

The Europeanization of Labour Market Reforms

The role of domestic institutional entrepreneurs in adopting the European Employment Strategy

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Sascha Zirra (Dipl.-Soz.)

Carl von Ossietzky University
Ammerländer Heerstraße 114-118, 26129 Oldenburg, Germany
sascha.zirra@uni-oldenburg.de
0049 441 798 4869

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Abstract

The European Employment Strategy (EES) aims at promoting voluntary and self-reflexive learning among the ministerial bureaucracy in the member states of the European Union. In recent years, the EES established the paradigm of ‘Flexicurity’ as the dominant model for labour market reform throughout Europe. In this article, we will examine the impact of the EES on the employment regimes in Germany, France and Italy. While all three countries try to adapt their labour market to this paradigm, its actual implementation varies considerably. We argue that the reform fields differ because the adoption depends on three domestic pre-conditions: The vertical coordination between the nation state and sub-state levels, the horizontal coordination with the social partners and the scope for the ministerial bureaucracy against political caveat in the domestic reform process.

Our analysis reveals that, in Germany the paradigmatic shift towards activation was due to a “window of opportunity” used by the labour ministry in the course of reform formulation. However, in the implementation process the important role of the regions and the social partners impeded from a comprehensive reorientation. In France, state sponsored job insertion-programs remain the central pillar of employment policy. This was a result of the labour administration’s focal role in the process of policy implementation, while the strong stake of societal movements hindered from further reforms. In Italy, the adaptability of the labour market and to improve public employment services was the main objectives of reforms. This was due to the central role of academic policy advisors in the agenda setting process. But the strong position of the regions and the social partners obstructed this reform in the process of policy formulation and implementation. Our analysis is based on around 50 interviews with representatives in Germany, France, Italy and the European Commission.

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1 Introduction¹

In the year 1997 the heads of state and government of the European Union decided to coordinate their national labour market and employment policies by a European Employment Strategy (EES) (Fischer and Tholoniati 2006, Goetschy 1999). The aim is to reach an equal labour market participation of all social groups on a high level. This is to be reached by a low employment protection and a high social protection of unemployed – a concept lately termed flexicurity (cf. Wilthagen 1998, Bekker 2007, Vobruba 2006). This should be flanked by an active and activating labour market policy (LMP) with target oriented qualification and training for jobseekers as well as lifelong learning (Madsen 2002). The EES is characterized by a process which was termed ‘Open Method of Co-ordination’ (OMC) in 2000. This open approach stresses the self-responsibility of all relevant actors –most importantly nation states, social partners and regions- to contribute to modernize national employment policies. According to Radaelli (2003) –despite the systematic participation of non-state actors and different levels of government- the focal role of political-administrative learning is a central characteristic of this new method. Despite substantial reforms in employment policy, many conceive the hope of opening the rather closed coordination structures, particularly in the continental and southern countries and hence of reforms in these established institutional orders (Sabel and Zeitlin 2007, Zeitlin 2005, Eberlein and Kerwer 2004). While Zeitlin (2008) distinguishes four potential influences of OMC processes - an increased horizontal coordination and integration of formally separate policy fields, improved national steering capacities, improved vertical coordination between national, regional and local actors as well as improved participation of non-state actors in national employment policy making – the impact of these pre-existing forms of coordinating employment policy making on the form of domestic adoption and the reform outcomes so far has hardly been analyzed. Therefore the question we will raise in this paper is whether domestic institutions do matter for the appropriation of EES (cf. Weaver and Rockman 1993, Steinmo et al. 1992).

For long, two explanations of the impact of OMC processes prevailed. Firstly, an individualized approach has conclusively shown, that the dense networks and the iterative character of these processes contribute to transnational learning within *epistemic communities* (Jacobsson and Vifell 2007, Jacobsson 2004). But “there is a long and vulnerable implementation chain before the common objectives have been translated into practice within the member states“ (Jacobsson 2004b: 99f). While this approach contributes considerably to understanding the process of bureaucratic transnational learning, it disregards the national constitution of employment regimes as well as the variety of actors and interests involved in domestic policy making. It seems rather doubtful whether individual learning is enough to change historically evolved and deeply institutionalized national employment orders. Therefore, it has been proposed to use a governance approach, considering the role of non- and sub-state actors in institutional change „rather than a government approach focusing narrowly on the role of the state“ (Goul Andersen 2007: 27). The second explanation has drawn from a ‘cultural approach’ of historical institutionalism (Hall and Taylor 1996) and was based on discourse analysis (Zeitlin 2005, Zeitlin 2007, López-Santana 2006). This debate for long has focused more on assessing institutional effects of EES than explaining the mechanisms underlying these changes (Zeitlin 2005, Overdevest 2002, Trubek and Mosher 2003). What was –and to some extent still is- missing was an analytical concept of how

¹ This paper is based on 50 interviews with representatives of the European Commission, European as well as national Social Partners, and national representatives at the federal, regional and municipality level in Germany, France and Italy. These have been conducted by the authors within the context of the project ‘The Open Method of Coordination’ at the University of Bamberg, from May 2005 to October 2007, funded by the German Research Foundation. We would like to thank Günter Bechtle and Marianna Colacicco for their support with the Italian interviews. All interviews are translated by the author.

exogenous incentives influenced domestic institutional change (Zeitlin 2008, 2005, Room 2007, Goul Andersen 2007). The best explanation given was that EES has cognitively framed national discourse on 'good' employment policy by European ideas. However, only general reference has been made to institutional inertia due to salient 'institutional legacies' (López-Santana 2006: 494). This lack of understanding stable institutional practices despite 'cognitive change' has contributed to the critique that EES was just another 'cheap talk' (Büchs 2005, Büchs and Friedrich 2005, Borrás and Greve 2004). Yet, "no policy can be captured by identifying only its cognitive or normative dimensions(...) these dimensions, however prominent, are associated with concrete measures, substance, resources and systems of actors (Barbier 2004: 22). As there is growing consent, that "the strongest mechanism of OMC influence on national social and employment policies (...) operates through creative appropriation by domestic actors" (Zeitlin 2008: 1) it seems necessary to consider the strategic dimension of domestic institutional structure as independent variable (Heidenreich and Bischoff 2008). While more and more studies have analyzed the impact of EES on domestic structures of policy making (cf. Heidenreich and Zeitlin 2008, Zeitlin et al. 2005, Mailand 2008), the role of pre-existing power relations within the field of employment policy on appropriating the EES and EES related reforms has hardly been analyzed.

