



HAL
open science

Europeanization through its instrumentation

Isabelle Bruno, Sophie Jacquot, Lou Mandin

► **To cite this version:**

Isabelle Bruno, Sophie Jacquot, Lou Mandin. Europeanization through its instrumentation. *Journal of European Public Policy*, 2006, 13 (4), pp.519 - 536. 10.1080/13501760600693895 . hal-01301022

HAL Id: hal-01301022

<https://sciencespo.hal.science/hal-01301022v1>

Submitted on 11 Apr 2016

HAL is a multi-disciplinary open access archive for the deposit and dissemination of scientific research documents, whether they are published or not. The documents may come from teaching and research institutions in France or abroad, or from public or private research centers.

L'archive ouverte pluridisciplinaire **HAL**, est destinée au dépôt et à la diffusion de documents scientifiques de niveau recherche, publiés ou non, émanant des établissements d'enseignement et de recherche français ou étrangers, des laboratoires publics ou privés.

Europeanization through its instrumentation: benchmarking, mainstreaming and the open method of co-ordination . . . toolbox or Pandora's box?

Isabelle Bruno, Sophie Jacquot and Lou Mandin

ABSTRACT Understanding Europeanization through its instrumentation raises the issue of the supposed neutrality of policy tools used as soft modes of action. The aim of this article is to assess how this 'new governance' tends to guide policy-making on a specific path. Indeed, European construction cannot be restricted to the direct impact of Community law or to the indirect effects of economic integration. A new form of non-constraining co-ordination has been developing since the mid-1990s. In order to explain how the cognitive mechanisms of Europeanization work, we open the 'toolboxes' that allow European institutions to have an effect on national representations and practices. The use of benchmarking for building the European Research Area, the elaboration of gender equality policy according to the principle of mainstreaming, and the open method of co-ordination (OMC) in the field of pension reforms, illustrate how such policy instruments lead national governments to meet the competitiveness requirements of the Lisbon strategy.

KEY WORDS Benchmarking; competitiveness; Europeanization; gender mainstreaming; open method of co-ordination; policy instruments.

INTRODUCTION

To grasp 'Europeanization' by analysing its instrumentation implies questioning the assumed political neutrality of the instruments used as 'new' soft modes of governance. After the completion of the Single Market, the European Community entered the era of economic and monetary union (EMU) at the Maastricht summit in 1992. New fields of competencies were then opened to the action of European institutions, but without any new transfer of state powers. Indeed, the dynamic of European integration is no longer solely governed by the traditional Community method. If the harmonization of the Common Market was built on an intergovernmental consensus which authorizes a legal order beyond the state, the making of a supranational economic and social regulation system comes up against the principle of subsidiarity. This principle limits the field of Community competences to the functioning of the market. Consequently, the European

construction is no longer built solely through supranational standardization of regulations, but also through the integration effects of the 'new modes of governance' (Lebessis and Paterson 2000; European Commission 2001). While the institutions of the Single Market have been clearly set out in the Treaties and in supranational law, the mechanisms of European policy-making have since evolved in order to frame a 'business-friendly environment' – social and regulatory conditions favourable to competitive economic activities.

Despite the great diversity of the theoretical models seeking to delimit and define the complex nature of these 'new modes of governance', we can single out some distinctive features. The 'new governance' models insist on the non-coercive processes based on the will of the participants to agree, by way of collective deliberation, on procedural norms, modes of regulation and common political objectives and, at the same time, to preserve the diversity of national and even local experiences. One should also emphasize the cognitive dimension of this kind of intergovernmental co-ordination, which operates through knowledge-sharing, mutual learning or exchange of 'good practices' (Jacobsson 2001: 11–14; Telo 2001: 2). This diversification is usually explained as a pragmatic adaptation of the Community method to the public problems with which European decision-makers are faced (Scott and Trubek 2002: 6–8). A consequence of this process is that the political co-operation at the European level, intended to collectively solve questions related to the Single Market environment, can no longer function according to the logic of the smallest common denominator – usually at work in classic international negotiations. It calls for a deliberative and decisional framework that is more flexible and voluntarist than the vertical control of 'old-style governance (regulatory, top-down, uniform)' (Eberlein and Kerwer 2002).

This article will illustrate and put into context these processes of intergovernmental co-ordination with three examples: the disciplinary device of benchmarking in the European Research Area (ERA), the development of gender equality policies according to the principle of mainstreaming, and the open method of co-ordination (OMC) in the implementation of national pension reform. We will study how the European institutions use these 'technologies of performance' (Haahr 2004: 218–20) in order to discipline political deliberation among member states. We will focus on the emergence of these techniques in the 1990s and on their progressive formalization, which do not direct by force the Europeanization path, but control it by managing national competitive performances.

1. UNDERSTANDING 'EUROPEANIZATION' THROUGH ITS 'INSTRUMENTATION': CONCEPTUAL FRAMEWORK

The meaning of 'new modes of political co-ordination' at the European level, set out in the literature, can be explained by the concept of 'Europeanization'. This last notion may be understood in a relatively broad manner, as

processes of (a) construction (b) diffusion and (c) institutionalization of formal and informal rules, procedures, policy paradigms, styles, 'ways of

doing things' and shared beliefs and norms, which are first defined and consolidated in the making of EU public policy and politics, and then incorporated in the logic of domestic discourses, identities, political structures and public policies.

