in the last few years. It is known under the name "Territorial Employment Pact". This approach is a decentralised, local approach as a reaction to the above mentioned implementation problems and sub optimal results at local level (cf. Evers 1998). It also reflects the underlying intention of the EU: to use the instruments of the Structural Funds much more strongly than previously to create jobs (cf. Ziegler 1997b: 617).

Assessing the Commission's opportunities to govern European employment and labour market policy and its direct influence on the national labour markets one is confronted with a somewhat ambivalent picture (cf. Roth 1999: 223f.)

- The European Commission is denied a direct influence on the macro-political governance of the European labour market owing to the reluctance of the member-states to sacrifice their sovereignty. Employment and labour market policy is regarded to be part of the coordinating area of Community action.
- Through the Structural Funds, the Commission has considerable re-distributive instruments of policy control in the European employment and labour market policy at its disposal, which it can use strategically, in the process of agenda-setting and policy formulation. During the implementation of programs and projects by regional and local actors the Commission's room for manoeuvre de-

creases resulting in unintended effects and governing restrictions (that can also be traced back to the different implementation system in the member state).

3.2 Different National Implementation Systems

The different systems of national labour markets is one main factor that explains the variance in national implementation system. The labour administrations in West European states are characterised by significant divergence. One can distinguish among:

- a centralised and integrated organisation (especially in Germany and Austria)
- a centralised and fragmented organisation (in France for instance)
- a decentralised organisation (in the Netherlands, UK, Denmark)

The following figure provides information about the organisation of labour market policy in three of four country examples in our research project.

**Figure 5:
The Organization of Labour Market Policy (Höcker 1998: 210f)**

Country	Germany	Netherlands	Great Britain
<i>Organization</i>	<i>centralized integrated</i>	<i>decentralized</i>	<i>decentralized</i>
Labour market authority (active)	BA	CBA RBA	TEED ES (TECs)
Labour Market authority (passive)	BA	Employment Board	ES
<i>Personal Structure</i>	<i>1993</i>	<i>1991</i>	<i>1992</i>
Total	78,018	15,000	37,349
For active labour market policy	49,627	6,000	
For passive labour market policy	28,392	9,000	
Labour force per employee	497	476	752
Unemployed persons per employee	38	32	75
Participants per employee	26	14	15
Labour force per employee (active LMP)	782	1,189	
Unemployed persons per employee (active LMP)	60	80	
Participants per employee (active LMP)	41	35	
<i>Cover ratio of unemployment insurance 1990 (%)</i>	63.24	40.1	
<i>Financing of active labour market policy</i>	Tax; Contributions	Tax	Tax; General Social insurance contributions
<i>Total spending on labour market pol-</i>	<i>1993</i> 4.19	<i>1992</i> 3.36	<i>1993/94</i> 1.75

<i>icy in % of GDP</i>			
<i>... on active labour market policy</i>	1.58	1.14	0.52
<i>... on passive labour market policy</i>	2.6	2.22	1.23

Considering the current debate concerning “best practices” and “model states” (cf. Heinze/ Schmid/ Strünck 1999), one is tempted to attribute great innovative capability and problem-solution capacity to the latter group. In any case, such a hypothesis possesses a certain plausibility.

The implementation systems in all member states consist of two further key components: (1) general political-administrative structures; (2) the system of industrial relations (cf. Schmid/ Roth 2000).

Ad 1) In a first analytical step, the general political-administrative framework can be described as a dichotomy of unitarism vs. federalism. Our hypothesis postulates that federal systems are better suited to adapt to new governance strategies, since they are familiar with complicated negotiation and self-organizational processes. State and non-state institutions possess the corresponding organizational infrastructure. Some empirical evidence exists, that shows the “German Länder’s” ability to bypass the nation-state and that they made use of it (cf. Blancke/Schmid 1998; Heinz/Schmid 1994; Keating/Hooghe 1996).

During the Structural Funds’ implementation phase, the European Commission sought to use the expertise of regional actors. The setting up of planning committees on a regional and supraregional level is just one indicator. Moreover, the introduction of the partnership principle and the territorial employment pacts, led to an institutionalized participation of interest groups and thereby to greater openness of the European policy-network. Thus, regions can influence the implementation of projects. To a somewhat lesser degree, they are able to influence policy formulation. The higher the degree of autonomy the affected regions enjoy – for instance the institutional particularities of the federal state - the greater their influence. The increasing inclusion of regions in European policy processes seems to correspond with the objective of a subsidiary European labor market and employment policy. However, it conflicts with national constitutional norms and values.

Ad 2) In a similar manner industrial relations can be placed on a continuum between corporatism and pluralism. Our reflections start with the assumption, that an intended relationship exists between preferred governance strategies and interest-mediation in member states. The assumption is based on the hypothesis that particular characteristics of a political system influence the preferred governance strategies (Peters et al. (1977). For instance, corporatist states tend to prefer regulative or distributive governance strategies due to the need for a high degree of cooperation and willingness to compromise. Pluralistic states, on the other hand, prefer re-distributive solutions.

Our hypothesis posits that the inclusion of societal actors, especially unions and industrial federations/federations of industry, as partners would improve the quality of decentralized governance (cf. Pekkarinen/ Pohjola/ Rowthorn 1992; for an overview, see also Höppner 1997). At the very least some compatibility problems exist between the EU's governance strategy and national systems of industrial relations. This should become particularly obvious in the case of Britain. However, as we have said previously we are currently only generating hypothesis which require empirical testing.