In this paper we aim to reconstruct the link between the EES, national labour market reforms and the institutionalized domestic power structure. We conceive of national employment regimes as institutional order shaped by complex bargaining processes between domestic corporate actors which are structured by pre-existing institutional order. We therefore may not assume a straightforward implementation of EES goals and concepts in domestic policies. *We rather assume that EES provides strategic resources for the actors within the domestic bargaining arena.* We ask, if differences in the domestic institutional structure influence the coordination and appropriation of EES. As second hypotheses we expect that *according to the different institutional settings different modes of national organization of the EES can be observed in the three countries.* Last but not least thirdly, we expect that *different national forms of coordination determine the reform outcomes.* That is to say, the course of domestic reform processes and the different reform areas can be explained by reconstructing which actor with how many and what kind of domestic resources in which specific policy field tried to enforce EES policy goals in the domestic arena.

In order to test these hypotheses we start with a puzzle, showing that there have been major reforms of LMP –paralleling EES goals- in Germany, France and Italy but that they have concerned very different policy areas (2). We raise the question how these parallels as well as the national differences can be explained. In order to solve this puzzle we propose to link institutional structure to strategic action by using an approach inspired by organizational and structuration theories (3). According to this concept skilled corporate actors strive for dominance within the practice of organizational fields that are structured by institutional order (cf. Fligstein 2001c, DiMaggio and Powell 1983, Giddens 1984). Subsequently we will reconstruct how different organizational actors have been involved in the coordination of the EES (4). We show that the national organization of EES has been strongly influenced by pre-existing patterns of coordination and conflict resolution within the domestic field. Despite its claims to open institutionalized patterns of coordination and communication -we finally sum up- EES privileged actors that have already been in a strong position before (5). These have appropriated –as institutional entrepreneurs- opportune aspects of EES as resources to improve their position in the field thereby contributing to national LMP reforms.

2 The different labour market reforms in Germany, France and Italy

From 2000 to 2005, Italy and Germany have experienced major labour market reform projects, and there were also numerous reforms in France (Barbier 2007, Barbier et al. 2006). This coincidence in time was accompanied by significant parallels to the EES. However, these adoptions have worked out very differently. In presenting these different reforms, we at this point do not aim to describe the reforms in detail but to reconstruct the general concept underlying the reforms². This analysis reveals that the reforms in *Germany* have focused on a new understanding of activation, however the implementation was hindered by a misfit to relevant institutional environments and veto players in the domestic field; the reforms in *France*, though formally based on activation, have primarily concentrated at improving the financial security of employees that work in precarious conditions, thus representing an innovation in the ‘way of doing things’ but retaining the overall concept; *Italian* LMP reforms had two strands: firstly, to make the labour market more flexible and secondly to improve the organisational capacity of regional Public Employment Services (PES).

For a long time, a comprehensive change of the *German* employment regime was thought to be hardly possible. According to this assessment, Germany was „ingrained over-commitment to old institutions and historical entitlements“ (Kitschelt and Streeck 2003: 28). However, from 2003 to 2005, the German labour market experienced a series of reforms named after the president of the Commission set up in 2002, Peter Hartz. This body of scholars, social partners, politicians, and civil servants conceptualized the general framework for the reforms. Initially, the Hartz Commission was regarded merely as a short-term reaction to the ‘placement scandal’ within the then called ‘Bundesanstalt für Arbeit’ (Federal agency for employment). Today, the Hartz Reforms are associated with a paradigmatic shift towards activating LMP (cf. Konle-Seidl 2007, Konle-Seidl and Lang 2006, Kemmerling and Bruttel 2006). While in the past, German LMP focused on job protection and, when necessary, active job creation via state subsidies, the main target of the reforms was to increase the amount and the quality of labour supply by ‘making work pay’ as well as intensive counselling and training for the unemployed. Despite a growing discourse on equal participation, particularly of women and elders (cf. Wrohlich 2005) in Germany employability and to increase labour supply in number and quality played the most important role in the reforms (Kemmerling and Bruttel 2006). Furthermore the combining unemployment benefits for long-term unemployed (Hartz IV) and social benefits was not legitimized by creating a new form of social security, but as a means to activate groups of the population that had, until then, hardly been activated (cf. Konle-Seidl 2007, Lohse 2005). Today, the only aims of employment policy considered to be legitimate in the dominant discourse are maintaining employability, increasing labour market participation and equal opportunities for all groups. At the same time, the implementation of this changed paradigm is often only partially achieved. There are two endogenous reasons for this. On the one hand institutional complementarities, e.g. family and occupational regimes, obstruct the effects of individual schemes (cf. Keller and Seifert 2002: 96, Zirra and Buchkremer 2007). On the other, this cognitive change does not yet reach all actors of employment policy to the same extent. While the federal ministry was the institutional carrier of this change, a wide range of the political level of the trade unions, of the regions (Laender), and especially head organizations of German municipalities are still resistant. This has produced political compromises that run contrary to the direction of the Hartz-reforms (cf. Schmid 2006). Eventually many of these reforms were thwarted by

² For more detailed analysis cf. Zirra 2008, Zirra and Buchkremer 2008a, Zirra and Buchkremer 2008b

political compromises or failed due to missing prerequisites in other institutional spheres (cf. BMAS 2006).