(Radaelli 2001: 110)

Working on the assumption that the concept of 'Europeanization' refers to a dynamic process, we consider that it extends beyond the outgrowth of European integration, only studied in terms of convergence or divergence. Rather than examining the impact of Europeanization on national policy-making (Cowles *et al.* 2001), this article sheds light on the political action which *informs* this process, devises its frame and content. More precisely, we focus here on what Claudio Radaelli calls the 'horizontal mechanisms' of Europeanization, 'where there is no pressure to conform to EU policy models' (Radaelli 2001: 124). On the basis of this concept, grasping the first phase of the process of Europeanization implies paying specific attention to cognitive and normative inputs, i.e. the 'framing mechanisms' (Radaelli 2001: 126). Figuring out the 'cognitive convergence' requires understanding how European institutions implement this convergence, and hence questioning the way they choose adequate instruments.

By and large, the leverage of European institutions outside the Single Market consists more in devising the proper tools, and less in negotiating an inter-governmental compromise, so as to achieve a consensus on strategic goals set in Lisbon. This cognitive form of intervention, which does not exert sovereign power to enforce rules, brings to the fore the key instruments needed for elaborating, selecting and channelling substantive ideas of Europeanization. In order to examine how European institutions pull the strings of these 'horizontal mechanisms', we propose to open the 'toolboxes' used to give form to political representations and practice as a disciplinary means to direct Europeanization. Following the approach developed by Pierre Lascoumes, the question of Europeanization is then dealt with in terms of 'instrumentation'. This concept refers 'to all the issues raised by the choice and the use of tools (techniques, operational means, devices) which allow us to materialise and operationalise governmental action' (Lascoumes 2003: 388). From this point of view, benchmarking, mainstreaming and the OMC constitute the specific instrumentation of co-operation among member states. If one aims at explaining how 'soft law governance' manages to have an effect on the shape and matter of the Europeanization phenomenon, the effectiveness of its toolbox should not be taken for granted. Above all, one should tackle the question of methods and study these modes of action at play. The hypothesis assumed is that their action is actually political.¹

Through our three case studies, we seek to reveal the belief system and 'representations of the social world' (Bourdieu 2001: 187) which underlie these specific means of political action. Whereas their cognitive practices ('mutual learning', 'peer review', 'exchange of good practice', etc.) have already been emphasized, the normative implications that they induce are

generally overlooked, or even played down by the allegedly neutral and transparent nature of techniques. This article calls them into question by describing how the mechanisms of knowledge production and diffusion underlie the co-ordination of national actions at the European level, and thus prescribe norms of governmental conduct.

2. PUT INTO PERSPECTIVE: THE DEVELOPMENT OF THE INSTRUMENTS AT THE EUROPEAN LEVEL

Benchmarking is a specific technique of government in that it stems from the managerial field and was imported into the public sphere as a disciplinary device. This further explains why its introduction into the European system was mediated by the former Directorate-General (DG) III (Industry). On the other hand, the other two instruments, originating in the social field, were developed by the former DG V (Employment and Social Affairs). After their institutionalization under the aegis of the European Commission, the Lisbon Council represents the focal point which codifies and consolidates these three instruments with the objective of becoming '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' (European Council 2000).

Benchmarking national research policies: towards 'an internal knowledge market'

Although benchmarking originated in Taylor's scientific management, it is generally admitted that the Japanese *Kaizen* movement (Imai 1986) actually developed it in the 1950s. While the technique has spread in big US firms and has become a common instrument employed to strengthen competitiveness by comparison with best performers, benchmarking as an operational concept has been formalized by the management literature in such a way that it could be applied in all kinds of organizations. Its practical expansion and theoretical legitimization have thus provided new public management (NPM) with a powerful tool to increase a competitive spirit in the public sector, within national governments but also among states.

Like other administrative authorities (e.g. the Organization for Economic Co-operation and Development), the European Commission acted at first as a catalyst in promoting the use of benchmarking among firms. Since the end of the 1980s, DG III (Industry) has striven to initiate managers into benchmarking practices by organizing collective benchmarking activities. In line with the Commission's Communication *Benchmarking the Competitiveness of European Industry* (European Commission 1996), the Industry Council called on the Commission and the member states to carry out benchmarking pilot projects and to disseminate the methodology among enterprises as well as European institutions themselves. Likewise, the High Level Group on Benchmarking

proposed in 1999 expanding areas for benchmarking activities to all 'infrastructure conditions' for industry, such as public services and administrative procedures, skills creation and equal opportunities, tax, health or education systems, technical innovation and commercialization of research (High Level Group on Benchmarking 1999). It was finally the Portuguese Presidency which generalized this technique by introducing it to the European Council at the special Lisbon summit of March 2000. By urging the European Union (EU) to 'become the most competitive and dynamic knowledge-based economy in the world', the so-called 'Lisbon strategy' seeks to direct Europeanization towards a 'learning society' model whose cornerstone would be a European knowledge area. Insofar as Europe's transition to a knowledge-based economy is a common challenge, this goal emphasizes the need for a coherent restructuring of the intergovernmental research system.

The launching of the ERA should provide member states with a framework of voluntary co-ordination for 'strengthening, reorienting and opening up new perspectives' (European Commission 2002d). In order to support a policy-making approach appropriate to a competitive ERA, benchmarking appeared all the more relevant since it can catalyse the development of comparable science and technology (S&T) indicators, useful for monitoring national policy 'performances' and the achievement of the Lisbon agenda. Subsequently, the Research Council instructed the Commission and the member states to benchmark national research and technological development (RTD) policies in Europe with regard to human resources, public and private investment, scientific and technological productivity, as well as the impact on economic competitiveness and employment. Benchmarking has not been undertaken as part of the new OMC. This managerial technique of 'competitive collaboration', or 'co-opetition' (Mann *et al.* 1997), is conversely a leverage employed to carry into effect an operant OMC process. The role played by the Commission does not consist in elaborating uniform RTD policies, but rather in extending systematic mutual comparison based on the dissemination of commensurable benchmarks. This technology of performance addresses RTD policies at the European level to make them congruent with 'an internal knowledge market' (European Commission 2002a). Thus it may be argued that benchmarking prescribes the necessity of competitiveness by embedding the managerial rationality into co-operation among member states.