Table 6:
Regimes of implementation in selected EU states

Member state/ Component of Regimes of Implementation	Germany	United Kingdom	Austria	Netherlands
Political-Administrative System	Federalism	Unitarism	Federalism	Unitarism
Industrial Relations	Corporatism	Pluralism	Corporatism	Corporatism
Organization of Labor Administration	Centralization Integration	Decentralization	Centralization + Integration	Decentralization

4. Research Hypotheses and Conclusions

The aim of this article was to present some theoretical-conceptual basics of our research project. The second part was concerned with the evolution of the European employment and labour market policy and discussed the potential of governance in this field. In

conclusion some hypotheses were specified and illustrated, especially regarding the aspect of implementation.

It is important to remember that the EU's uniform governance of employment and labour market policy contrasts with different national structures in this policy field. This does not only lead to the well-known problems of finding consensus in the European decision-making process. It also leads to considerable problems when the states try to implement the programs and leads to differences between the various states once the programs have been implemented (this is the primary object of the project "Governance of Complexity"). According to our hypothesis differently structured policy networks within the member states are responsible for this. On a vertical perspective these networks include the intertwined policy institutions. On a horizontal view they include the respective established relations of state and associations. The reconstruction of the implementation structures and the comparison of governance results (in the sense of policy outputs with respect to other countries and the general European program) are not the only aspects we want to investigate. We also want to examine the effects of feedback and learning processes, which result from the tension between integration and variation in the policy field.

Three final hypothesis can be generated in respect to reconstruction Implementation networks:

1. *European Employment and labour market policy is a fragmented policy field with diffused structures and a re-active orientated policy style.*

The high degree of fragmentation of the policy field networks in the policy making phase, indicates governance problems in the EU. They are caused by the switching between levels and institutional arrangements during the implementation phase. During this phase of the policy cycle, the capacity to govern shifts from the European to the national level. The European Commission that dominates the political negotiation process up until the policy formulation phase, loses its potential to act. The objectives of the Structural Funds are as tightly woven together as occurs in other national and supranational governance strategies. In addition levels and their participants interact during this policy making phase in a complex web, which is hardly transparent for its participants. These aspects illustrate the danger of multi-dimensional policy interconnection traps (cf. Scharpf 1992, 1988, 1985),

in which actors, levels and targets and policies developed to achieve them overlap with each other in a various ways leading to sub-optimal governance strategies.

2. In federally structured EU-states, the regions and countries do have more influence on policy governance during the policy implementation phase, than sub-national units in unitary structured member states.

During the implementation phase of the Structural Fund, the European Commission sought to use the expertise of regional actors. The establishment of planning committees on a regional and trans regional level is just one indicator. Moreover, the introduction of the partnership principle and the territorial employment pacts, led to an institutionalised participation of interest groups and thereby to greater openness of the exclusive European policy network. Thus, regions can influence the implementation of projects. To a somewhat lesser extent they are capable of exerting an influence on policy formulation. The higher the degree of autonomy the affected region enjoys - for instance the institutional peculiarities of the federal state- the greater their influence. The greater the inclusion of regions in European policy making processes seems to correspond to the objectives of a subsidiary European employment policy. However it conflicts with national constitutional norms and values.

3. Close relationships exist between the preferred strategies of governance and structures to impart interests within member states. Corporatist states have access to more system resources than pluralistic states, however the pluralistic states possess a greater tendency to innovate.

Certain characteristics of a political system influence the strategy the state uses to govern. For instance corporatist countries tend to have regulative or distributive policy strategies because of a need for the actors to cooperate and compromise, while pluralistic countries prefer a more redistributive solution. The type of employment programs chosen by member states can illustrate the accuracy of this hypothesis.

Regarding the consequences in view of the ability to govern in the field of employment policy, one can derive the following conclusions:

1. The Complementarity's of European and national labour market and employment policy makes intervention in na-

tional labour markets possible. With respect to the Structural Fund there are already numerous measures that can be used to develop a comprehensive employment and labour market policy. Because of the financial political instrument of the structural fund, the European employment and labour market policy possesses incomparable quality. The complementarity's of this policy field with its national counterparts was envisioned by community law and shaped the integration process of European labour markets and employment policy. The European labour market and employment policy is characterized by a policy mix. That contains specific community rules (apart from the coordination measures), which leaves the national social law in the main part untouched. Employment policies interact with the different national levels, which leads to an increasing interconnection of sovereignty. The European and national employment policies thereby create a complex double structure of governance that is supported supranationally and nationally.

2. Problems that arise during the implementation of policies can result in governance problems (for example: resources may be incorrectly allocated by supporting measures of member states that correspond with certain criteria). Problems occur because individual needs and circumstances are not taken into consideration. This could result in programs being designed with the sole purpose of attracting Community funding. Consequently this would lead to sub-optimal governance on a local level. A new conceptual approach was established at EU level owing to the governing restrictions mentioned above. This concept became known under the name 'Territorial Employment Pact'. It is a decentralised, local approach in reaction the above mentioned implementation problems and sub-optimal outcomes on local level. On the other hand the underlying concept reflects the intention of the EU to generally use the instruments of the European structure funds more than previously to create jobs.

Finally it has to be said that no model exists that could serve as a blueprint for EU political strategies or could describe general trends in national developments. More positively, or rather more optimisti-

cally, one can postulate in conclusion, that the Common Market complexity and the degree to which regimes of implementation vary, which have been examined, should be sufficient to manage the complexity of the labour market and employment policy in the European dynamic multi-level system. At least there is the possibility to learn from the variety of national models through communication, feedback mechanisms and benchmarking procedures (cf. Cox/ Schmid 1999). The success of labour market and employment policies and soft forms of government depends to a large extent on the regime of implementation. The regimes of implementation create political and organisational frameworks, which can be motors of innovation or blocking mechanisms. This is of course a theoretical and empirical grey-zone. In view of the complexity of the established dynamic multi-level system of the EU in general and labour and employment policy in particular, considerable differences in policy and uncoordinated implementation are to be reckoned with.

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