France, as opposed to Germany and Italy, did not have one comprehensive reform project of the labour market in the observed period. While numerous individual reform steps combined give a similar impression they had a very specific target (Barbier 2007, Barbier et al. 2006). Most reforms have aimed to create better wages for low-skilled jobs, and in this way create incentives to for recipients of the state minimum revenue to take up an employment. In this notion of 'activation', instead of promoting individual employability, the state assumes the responsibility to actively integrate certain groups into employment (Enjolras et al. 2000: 41). The most ambitious among these reforms was the social cohesion plan drafted under the aegis of the Minister for Employment, Labour and Social Cohesion, Jean-Luis Borloo, in 2004 (cf. OECD 2005; 2007). The employment pillar of this plan was particularly targeted to tackle the 'hard core' of unemployment. There were several measures for integration into the labour market enacted to avoid poverty traps that are connected to atypical employment. Active labour market policies, i.e. financial incentives for employers to employ problem groups, are considered primarily as a means to secure social cohesion (cf. Ughetto and Bouget 2002). These instruments had been limited to the public and social sector for a long time. The majority of the reforms during the last years have aimed at generalizing these integration aids. Thus the Raffarin-reforms in 2003 expanded these opportunities to the for-profit labour market. With the social cohesion plan in 2004 these schemes have been streamlined and the number of programs has been halved from 14 to seven. The most important one is the *revenue minimum d'activité* (RMA), targeted to recipients of RMI and private employers, but others are similar. In this scheme the state grants RMI for another 6-36 months and the employer only pays 3.50 Euro per hour. In return the employer has to offer further training measures to the beneficiary. Critics fear that this could lead to an unfair competition of wages, by employers avoiding the general minimum wage, and thus eventually to an expansion of the subsidized labour market (Barbier and Fargion 2004). Hence, it can be regarded as either success or problem that the number of people employed by these schemes is growing continuously.

The Italian employment regime faces the biggest challenges among the three countries analyzed in this paper. The Italian labour market is marked by a strong gender, education, and age specific as well as regional segmentation (cf. Biagi et al. 2002: 5). Yet it has seen extensive reforms within the last few years that explicitly aimed at decreasing this segmentation. After some successful predecessors in the late 1990s, the Biagi-law (law 30/2003 and 276/2003) was the most comprehensive effort. These reforms were prepared by a White Paper on the 'condition of the labour market' in 2001 (Biagi et al. 2002). The authors have designed a flexicurity-model of their own, stressing the transition to more flexible employment as well as reforming PES, but they do not consider an adaptation of the hardly existing social security provisions. Taking into account the poor benefits and unemployment assistance a stronger sanctioning regime was not considered but unemployment benefits and social protection was hardly improved. One of the major reforms proposed by the white paper was a general reduction of employment security for the core labour force. However, this attempt had to be postponed because of strong union and public resistance. The unions particularly criticised the selectivity of the 'flexicurity' concept adopted by the government. In the end the government and two of the three major trade unions in Italy agreed on a *Patto per Italia*. In this compromise the government agreed to increase the unemployment benefits for those that have been regularly employed and to leave employment protection for the core labour force untouched. Subsequently, the flexibility which was perceived as necessary, was to be reached by expanding the number of atypical employment contracts (Lamelas and Rodano 2005, Cioccolo et al.). A time limit for these contracts was supposed to be an

incentive to transfer these jobs to the regular employment. The labour market reforms follow thus the traditional trajectories of Southern countries.

Particularly in southern European countries, changes of labour market policy consisted mainly of measures aimed at introducing 'flexibility at the margins', i.e. making the utilization of non-permanent contracts more loosely regulated while leaving the discipline of standard employment unchanged. (Ichino et al. 2004:1)

The goal of the Biagi-law by means of atypical employment was to help disadvantaged groups to gain access to the regular labour market. First studies, e.g. on the success of temporary employment, cast doubt on the success of this strategy. According to these studies, the reforms have improved the position of – from the beginning – better qualified workers, „while worsening the employment prospects of the weakest workers“ (Ichino et al. 2004: 32).

Also in the reforms of PES the Biagi-law moved far beyond the reforms since 1997. These reforms have pursued two goals: abolishing the placement monopoly of the state and regionalizing LMP (cf. Pirrone and Sestito 2006). The introduction of private intermediation and a change of mission for PES were considered inescapable as “PES were almost completely absorbed by mere bureaucratic controls and procedures, and reached only 10-15 per cent of the Italian job-seeking population” (Borghini and van Berkel 2007: 91)³. At the same time regionalisation was supposed to improve the adjustment of LMP schemes to the regional demand (cf. Barbieri and Sestito 2005). In cooperation with the provinces, regions took over the regional placement offices of the ministry including 70 percent of the personnel (approx. 5500 people), but were barely given the necessary financial means to cope with this new assignment. A coordination of the regional LMP does hardly exist and the financial and organizational resources are distributed unequally between the regions. Thus the regions with a strong economy in the North could profit from the reform. Here the privatization of counselling and placement contributed to a strong improvement of employment services. In the South however, labour market mediation proved to be unprofitable for private actors and the organizational as well as financial resources of the administration are hardly sufficient to fulfil basic functions (Pirrone and Sestito 2006). Instead of improving the adjustment of policy schemes to regional needs the regionalisation rather enhanced the regional disparities on the labour market.

To conclude, in these three countries between 2000 and 2005 major LMP reforms resembled different EES guidelines. Despite growing discourse on equal opportunities on the labour market, the cornerstone of German reforms was to activate all those employable for participating in the labour market. The focus was especially on increasing take-up rates of long-term unemployed. This is considered a major cognitive shift in LMP. However, many reforms were impeded by domestic veto players in course of implementation. In France no such cognitive shift could be observed. The main road of 'activation' in France remained to be subsidized jobs for special target groups instead of an individualized approach increasing employability and helping people to find a regular job. However, these schemes have been considerably streamlined and reformed in the respective period. In the Italian reforms the flexicurity-vertex of social security was omitted. Rather, improving job placement and make the labour market more flexible was supposed to be a priority. However, the comprehensive regionalisation of LMP increased regional disparities and making the second labour market even more flexible increased labour market segmentation between the well-secured core labour force and precarious life courses at the margins. These parallels to EES goals and the differences in national appropriation raise two related questions: Can the reforms be institutionally linked - or by referring to action- to EES processes? And how can we explain the national differences?