Mainstreaming and the fight against gender inequalities in all policy sectors

At the heart of the principle of gender mainstreaming is the idea that the elimination of inequalities and the promotion of equality between women and men must become an objective in all policies regardless of their domain of action. The aim of gender mainstreaming is to *integrate* a gender perspective into the political process and, as such, to reorient the

policies and to modify some of their objectives because of the negative consequences which these policies can produce on gender inequalities. Mainstreaming had been constitutionalized at the EU level with the signature of the Amsterdam Treaty in 1997 (Article 3.2 TEC). The idea of taking into account a gender perspective in all policies appeared for the first time in a Community document in 1990 (European Commission 1990). However, the Commission only implemented it six years later when the Commission decided to organize its gender equality policy around this principle following, notably, the fourth United Nations Women's Conference in September 1995. The Commissioners' college adopted a Communication called 'Incorporating Equal Opportunities for Women and Men into all Community Policies and Activities', which was a first step towards the instrumentation of the gender mainstreaming principle. This text mostly lists general objectives, but it would be followed by many methodological documents which aim at translating these objectives into practice.

In 1996, mainstreaming was one of the first experiences of cross-sectors or integrated instruments at the European level – a type of instrument that will be further developed in the years to follow, with the result that today it affects sectors such as health, consumer protection, the environment or anti-discrimination, as shown, for example, by articles III-1 to III-5. The aim is to multiply the bridges between public policies sectors (the idea of policy linkages). This approach was again reinforced after the Lisbon Council in 2000 during which an integrated European approach was promoted in order to attain renewed economic and social growth. Following this summit and the Lisbon perspective, the Commission's *Social Policy Agenda* quotes mainstreaming among the instruments necessary to the implementation of the objectives set by the heads of state and government.²

It is possible to isolate two arguments that led to the choice of this integrated principle in the field of equal opportunities – each argument borne by a different group of actors. Initially, the members of the Equal Opportunities Unit of the European Commission (DG V – Employment and Social Affairs) and the specialized consultants, who are part of the personnel of this Unit, imported the principle of gender mainstreaming from the development and aid sector in which it had originally been developed in the 1980s.

Secondly, from 1995 on, in an environment of sustained political attention,³ mainstreaming was institutionalized and twisted by a group of actors outside the equal opportunities sector. They imposed gender mainstreaming as the principal Community instrument in the fight against gender inequalities and included this new instrument in the framework of the 'new modes of governance'. Mainstreaming is a mode of public action based on flexibility, the absence of legal constraints, networking of actors, and the diffusion of knowledge and follow-up procedures. When choosing this particular instrument, the actors in the Commission intended to circumvent legislative and budgetary restrictions⁴ imposed by the member states after Maastricht.

The OMC and the reorientation of social policies

In March 2000, at the Lisbon summit, the European Council tried to give a new impetus to the development of Social Europe. The social dimension was, until this decision, a prerogative of the member states, according to the principle of subsidiarity. At the Lisbon summit, the Council took the decision to set the social protection issues on the European political agenda and the OMC was elaborated as the main instrument of this new political orientation.

The choice of a non-constraining instrument illustrates a political compromise, which took place at two levels: first, between the economically and socially oriented actors; second, between the member states and the European Commission. Indeed, EMU had reinforced the weight of the economically oriented actors (the Ecofin Council and DG or financial and industrial lobbies). This intrusion of the economically oriented actors in the field of social protection generated a reaction from the socially oriented actors (Employment and Social Affairs Council and DG or social partners). The interest of the economically oriented actors concerning the issue of pensions led to an awareness: without the development of the role of the socially oriented actors, a Social Europe would be limited to following the evolution of the Common Market (De la Porte and Pochet 2002). However, the agenda-setting of this issue was problematic, because it questioned the sovereignty of the member states and the principle of subsidiarity. Consequently, the proposition of a soft instrument of governance was a compromise that developed European action. It takes into account social protection issues without questioning the sovereignty of the member states in this policy field. Nevertheless, the process of formulation of this political orientation is still intergovernmental. The member states kept their autonomy and reaffirmed the principle of subsidiarity at the Nice summit. The Commission acts in an informal way, formulating political orientations through a process of consultation with the intergovernmental committees.

Several elements can explain the choice of the OMC as a new mode of action in the domain of social policies at the EU level. First, the increasing overlap of European and national policies in the monetary and budgetary fields diminished the possibility for action of the member states. Second, the adjustment of pension and healthcare policies became necessary because of ageing populations. Third, the enlargement involving the post-Communist states, where the level of social protection is often inferior, raised fears of a 'race to the bottom'. Beyond these socio-economic causes, left-wing governments were numerous in Europe during the second half of the 1990s, and they wanted to affirm their determination in the field of social policies. Under these conditions, the OMC appears as a 'defensive instrument' against the possible retrenchment of the European welfare states due to economic imperatives (Vandenbroucke 2000). The proposition of the OMC and its application in the field of pensions illustrates a new political orientation that aims at launching the elaboration of a European social model. The objective is to counterbalance the weight of the

economically oriented actors and to restore the balance between the economically and the socially oriented actors.

3. QUESTIONING THE NEUTRALITY OF THE INSTRUMENTS: BENCHMARKING, MAINSTREAMING AND THE OMC AT PLAY

Since benchmarking, mainstreaming and the OMC were implemented in the European arena, discourses on their normative neutrality, soft dimension, and pragmatic efficiency have had a far-reaching influence. Our comparative analysis tends to make the rhetoric of neutrality lose ground. These policy instruments do direct public action in the member states, and, consequently, orientate Europeanization. We will insist on the two common features of these practices: first, the systematic quantification of the political objectives; second, the framing of political norms and social representations.

The '3 per cent objective': the disciplinary power of benchmarking exercises

By importing benchmarking from business, the Lisbon strategy endeavours to conform the European administrative rationale to a 'quality' management style. Concerning research policies 'of the third type',⁵ the Commission has particularly targeted an increase in research and development (R&D) spending with the aim of approaching 3 per cent of gross domestic product (GDP) by 2010 (European Commission 2002c). Furthermore, the Barcelona European Council of March 2002 decided that the proportion financed by business should rise to two-thirds of that total. Unlike a reference point or even a target, the '3 per cent objective' has rather been set as a means of exerting inter-governmental competitive pressure in order to co-ordinate national policies by comparison and emulation. The '3 per cent' benchmark does not convey intrinsically a utilitarian rationale, but operates in support of the 'European innovation paradox'.⁶ Once the principle of deficient investments in R&D has been widely admitted, it functions as a symbolic instrument which points out the inconsistency between the Union's high level of scientific excellence and the defect in the economic valorization of research activities.

Benchmarking national RTD policies at the European level supposes a measurement system that translates them into commensurable indicators. So much so that a European statistical system resulted from the ERA project, that is 'a space of common measurement within which things are comparable thanks to identical categories and coding procedures' (Desrosières 2000: 17). Since 1994, the 'pluri-annual development programme of Community RTD statistics' has thus laid the foundation for a European framework both legal and voluntary, which was updated in 2001 so as to address issues related to Europe's investment in knowledge. Besides these statistical developments, benchmarking leads to the translation of S&T data into action-oriented indicators corresponding to the Lisbon strategy and meant for policy-makers.

What is actually at stake is not the effective convergence of national public policies, but coherent policy processes within a common framework, i.e. the ERA. To this end, the Council resolution of June 2000 called upon the Commission to set up a methodology and indicators for the benchmarking of national research policies in order to pave the way for implementing an 'open method of co-ordination' in the field of R&D. In collaboration with a High Level Group of representatives of the member states, the services of the Commission accordingly prepared a set of fifteen S&T indicators. However useful this work may seem as a basis for benchmarking the performance of the whole ERA, it is above all a contribution to an intergovernmental benchmarking through the dissemination of results targeted at a wide public audience.

The 'Key Figures' device, which operates at the planning stages of the ERA, is precisely conceived so as to induce policy-makers to undertake 'performance benchmarking' in such a systematic way that the OMC ensues as a result of member states' involvement in the management of European 'co-opetition'. On the one hand, it can help to overcome governments' reluctance by giving media coverage to this European project. On the other hand, 'Key Figures' speak for themselves. Beyond their informative function, they impart a 'graphic reason' (Goody 1979) to the ERA which is indeed made up of figures, tables and charts rather than qualitative analysis, 'good practices' or even policy guidelines.

In support of this 'cognitive equipment', trust in the '3 per cent' benchmark depends upon an 'institutional equipment' since the reliability of the ERA statistical information system and of the benchmarking technique is 'inextricably technical and social' (Conein and Thévenot 1997: 270). Benchmarks have been a matter for debate and negotiation within a High Level Group assisted by thematic expert groups (European Commission 2002b), and through 'benchmarking cycles'⁷ interconnecting government representatives, European officials, academics and statisticians. This operational work outlines feasible policy options to achieve the ERA objectives as well as parameters to measure progress. Beyond shared statistical information, the catchword of competitiveness becomes all the more operative since it is translated into performance indicators and pragmatic principles. So much so that in the wake of the first benchmarking cycle (European Commission 2003), the institutionalization of a complete OMC process directed towards the '3 per cent' benchmark was decided by the Competitiveness Council at the 2003 Spring summit.

Mainstreaming at work: standardizing women's employment rates in the framework of the European Employment Strategy

Since 1996, the instrumentation of mainstreaming has been at work in the Commission. This process has been implemented, notably, by the setting up of a network of Commission civil servants, the 'gender correspondents', responsible for the implementation of mainstreaming in their respective DGs. Gender impact assessment guides, good practices collections, general

or sector-specific methodologies, control lists, follow-up sheets, scoreboards for results and impact, formation programmes, etc., have thus been developed and diffused. Parallel to this set of tools aimed at implementing the instrument of mainstreaming, particular attention has been paid to data and figures, statistics and indicators. This commitment, made during the Beijing Conference, has been substantially reinforced by the initiatives of each presidency of the EU.⁸

However, this self-imposed obligation to produce and use gender segregated quantitative data and gender indicators has been made even more compelling since the insertion of mainstreaming in the European Employment Strategy (EES) – without, however, being more constraining. Since 1999, the member states, following the Commission recommendations, have to integrate gender equality within their employment policies and this dimension has to appear in the national action plans which translate the employment guidelines at the national level.⁹ In this framework, the indicators and statistics already developed are used as instruments for evaluation of the progress made concerning gender equality and employment. Moreover, in 2000 and 2002, the European Councils of Lisbon and Barcelona set precise objectives for 2010. The aim is ‘to increase the number of women in employment from an average of 51 per cent today to more than 60 per cent by 2010’ (European Council 2000). Also, ‘Member states should remove disincentives to female labour force participation and strive, taking into account the demand for childcare facilities and in line with national patterns of provision, to provide childcare by 2010 to at least 90 per cent of children between 3 years old and the mandatory school age and at least 33 per cent of children under 3 years of age’ (European Council 2002).