³ So e.g. formally each job offer and placement had to be mediated by the employment office.

3 The duality of institutional order: institutional entrepreneurs as skilled actors in domestic organizational fields

The EES is not merely a project to build institutions for an employment policy on European level (cf. Fligstein 2001a: 261), but primarily aims at influencing the modernization process of national employment regimes. However, employment policy still remains a process structured by national policy making and bargaining processes (Zeitlin 2008). Not until European institutions become relevant resources for actors within the domestic reproduction of institutional order we may assume their Europeanization. This understanding focuses on the domestic appropriation of mutual understandings, concepts, rules and power resources (Bach 2000, Pierson 1996). Accordingly, Europeanization is an “incremental process re-orienting the direction and shape of politics to the degree that EU political and economic dynamics become part of the organisational logic of national politics and policy-making” (Ladrech 1994: 70). This understanding is why most existing studies on the domestic influence of EES draw implicitly or explicitly on concepts of historical institutionalism (Steinmo et al. 1992). Here domestic structures are conceived of as a set of institutions resulting from historical bargaining which constrains present and future bargaining (Streeck and Thelen 2005). In particular in the case of employment, domestic mindsets, common rules and governance structures are strongly institutionalised (cf. Rhodes 1998). The question to what extent the EES is able to influence domestic employment regimes thus refers to a twofold inertia: As institutions employment regimes are subject to path dependent evolution and can hardly be shaped by intentional policy making (Streeck and Thelen 2005, Pierson 1996, Pierson 2000) and as domestically evolved social order they are deeply rooted in national social, economic and political contexts (Rokkan 1973, van Kersbergen 2000). However, domestic institutions of LMP and employment policy do actually change a lot recently (cf. Streeck and Thelen 2005). How can we conceptualise and explain this change? What processes – and which actors - link the EES and institutional order? In order to analyze this question it seems necessary to develop a better understanding of the interplay between the existing institutions and the strategies of actors in the corresponding social practice (cf. Hall and Taylor 1996, Hay and Wincott 1998).

While it is an important contribution of historical institutionalism to elaborate „that political systems are not neutral arenas“ (Scott 2001: 34) due to the inherent scepticism of its supporters against the possibility of strategic action this approach has difficulties to explain the emergence of new institutions and the mechanisms underlying institutional change (cf. (Thelen and Steinmo 1992): 10-15, (Hall and Taylor 1996: 950). Even though social structure is highly emergent, „there is much about the processes by which institutions emerge, are reproduced, and erode that cannot be explained without reference to interest and group conflict” (DiMaggio 1988: 3, cf. Lawrence and Phillips 2004,690). Accordingly, more attention needs to be paid to actors promoting institutional change (Hall and Taylor 1996: 937). Trying to combine insights from both -historical institutionalism and rational choice approaches- we propose to use a concept which focuses on the rational *intention* of organizational actors within institutionalized organisational fields (DiMaggio and Powell 1983, Fligstein 2001b, Garud et al. 2007). Institutions and institutional order are mediated by actors which pursue their own strategies and try to accomplish their interest in drawing on these institutions (Fligstein 2001c, Maguire et al. 2004, Bourdieu 2006). Hence, in the following, building on structuration theory and sociological institutionalism we develop an approach linking structure to agency, i.e. institutional order to the rationally *oriented* strategies of actors (Giddens 1984, Scott 2001, Scott 2003). In the centre of this theoretical approach lies the question how institutions shape what options are perceived as ‘reasonable’

“and how institutional entrepreneurs (...) can take advantage of fluid social situations to reframe the preference of others” (Fligstein 2001a: 264).

Institutional change here is an active process that takes place in a field of organizational actors that participate in defining and redefining the associated institutions (cf. Giddens 1984, 1990, Bourdieu 2006). In organizational fields the actors produce and reproduce the institutions that guide their interactions in this field (DiMaggio and Powell 1983, Scott 1994). The rational orientation of organisational actors should, however, not be confused with the – most of the time – un-intended consequences of this bargaining (Mayntz 2006, also Ortmann et al. 1997). Actors are not simply unable to fully consider all the conditions under which they act and the consequences of their actions, but their preferences themselves are shaped by shared mindsets and norms of appropriate action (Meyer and Rowan 1977, Cyert and March 1963, March and Olsen 2006). This allows us to conceptualise domestic employment regimes as institutionalized yet provisional and alterable compromises between conflicting stakeholder interests (Heidenreich 2004: 208). These regimes are characterized by an institutionalized set of rules, understandings and power relations that mediate and structure the exchange process in organizational fields. The EES then relies on domestic actors actively using the EES as an additional resource to strengthen their own or weaken the position of others (cf. Bourdieu and Wacquant 1992). In order to become relevant, the resources of EES need to be actively appropriated and incorporated into everyday’s interactions and discourse by actors within the domestic organisational field. The actual labour market reforms reflect the outcome of a complex domestic bargaining process which cannot be steered by the European level or any single actor. But how can actors within these genuinely domestic bargaining arenas make use of the EES? And why do they do so?