The process initiated in Luxembourg represents the paroxysm of a ‘government by numbers’ reinforcing a conception of mainstreaming as a mode of public action essentially based on cognitive mechanisms. In the framework of the objective of reforming employment policy in order to increase the supply of women in the labour force, the quantitative data have two main roles. First, the data set out common objectives, ‘targets’, and also evaluation tools – the aim is to act on political objectives and practices. Second, they also serve to make apparent and immediately comprehensible the inequalities caused by policies considered to be gender neutral – the aim is to act on representations. In this last perspective, the main objective of mainstreaming is to bring to light the differentiated impacts of employment policies and gender inequalities on the labour market and to allow them to be acknowledged by decision-makers. Thus, gender mainstreaming as a public action instrument corresponds almost exactly to what Kerstin Jacobsson has defined as a mechanism of ‘governance by standardization of knowledge’ (Jacobsson 2001: 11). She underlines both the political will to build ‘objective’ and comparable data at the European level so as to standardize political objectives, as well as the imprecise and vague feature of the mainstreaming recommendation, which has been extensively commented on (see Mazey 2001; Beveridge *et al.* 2000).

The OMC: the instrument of a soft harmonization of pension policies

The OMC is not entirely different from the classic European method of governance; it is rather a kind of 'mimesis' (Dehousse 2001). The use of indicators, benchmarking and peer review are all references arising from the EMU process. Nevertheless, as in the Luxembourg process, European orientations are not constraining. The objective in the long run is to elaborate a 'new architecture' of social protection in Europe, which would respect the diversity of the different systems but would introduce two imperatives: a high level of social protection and the financial sustainability of the systems of social protection (Esping-Andersen 2002).

The first diagnosis was based on a report realized by the Economic Policy Committee in 2000 (Economic Policy Committee 2000). It demonstrated that public spending on pensions would represent between 3 and 5 per cent more of GDP in 2050, and would threaten monetary stability if national governments did not reform public pension systems. At the Lisbon summit, the Economic Policy Committee and the Social Protection Committee were charged with producing a report, assessing the situation on pension reforms in the member states (Economic Policy Committee and Social Policy Committee 2001). On the basis of this report, three main common goals have been defined. First, the Commission recommends respecting strict budgetary orientations and reducing increases in public spending. Second, the Council underlines the necessity of raising employment rates. At the Lisbon summit, a quantitative objective was set: a global employment rate of 70 per cent for men and 60 per cent for women in 2010. At the Stockholm summit, a few months later, the Council fixed another objective specific to older workers: a rise in the activity rate of 50 per cent for workers between the ages of 55 and 65 until 2010. The third objective is to adapt the pension systems to demographic, economic and societal changes, by taking into account the new forms of employment (flexibility, insecurity, periods of unemployment) and by guaranteeing intra- and inter-generational equity.

Even though these new orientations are not constraining because each member state remains autonomous in its process of reform, they may have an impact on the representation of the problem and its possible consequences. As such, it would lead to a cognitive harmonization of pension reforms in Europe and to a common orientation of social policies in Europe (Mandin and Palier 2004).

4. DISCIPLINING THE EUROPEANIZATION PROCESS: THE INSTRUMENTATION OF THE SO-CALLED 'NEW MODES OF GOVERNANCE'

Even though these case studies highlight the obvious 'softness' of the 'new modes of governance' in contrast to the legal Community method, each one focuses on a specific feature of the Europeanization process. Whereas

benchmarking national research policies works through the use of statistical figures denoting performances, the 'malleability' of mainstreaming (Jacquot 2003), as well as the subordination of the OMC to the Broad Economic Policy Guidelines (BEPG), emphasize how policy instrumentation stems from political strategy. However dissimilar these tools may seem in practice, they are moved by the same 'management spirit' (Ogien 1995).

From integration by law to Europeanization by figures

Discerning the political scope of benchmarking implies looking into the social representations underlying this management technique. However indistinct these operative principles may seem in practice, they are observable where benchmarks are produced, before figures become unquestionable black boxes. Since the eighteenth century, 'the history of statistical reason' (Desrosières 2000) has been surrounded by scientific and political controversies. The development of statistics as a government technology has shed light on the political power at stake. Beyond the collection, classification and interpretation of quantitative data, a system of statistical information not only involves expert knowledge and technical know-how, but also includes social or economic ideas about the polity. Thus descriptive and prescriptive activities overlap in such a way that only the utilitarian function of figures appears once disseminated.

Benchmarks are conceptual tools which shape the Europeanization process through the force of positive abstractions, such as the operative '3 per cent' coupled with the 'European paradox'. Unlike the functional approach to benchmarking as an ordinary method of evaluation (Monnier and Pitarelli 2000) or a 'policy learning tool' (Lundvall and Tomlinson 2002), decoding its *modus operandi* entails understanding how this managerial technique converts political issues into target figures. By working on assumptions such as the injunction of competitiveness, it translates questionable premises into sound facts, such as the '3 per cent' target. In addition, the requirement of a competitive ERA implies an intergovernmental 'co-opetition' corresponding to the OMC design, managed at the European level. Therefore, this case study illustrates how DG Research and Eurostat have extended the scope of their powers without being legally competent. Rather than acting by law and through coercive means, they operate on the basis of a management-by-objectives device, which activates the competitive discipline. A process of Europeanization by figures seems to replace Community integration through law, which has until now implied that sovereign power should be assigned to the supranational institutions. Through 'the language of quantification' (Porter 1995), benchmarking aims at reconciling national conflicting interests, to the extent that the medium of benchmarks may enable governments to come to an agreement about 'commensurable' expectations. What is at stake is not the achievement of '3 per cent' as an actual performance, but convergence on the same political goal.