The first answer is that the social practice within an organizational field does not only imply the identical reproduction of existing institutions but includes the creative use of this structure by skilled organizational actors -*institutional entrepreneurs*- in order to build new institutions or change existing ones (cf. Fligstein 2001a, 2001c, 1997, DiMaggio 1988, Lawrence and Phillips 2004, Eisenstadt 1968)⁴. The EES for these actors constitutes an opportunity structure (Jacobsson and Vifell 2007) they can use as an additional resource to strengthen their own or weaken the position of others. However, institutional entrepreneurs have to confront actors who see for themselves an advantage in the existing institutional structure. The conflicts in a field - inter alia - are a game between these innovators and conservators that compete on the definition of the ‘right’ world concepts (problems), adequate alternatives to react to these problems and their respective structural power position (Bourdieu and Wacquant 1992). But what is the reason for the interest in change of institutional entrepreneurs? And what is their advantage of changing existing structures in the face of rising uncertainty?

To be part of the organizational field as well as to secure and improve their position within this field, actors have to continuously proof their relevance for the joint undertaking these actors are engaged in (Friedberg 1995). Therefore the bargaining within the field is less on first-order interests but more about long-term relevance and the position of actors for future bargaining. This makes innovation to a cornerstone of the social structuration of organizational fields. Three - mutually not exclusive - strategies that cause *institutional entrepreneurs* to suggest innovations can be identified: improving organizational capacity, proposing new solutions to given problems and persuading others of new problems. First, in order to be perceived as relevant actors need to have the adequate organizational capability to take part in the bargaining process and to have the ability to propose promising new solutions. They may refer to endogenous and exogenous resources -quality and quantity of personnel, money, their position in the coordination structure, arguments, rules- to improve their

⁴ Contrary to these authors we conceptualize collective actors (organizations) not individuals as being the relevant actors in organizational fields.

position. Second they have to proof that their proposed actions can successfully be used to solve commonly conceived problems. They therefore have an interest in better solutions they can propose. However, it is a fundamental characteristic of social interaction that problems do not 'objectively' exist but are socially constructed within the field (Scott 1994). Therefore it is a third strategy to persuade other actors of new problems for which they possess the most relevant problem solving capacity from the beginning (Friedberg 1995: 110, 117ff).

A crucial prerequisite for these three strategies is coalition building in the field. In order to be accepted as legitimate actor -pursuing legitimate actions and interest- institutional entrepreneurs "must develop an interpretation of what is going on which persuades others that their interpretation is correct" (Fligstein 2001a: 266). The innovation project of institutional entrepreneurs must therefore be responsive to existing world-views and action programmes other actors believe in. At least for their allies the proposed worldviews and solutions must make sense. Whether this change project is successful or not depends on the legitimate resources the coalition can draw from within the field. This refers to the limited power of any institutional entrepreneur (vgl. Crozier and Friedberg 1979, Friedberg 1995).

Key to their success is the way in which institutional entrepreneurs connect their change projects to the activities and interests of other actors in the field, crafting their project to fit the conditions in the field itself. (Maguire et al. 2004: 658)

Power and cooperation therefore are not antonymic but the one is the natural consequence of the other (Friedberg 1995: 114). Without cooperation there is no power –and vice versa. Inherent to the concept of institutional entrepreneurship is the insight, "that not all actors are equally adept at producing desired outcomes" (Maguire et al. 2004: 658).

To conclude, organizations seek to structure their institutional environment in the practice of organizational fields according to their institutionally framed interest. This practice can be conceptualized as a genuine political bargaining process where these actors not only seek to further their immediate interest but to secure and improve their power position within this field for future bargaining. Approaches of institutional entrepreneurship appear to be particularly appropriate to describe this process in terms of structuration theory. As institutional entrepreneurs we conceive organizations that -as skilled actors- strive to alter existing or build new institutions by reflexively drawing on existing institutions as resource for these bargaining processes. For their institutional project institutional entrepreneurs rely on building an assertive dominant coalition of actors within the organizational field. The power of an institutional entrepreneur therefore depends on the willingness of other relevant actors to cooperate and to comply with their project. As a consequence their change projects have to be responsive to the conception of a sufficient number of relevant actors. For institutional entrepreneurs three strategies are available: they can improve their relevant organizational capacity in order to become a more relevant actor in the field; or propose relevant and promising new solutions to mutually perceived problems; and they can improve their position in persuading others of new problems they have particular relevant problem solving capacity for from the beginning.

4 The domestic organization of EES and the role of institutional entrepreneurs in domestic reform processes

We have observed very different forms of national LMP reforms. This has raised two crucial questions. Can these reforms be connected to the EES? And how can we explain the national differences? We assume, that both can be explained by creative appropriation of skilled actors within the domestic field of employment policy. This field is structured by a distinct institutional order which we conceive of as national employment regime (cf. Schmid 2002). This has several consequences for conceptualizing the domestic influence of EES. First of all, labour market reforms still are a genuine domestic bargaining process with emergent outcomes. They can neither be steered by the European level nor any domestic actor. The EES can only provide resources to actors within the practice of institutional production and reproduction. We therefore expect that the use of EES and the reform outcomes depend on two conditions: What domestic and European resources are legitimately available for the institutional entrepreneur and which strategy does it choose to pursue its goal. Therefore, we can expect different reform fields depending on which actor is drawing on EES resources and its position in the coordination structure within domestic employment policy field.

The national patterns of coordination are characterized by historically evolved institutions. To what extent did the national organization of EES reflect these historic patterns? Has the EES been able to open the domestic coordination to new actors? And to what extent do these patterns explain respective reform outcomes? After elaborating the peculiarities of the national coordination process in Germany, France and Italy (1), we will show in the subsequent chapter, that these characteristics are closely intertwined with the national mode of organizing the EES and the resources of the respective *institutional entrepreneur*. In Germany the paradigmatic shift towards activation was due to a “window of opportunity” used by a division within the labour ministry in the course of reform formulation (2). However, in the implementation process the important role of the regions and the social partners impeded from a comprehensive reorientation. In France, the persistence of state sponsored job insertion-programs was a result of the labour administration’s focal role in the process of policy implementation, while the strong stake of societal movements hindered from further reforms (3). In Italy due to the central role of academic policy advisors the adaptability of the labour market and to improve public employment services was the main objectives of reforms (4). But here the strong position of the regions and the social partners obstructed this reform in the process of policy formulation and implementation.