From instrumentation to twisted political ends

If mainstreaming is based on quantitative indicators, this instrument also works through the twist of a toolbox which has used gender equality as a legitimizing principle. The gender mainstreaming principle has been adjusted to the competitiveness imperative, and this proved all the more easy in that the original principle was ambiguous and malleable. The word mainstreaming itself is subject to several interpretations. The term covers multiple meanings and contents, which have been used to conform Community gender policies to the competitiveness principle at work in European employment policies.

Gender mainstreaming is subordinated to the economic orientations of the EES and it is twisted in order to reinforce employment 'activation' policies. Indeed, the main objective of the process initiated at the Luxembourg summit is to raise the employment level, and to raise and improve workforce supply. Within this logic, 'the first concern, from the point of view [of the EES] is to increase women's employment rate' (Behning and Serrano Pascual 2002: 12).¹⁰ Consequently, mainstreaming has been forced to adapt to the priority agenda of the EES and has thus been used as 'a means of achieving quantitative targets in the employment sphere' (Rubery 2002: 16). In all the member states, the fields in which the gender dimension has really been taken into account related to the promotion of the development of the labour force (facilitation of access to the labour market, development of care structures, more neutral fiscal policies, programmes in favour of women entrepreneurs, etc.). Other themes, like the pay gap between women and men¹¹ or flexible time management, are almost never dealt with.

Lastly, while the mainstreaming principle has been clearly defined and consolidated in a management sense at the European level within the EES, this principle is not always operative at the national level. Following almost exactly Claudio Radaelli's two-phase sequencing process, gender mainstreaming impacts on the first phase of the Europeanization processes and is clearly less tangible in the second phase. The studies undertaken by the group of experts on gender and employment show that it is not possible to speak of convergence at the level of the fifteen member states. Gender mainstreaming is then less Europeanized as an instrument for reducing gender inequalities than as a means for promoting the development of the labour force and its flexibility. The twisted usage has become dominant.

From the harmonization of orientations to the normalization of 'good' policies

The elaboration of the OMC illustrates a political and an institutional compromise. Indeed, the field of pensions, like all the policy fields of social protection, is regulated by the principle of subsidiarity. But since the 1990s, the Commission has taken some initiatives, in the name of the liberalization of services and capital, in order to propose a directive concerning the liberalization of

management and investment for pension funds. This revealed a spillover effect, which gave the Commission the possibility of acting in a field that was not originally accessible. The Commission has extended its capacity to intervene, by reference to the construction of the Common Market. The economically oriented actors, whose power was reinforced by EMU, took charge of the agenda-setting of this issue. It led nevertheless to an awareness process for the socially oriented actors: without development of their role, Social Europe will be limited to the side-effects of the elaboration of the Common Market. The proposition of the OMC comes from the political desire to restore the 'political balance' between the economic and the social actors. However, economic actors are still the more powerful: they have managed to include the results of the OMC in the BEPG, and in 2002 they made several recommendations, especially for the countries whose public deficits exceeded the benchmark of 3 per cent elaborated at Maastricht. It is conceivable that the OMC has enlarged the prospects of action for economic actors in the field of social policies.

The OMC illustrates what a 'good' pensions policy should be: first, by proposing some orientations; second, by identifying good practices, which tends to classify the member states, and to define which are the 'good' ones, the Nordic countries, or the 'bad' ones, in particular the southern countries (Spain, Greece, Italy) and the Continental countries (France, Germany). Through the OMC, the EU delimits *what should be done*, and defines *what should be a good pension reform policy*. Two main orientations are promoted: developing active ageing policies for older workers, and increasing the proportion of pension funds in order to preserve the financial sustainability of public pension schemes. Through the OMC, the EU is a new common forum for debate, and contributes to the development of a common conception of problems and solutions, which, in turn, introduces a new mode of harmonization which is not institutional and constraining, but cognitive and normative. A new conception of pension policy tends to emerge: it limits the augmentation of public expenditure in order to contain the public deficit, it links social protection systems to work (active ageing policies and work pay strategies), and it engages a movement of liberalization of pension schemes. Formalized in the OMC, the cognitive and normative harmonization of national policies thus disciplines the processes of Europeanization, by regulating governmental policy-making in a conceptual and pragmatic way, which conforms to the 'management spirit'.

CONCLUSION

This article shows that the process of Europeanization is not limited to the direct impact of legislation or to spillover effects. Another mode of governance has been developing over several years, in a pragmatic way and in a non-binding form. This new form of governance operates through the institution of a process of co-ordination between the member states, which allows

them to elaborate a consensus on a common path that will then be implemented at the national level in different policy fields (i.e. research, employment, pensions, social inclusion, long-term care, etc.). This form of governance is characterized by cognitive and normative modalities. The main purpose is to create a Europeanization of problems, a comparison of situations in all the countries, allowing for the sharing of some common representations, opening the way to a common perception of problems, and enlarging the choice of possible responses, thanks to the exchange of 'good practices'.

Mainstreaming, benchmarking and the OMC illustrate the implementation of this new kind of governmentality. Through the norms that they propose, these instruments orient public action, at the European and the national levels, towards a common finality: 'a competitive Europe'. Consequently, elaborating a new toolbox for Europeanizing public policies not only uses functional tools. Above all, it implies a comprehensive political technology, so to say a certain governing vision and know-how. In that respect, we should remember that Pandora's box did not only contain evils. According to Hesiod, there was also hope within the box, but Epimetheus closed it so hastily that hope remained shut up inside. As a result, mankind has to rely on knowledge and technique to remedy natural evils . . . and solve public problems. In this perspective, this article has tried to shed light on benchmarking, gender mainstreaming and the OMC so as to half-open the black boxes of Europeanization processes.