4.1 National patterns of horizontal, vertical and social partner coordination

While the three countries represent varieties of the continental employment regime, excluding less productive groups from the labour market (cf. Heidenreich 2004), there are important differences in interest coordination and reconciliation. An important characteristic of these institutional arrangements is the form and amount of involving social partners (Ebbinghaus 2007, Ebbinghaus and Visser 1997), the regions and municipalities (Hooghe and Marks 2001)) as well as other bureaucratic actors from related policy fields (Heidenreich 2004) in employment policy making. Due to the integrated character of EES, comprising manifold, formerly separate policies the coordination and cooperation of these actors gets more and more necessary (Zeitlin 2008, : 457, Heidenreich 2004). These coordination necessities are institutionalized in distinct national patterns which can be analyzed in three dimensions: the horizontal coordination of different policy fields, the vertical coordination with sub-state levels and the participation of social partners. In these dimensions the three countries analyzed in this paper differ considerably.

Patterns of inter-ministerial coordination

In Germany the inter-ministerial coordination between policy fields traditionally is organized in horizontal bargaining and reconciliation on the division-level, directly responsible for respective policies (Derlien 2000, Kassim 2000b, Wessels 1999). Here, formal hierarchy is widely circumvented in the everyday process (Kassim 2000b: 24, Derlien 2000). The German example therefore makes particularly obvious that „the way in which mechanisms operate in practice may be at odds with the official picture“ (Kassim 2000a: 248). This mode of coordination relies heavily on the expertise and the competences of bureaucratic personnel. While the advantage of this mode may be pragmatic and appropriate solutions, it makes micro-political bargaining in between the ministries complex and a coherent national strategy, comprising multiple policy fields almost impossible (cf. Hanf and Scharpf 1978, Mayntz and Scharpf 1975, Wessels 1999). In France, in contrast, a centralist-hierarchic coordination by specialized coordination bodies is common (Kassim 2000b: 17). A comprehensive strategy and coherent national policy making across policy fields traditionally is seen as an important task for inter-ministerial coordination (Kassim 2000a: 244, Menon 2001). Here the central coordination body SGAE⁵ found in 1948 and directly responsible to the prime minister is the central coordination body for all policies concerning the EU (cf. Wright 1996). Increasing importance of the EU „means that a virtually non-stop process of meetings takes place at the SGCI – around ten per day“ (Menon 2001). The respective power of the SGCI/SGAE is reflected by its competence “to send instructions to France’s Permanent Representation, even when only a single ministry is involved” (Kassim 2000a: 244). Compared to Germany and France, Italy represents a fragmented political system with “uncertain and unstable shape of co-ordination mechanisms” (Della Cananea 2000: 109). Manifold administrative and political departments and bodies are concerned with the same policies, their task division is rather unclear and coordination hardly takes place (Kassim 2000a: 253). Paradoxically these structures are an outcome of trying to solve the coordination problem. “Several solutions have been tried, but have proved inadequate” (Della Cananea 2000: 109), still they survive and contribute to a diffuse picture.

Patterns of vertical coordination

In many aspects of LMP and employment policy not only the national, but also the regional and local level is affected. Also the vertical coordination between these actors differs considerably (cf. Schnapp 2004, Kassim 2000b, Hooghe and Marks 2001). In Germany, on the one hand, „contacts between specialists in Bonn, Brussels, and the *Länder* (...) are strongly departmentalized – encouraged by (...) *Ressortprinzip* (ministerial autonomy) – and produce (...) ‘vertical brotherhoods’” (Kassim 2000a: 248, cf. Derlien 2000). However, this only applies to most sektoral policies (like LMP) but not to all (e.g. education). On the other hand, as soon as the political level gets involved the bargaining between the regions and the government is shaped by party competition (Mayntz and Scharpf 1975, Scharpf et al. 1978). In most policy areas however, Germany can be characterized as cooperative federalism, where the regions are involved in national policy making on the political as well as administrative level. France, in contrast, can be characterized as centralist-unitarian nation state with little competences of the regions in national policy making. In Italy, the failure of coordination also applies to vertical coordination. It can be described as regionalist state (see López-Santana 2006 for Belgium), where the regions have important competences but little shared responsibilities with the nation state and therefore are hardly involved in national policy making. Additionally, there is little coordination or national framework legislation. Where possible, every region and municipality makes its own policy.

⁵ *Secrétariat général des affaires européenne*, before october 2005: „Secrétariat général du Comité interministériel pour les questions de coopération économique européenne“ (SCGI)

Patterns of tripartite industrial relations

A third important difference concerns the participation of social partners in national policy making (cf. Ebbinghaus 2007, Ebbinghaus and Visser 1997). Employment policy is the focus of different interests of employers and employees. The success of LMP reforms therefore crucially depends on the collaboration and the reconciliation of conflicting interests between the employers' associations, trade unions and the state (cf. Ebbinghaus 2007: 10). While in Germany the social partners as large corporate actors in cooperative relations take responsibility for national policy making (Beyer and Höpner 2003, Streeck and Hassel 2003, Streeck and Schmitter 1996) in France the central state is the single body responsible for socio-political challenges (Goetschy 1998, Estèbe 2005, Bouget and Brovelli 2002, Schmidt 1996).

France's system of co-ordination (...) reflects its statist and impositional policy style. Interest groups remain policy outsiders, at least until the implementation stage, and lobbying by private interests is regarded as barely legitimate by state officials." (Kassim 2000a: 250.)

In Italy tripartite industrial relations are characterized by conflict and particular group-interest representation (Graziano 2004, Regalia and Regini 1998, Ebbinghaus and Visser 1997).