Biographical notes: Isabelle Bruno is a PhD candidate at Sciences Po, Paris (CERI) and Social Sciences Lecturer at the University of Jules Verne, Picardie. Sophie Jacquot is a PhD candidate at Sciences Po, Paris (CEVIPOF) and Social Sciences Lecturer at the University Paris Nord, Paris 13. Lou Mandin is a PhD candidate at Sciences Po, Paris (CEVIPOF).

Addresses for correspondence: Isabelle Bruno, CERI, IEP de Paris, France. email: isabelle.bruno@mageos.com/Sophie Jacquot, CEVIPOF, IEP de Paris, France. email: sophie.jacquot@sciences-po.org/Lou Mandin, CEVIPOF, IEP de Paris, France. email: cmandin@idrh.fr.

ACKNOWLEDGEMENTS

The arguments in this article were developed in a research seminar on Europeanization (*Européanisation des Politiques Publiques et Intégration Européenne* – EPPIE) co-ordinated by Bruno Palier and Yves Surel at Sciences Po (Paris). The work of EPPIE's members was presented at a conference in February 2004. http://www.sciences-po.fr/recherche/forum_europeen/prepublications/papiers.htm. We are greatly indebted to Elizabeth Sheppard and Cornelia Woll for their meticulous and helpful reviewing of the English version of this paper. We also thank the editors of this special issue for their accurate comments.

NOTES

- 1 According to Pierre Bourdieu: 'Strictly speaking, political action is possible because agents, who belong to the social world, have a (more or less adequate) knowledge of this world, and because one can act on the social world by acting on the knowledge of this world. This action aims at producing and imposing representations (mental, verbal, graphic or theatrical) of the social world which will be able to act on this world by acting on the agents' representation of it' (Bourdieu 2001: 187; authors' translation).
- 2 Along with the OMC, legislation, Social Dialogue, Structural Funds, Action Programmes.
- 3 The Beijing conference, enlargement of the EU to new Nordic member states, conflict between the European Parliament and the Commission concerning the nomination of the Irish Commissioner Pádraig Flynn to the equal opportunities portfolio.
- 4 Mainly based on self-supervision, gender mainstreaming is an instrument which *a priori* does not require the attribution of a specific budget.
- 5 The three types distinguished by Paraskevas Caracostas and Ugur Muldur (1997: 16–21) are, first, research policies based on 'Defence/Sciences' (1950–1975), then those based on 'Industry/Technologies' (1975–1995), and finally the current era characterized by 'Innovation/Society'.
- 6 'The "European innovation paradox" (hypo)thesis, a much debated and controversial topic within a confined circle of European economists, was widely discussed in the European political sphere from the mid-1990s. Since then, it has progressively constituted a powerful argument for changing European policies related to research and innovation as well as industry' (Muldur 2000: 185; authors' translation).
- 7 The final report of the first benchmarking cycle was delivered in June 2002 and dealt with four themes (human resources; public and private investment in RTD; scientific and technological productivity; impact of RTD on competitiveness and employment). On this basis, subsequent cycles were designed and started mid-2002.
- 8 Finnish presidency: political participation and decision-making; French presidency: reconciliation between work and private life; Belgian presidency: pay gap; Danish presidency: domestic violence; Greek and Italian presidencies: decision-making in economic life.
- 9 A Group of Experts on Gender and Employment (EGGE) has been created by the Fourth Action Programme on Equal Opportunities. The experts are in charge of the evaluation of the National Action Plans with regard to their impact on women and men respectively.
- 10 See, for example, the title of a press release from the Employment and Social Affairs DG: 'According to the Commission, the Lisbon objectives remain attainable if the Member States focus on women's and ageing workers' employment' (6 September 2002).
- 11 Even if the 2001 Commission report acknowledged that the promotion of low paid and part-time employment (which has been otherwise encouraged) can be in contradiction to the objective of the reduction of gender pay gaps – women representing the majority of low-paid workers. However, the demand for evaluation of employment policies, taking into account their impact on pay gaps, seems to have largely been ignored.

REFERENCES

- Behning, U. and Serrano Pascual, A. (eds) (2002) *L'approche intégrée du genre dans la stratégie européenne pour l'emploi*, Paris: L'Harmattan.
- Beveridge, F., Nott, S. and Stephen, K. (2000) 'Mainstreaming and the engendering of policy: a means to an end?', *Journal of European Public Policy* 7(3): 385–405.
- Bourdieu, P. (2001) *Langage et pouvoir symbolique*, Paris: Editions du Seuil.

- Caracostas, P. and Muldur, U. (1997) 'La société, ultime frontière: une vision européenne des politiques de recherche et d'innovation pour le XXIème siècle', *Etudes*, Luxembourg: OPOCE.
- Conein, B. and Thévenot, B. (eds) (1997) *Cognition et information en société*, Paris: EHESS.
- Cowles, M.G., Caporaso, J. and Risse, T. (eds) (2001) *Transforming Europe: Europeanization and Domestic Change*, Ithaca: Cornell University Press.
- De la Porte, C. and Pochet, P. (eds) (2002) *Building Social Europe through the Open Method of Co-ordination*, Brussels: Peter Lang.
- Dehousse, R. (2001) 'Du bon usage de la méthode ouverte de coordination'. Paper presented at the EU conference 'Towards a New Architecture for Social Protection in Europe? A Broader Perspective of Pension Policies', 19–20 October 2001.
- Desrosières, A. (2000) *La Politique des grands nombres: histoire de la raison statistique*, Paris: La Découverte.
- Eberlein, B. and Kerwer, D. (2002) 'Theorizing the new modes of European Union governance', *European Integration online Papers* 6(5).
- Economic Policy Committee (2000) *Economic Policy Committee Report to the ECOFIN Council on the Impact of Population Ageing on Public Pension Systems*, Brussels.
- Economic Policy Committee and Social Policy Committee (2001) *Joint Report on the Objectives and the Method of Work in the Field of Pensions*, Brussels.
- Esping-Andersen, G. (ed.) (2002) *Why We Need a New Welfare State*, Oxford: Oxford University Press.
- European Commission (1990) *Third Mid-term Programme on Equality between Women and Men: 1991–1995*, COM (90) 67 final.
- European Commission (1996) *Benchmarking the Competitiveness of European Industry*, 9 October, COM (96) 463.
- European Commission (2001) *European Governance: A White Paper*, 25 July, COM (2001) 428 final.
- European Commission (2002a) *The European Research Area: An Internal Knowledge Market*, Luxembourg: OPEEC.
- European Commission (2002b) 'Benchmarking national research policies', *Executive Summaries of the Five Benchmarking Reports Compiled by Independent Expert Groups*, Luxembourg: OPEEC.
- European Commission (2002c) 'More research for Europe: towards 3% of GDP', *Communication from the Commission*, COM (2002) 499 final.
- European Commission (2002d) 'The European Research Area: providing new momentum. Strengthening, reorienting, opening up new perspectives', *Communication from the Commission*, COM (2002) 565 final.
- European Commission (2003) 'Towards benchmarking as a key operational tool to support the open coordination of research policy-making in Europe?', *Benchmarking Research Policies: Capitalising on the First Cycle*, Brussels: Directorate-General for Research.
- European Council (2000) 'Presidency conclusions', *Lisbon European Summit*, 23–24 March, No. 100/1/00.
- European Council (2002) 'Presidency conclusions', *Barcelona European Summit*, 15–16 March, No. 100/1/02.
- Goody, J. (1979) *La Raison graphique: la domestication de la pensée sauvage*, Paris: Minuit.
- Haahr, J.H. (2004) 'Open co-ordination as advanced liberal government', *Journal of European Public Policy* 11(2): 209–30.
- High Level Group on Benchmarking (1999) 'First Report by the High Level Group on Benchmarking', *Benchmarking Papers* 2.
- Imai, M. (1986) *Kaizen: The Key to Japan's Competitive Success*, New York: Random House.
- Jacobsson, K. (2001) 'Employment and social policy co-ordination: a new system of EU governance'. Paper presented at the Scancor Workshop on Transnational Regulation and the Transformation of States, Stanford, 22–23 June 2001.

- Jacquot, S. (2003) 'Sequences of policy change: European gender equality policies and the emergence of the gender mainstreaming principle, 1989–1996'. Paper presented at the ECPR Conference, Marburg, 18–21 September 2003.
- Lascoumes, P. (2003) 'Gouverner par les instruments: ou comment s'instrumente l'action publique?', in J. Lagroye (ed.), *La Politisation*, Paris: Belin, pp. 387–401.
- Lebessis, N. and Paterson, J. (2000) 'Developing new modes of governance', *Working Paper of the Forward Studies Unit*.
- Lundvall, B.A. and Tomlinson, M. (2002) 'International benchmarking as a policy learning tool', in M.J. Rodrigues (ed.), *The New Knowledge Economy in Europe: A Strategy for International Competitiveness and Social Cohesion*, Cheltenham: Edward Elgar, pp. 203–31.
- Mandin, C. and Palier, B. (2004) 'L'Europe et les politiques sociales: vers une harmonisation cognitive des réponses nationales', in C. Lequesne and Y. Surel (eds), *L'intégration européenne: entre dynamique institutionnelle et recomposition de l'Etat*, Paris: Presses de Sciences Po.
- Mann, L., Samson, D. and Wolfram Cox, J. (1997) 'Benchmarking as a mixed metaphor: disentangling assumptions of competition and collaboration', *Journal of Management Studies* 34(2): 285–314.
- Mazey, S. (2001) *Gender Mainstreaming in the EU. Principles and Practice*, London: Kogan Page.
- Monnier, E. and Pitarelli, E. (2000) 'Benchmarking: the missing link between evaluation and management?'. Paper presented at the conference of the Centre for European Evaluation Expertise, Lausanne, October.
- Muldur, U. (2000) 'L'allocation des capitaux dans le processus global d'innovation est-elle optimale en Europe?', in E. Cohen and J.H. Lorenzi (eds), 'Politiques industrielles pour l'Europe', *Rapport du Conseil d'Analyse Economique* 26, Paris: La Documentation française, pp. 185–217.
- Ogien, A. (1995) *L'Esprit gestionnaire: une analyse de l'air du temps*, Paris: EHESS.
- Porter, T. (1995) *Trust in Numbers: The Pursuit of Objectivity in Science and Public Life*, Princeton: Princeton University Press.
- Radaelli, C. (2001) 'The domestic impact of European Union public policy: notes on concepts, methods, and the challenge of empirical research', *Politique européenne* 5: 107–42.
- Rubery, J. (2002) 'Gender mainstreaming and gender equality in the EU: the impact of the EU employment strategy', *Industrial Relations Journal* 33(5): 500–23.
- Scott, J. and Trubek, D. (2002) 'Mind the gap: law and new approaches to governance in the European Union', *European Law Journal* 8(1): 1–18.
- Telo, M. (2001) 'Combiner les instruments politiques en vue d'une gestion dynamique des diversités nationales', *Symposium: Mountain or Molehill? A Critical Appraisal of the Commission White Paper on Governance*, Jean Monnet Working Paper No. 6/01.
- Vandenbroucke, F. (2000) 'L'Europe sociale après la présidence portugaise: les défis à court terme', *Revue belge de sécurité sociale* 9(4): 815–30.