While these patterns of coordination have their pros and cons - for the nations' stake in European policy making (cf. Kassim 2000a, Derlien 2000) as well as domestic politics- in the following paragraph we will focus on the impact of these patterns on the national organization of EES and the reform outcomes they provoked.

To conclude, in all three dimensions Germany is characterized by an important role of the desk-officer-level and close, cooperative reconciliation. To French policy making, in sharp contrast, administrative, centralist-unitarian and etatistic structures are inherent. While in the fragmented Italian political system, with competing competences of multiple actors, coordination can be largely considered as having failed.

4.2 Germany:

complex inter-ministerial reconciliation of labour market policy and EES

Before the change of government in 2005 the domestic organization of the EES - compared to Italy and France - in Germany was characterized by two peculiarities. Firstly, the bargaining and negotiations surrounding the EES took place in intense informal coordination processes on the desk-officer and heads-of-division level within the ministerial bureaucracy and with the desk-officers of social partners. The superior level was merely involved and there was little vertical coordination. This fostered rather de-politicized negotiations. Secondly, one division within the - at that time - Ministry of Economics and Labour⁶ played a very active role as *institutional entrepreneur*, actively diffusing their learning experiences and EES' requirements within the domestic field. Subsequently we will show that underlying this strategy of the division and the sub-department for Labour was the attempt to increase their influence beyond the confines of classical LMP by redefining the problem perception in the field (cf. Zirra and Buchkremer 2007). At the same time the enormous complexity of the coordination process in Germany resulted in a process of self-selection, excluding or at least diminishing the role of hitherto important actors of LMP - namely regions and municipalities. This development was fostered by institutionalized patterns of horizontal coordination and conflict resolution relying heavily on depoliticized bargaining on the working level.

⁶ Between 2002 and 2005 there was a joint 'Ministry for Economics and Labour' while before and after this period in Germany a 'Ministry for Labour and Social Affairs' was/is common. As only the 'Labor'-tasks are relevant in subsequent considerations, we will address the responsible ministries in general as 'Labour Ministry'.

The organization of EES in Germany

The Director-General of the LMP-department in the Labour Ministry, was –and still is- core member of the EMCO since 1997. Her alternate member is the head of the division ‘international LMP and encouraging job-take-up’, actually doing most of the substantial work. Contrary to elsewhere in Europe the responsibilities for European and domestic LMP were shared in one division on the working level.

In this division we have the peculiar situation that we are closely involved on the European as well as the national level. In many Ministries its like this: They have a European coordinator which take part in the European meetings endowed with notes and instructions. The ones who have to implement their decisions are usually in different divisions or departments. At least for many parts of LMP we do –at least to a certain degree- both. (D2)

Additionally, the German representatives in the indicator group of the EMCO, the EIM-committee as well as the MISEP-network have worked in this division. As the guidelines cover a much broader field as merely the aspects dealt with by the department there is intensive inter-ministerial coordination. In this process the head of division asks other, potentially affected divisions as well as the LMP-desk officers of the social partners and the regions for their opinion (cf. fig. 1). In general this also applies to the desk-officers of the umbrella organizations of municipalities, but to a much lesser degree.

For example we have the policy field of childcare in the EES (...) or we have topics concerning education policy –internationally strongly aligned to employment policy- but here dealt with by the Ministry of Education and mainly the Laender. And we try to involve these people as broadly as possible in advance and then develop a common position. (D1)

In coordinating the NAP again the international LMP-division has taken a prominent role (cf. fig. 2). The officers have asked all other potentially relevant divisions for drafts and contributions to the guidelines that refer to their policy field. After having received the contributions the international LMP-division has written a first draft which was communicated to all relevant actors in the field that are asked their opinions. In several steps they elaborated a final version which was send to the federal cabinet that formally agrees on the NAP. Finally, there was a hearing in the ‘Bundesrat’ (federal chamber) that approved or disapproved –the latter has occurred regularly between 2000 and 2005- the plan but without any consequences.

By the NAP the guidelines are diffused to the diverse policy fields. (...) I send the guidelines we have agreed on in Brussels to all colleagues affected. And I tell them, on the basis of these guidelines we have to draft a National Action Plan. This is the first of a multiplicity of communication channels that spread the knowledge of EES and the colleagues working on the guidelines then include them in the national policy. (D2)

In this process, in addition to the inter-ministerial coordination, particularly the desk officers of the social partners are closely involved in informal meetings.

These coordination processes of the NAP work as follows: I get the draft as early as possible from the head of the ‘international LMP’-division with the request to formulate a position. We do this in collaboration with our respective divisions. We send that to the head-of-division and he invites us to the meeting. Additionally I meet regularly with different desk officers from the ministry. There are many punctual meetings where at least one of them is in the course of drafting the NAP. (D7)

These informal meetings constitute one of many fora for rather depoliticized talks on the ends of employment policy in Germany, which both social partners find very important.

We have rather good working contacts. Surely we not always completely agree because we have different interests. But we have also many connecting factors (...) this is a very open, very constructive, co-operative, good collaboration with different points of focus. (D4)

Thus the national organization of the EES in Germany corresponds in many ways to the inherited structural characteristics of horizontal and vertical coordination as well as cooperative and constructive collaborations with the social partners.

The division 'international LMP and encouraging job take-up' as institutional entrepreneur

Not only has the division 'international LMP and encouraging job take-up' had a remarkably central position in the German coordination of EES but additionally the desk-officers of the this division have been closely involved in the domestic policy making process. We have strong evidence, that this technical division -backed by the director general of LMP- has used its central position as institutional entrepreneur. In the tradition of German bureaucracy, they perceive themselves as policy advisors and take an active role in proposing reforms (Derlien 2003).

We as policy advisors –which we are in a German ministry- we are those transporting these insights. We write reports, send drafts, we propose something or the other, at the same time we shape the process at the European level. (D1)

That is to say, that this division does not only passively relay information but tries to structure reflexively the European as well as the national institutions⁷. The division thus takes an active role in promoting knowledge about EES and the guidelines. In doing so it contributes to strengthen its own position in the domestic field.

We are a kind of 'hybrid' if you like. On the one hand we are those that represent German interests in the committees in Brussels, and on the other we are also those transporting these guidelines into the domestic field. And we try to make them sensible to that. (...) You have to tell your colleagues: 'look, this is important for you, you have to take a look.' (...) If a new law is on its way you have to communicate: 'look, we also need to consider the guidelines'. (D2)

This institutional entrepreneur has used the 'window of opportunity' (Kingdon 1984) opened by the Hartz-reforms to foster a reform agenda based on activation and employability (cf. Schmid 2006, Zohlnhöfer and Ostheim 2005: 163).

Then we said: this is what the EU has agreed on, this is the way we will have to take. (D1)

Well, there are a number of topics where we have used the guidelines as an intensifier to show that is what we want and that only this is in accordance with the European Employment Strategy. (D2)

This active role was facilitated particularly in the case of LMP by the close coupling of European and domestic competences.

As a consequence we are represented at the European level but we are also directly involved in domestic law making procedures. And we are directly responsible for certain areas in the field labour market policy. (...) When we are involved in legislative processes, we take care that the guidelines are considered. We have been involved in all those reforms: *JobAqtiv, Hartz I, II, und III*, not as responsible division but we, and certainly our department, has been closely involved. (D2)

In the course of law making procedure in the context of the Hartz-reforms, the division was asked for its opinion and actively referred to EES requirements. Backed by the director-general of the LMP-department this opinion had a particular weight.

I also meet resistance here (within the ministry), but these are much easier to discuss. A bunch of goals and agreements from Brussels have thus been included in LMP legislation: increasing the integration of older people, or of young people, (...) or the target agreements with the federal employment agency to implement the SGBII. There the goals of the EES have been directly included. Well, you finally can influence a lot. (D2)

⁷ On a conference in May 2008 a desk officer from another division confirmed: "They were getting on our nerves, it was almost a 'running joke' that they came up with the guidelines and European ideas in each and every suitable and not so suitable situation."

Beyond the direct organizational field of LMP it was much harder for this institutional entrepreneur to use its resources successfully.

While we have well-established networks on the topic of LMP at the moment we leave the inner circle of LMP it gets harder because new levels are coming in (...) I do not have any influence whether the Laender implement the guideline 22 or 23 on lifelong learning, goals in education or on lowering the number of early school leavers. (D2)

In many other topics of EES, e.g. childcare facilities, education, gender specific pay gap, however, other actors are responsible and here the institutional entrepreneur meets strong domestic resistance.

Regions as actors resisting change

One area of resistance was the vertical coordination necessities due to German federalism. Here EES affects fields which are completely in the responsibility of the Laender, particularly education. But this holds also true for the complicated compromise in combining unemployment assistance and benefits (cf. Schmid 2006). Being afraid of losing their stake as a consequence of European integration the regions strived to be deeply involved in EES's developments but block and hinder where possible, normally latent conflicts became more and more apparent in the course of EES.

The ones responsible for education policy in Germany are very careful that the EU does not interfere in their sovereignty. This is a really sensible, delicate and complex part of the NAPs. (D1)

However, to some extent, the LMP-department could profit from the conflicts in the field of education policy –between federal government and the Laender, as well as in between the Laender- and has acted as arbitrator between those interests, thereby pursuing own interests.

For these topics the KMK (the coordination body of the Laender for cultural and educational topics) and the Federal Ministry for Education need to come to an agreement. And before that the KMK has to bring together the positions of 16 Laender. (...) Now and then, due to our overall responsibility of coordinating the NAP we had to take the role of a mediator, arbitrating between those very different interests. (D1)

One example of the active role of the division beyond the confines of LMP was the flow of events resulting in a federal law committing municipalities to offer childcare for all under-three-year old by the year 2010. This topic was first issued in the course of the Hartz-IV reforms by the Labour ministry and then implemented by the 'Ministry of Family, Seniors, Women and Youth' (BMFSFJ 2004). This law met fierce opposition by the municipalities but was perceived as completely 'home-grown', any parallels to the respective EES guideline have not been discussed⁸. The municipalities, organized in three umbrella organizations –for larger cities, for smaller cities and for 'counties' (Landkreise)- are formally involved in the EES but *de facto* largely excluded. But this was more the consequence of a self-selecting-process than enforced by the labour administration. The three competing organizations just cannot afford the organizational resources necessary for taking part in the highly complex coordination and bargaining process surrounding EES (cf. Reissert 2003). In our interviews the LMP-desk-officers of the three umbrella organization all but one⁹ hardly knew details of the EES and did not recon any relevance for their work, however complained about 'restrictions' coming from 'Brussels'. Hence, still being an important actor for implementing LMP and a coherent employment policy –e.g. in administering the combined unemployment benefits and providing child care facilities- their role in negotiating LMP reforms decreased

⁸ The guideline on childcare was one of the few where the German actors in EMCO have been in favor of a quantified target.

⁹ The only one more strongly involved in the EES was so due to its role as representative of representative in the board of the public employers' organization in Brussels (CEEP).

considerably compared to the traditional involvement of these organizations in German LMP. Accordingly, local interests have been underrepresented in formulating the Hartz-reforms and other topics of a coherent employment policy, allowing only for resistance in the implementation, which then for instance thwarted the goal of a one-stop-shop by combining unemployment assistance and benefits.

Social partners: neglect of responsibility despite close collaboration

The social partners –the employer as well as employees organization- in contrast, are rather active in taking part in the EES. The EES has established a new, informal and rather unknown, forum for deliberating on employment policy, particularly on the desk-officer-level. In this arena the social partners have become more Lobby-organizations than contractual partners of the government. While actively influence the NAP and the German position on certain guidelines, by referring to their ‘tariff autonomy’, they carefully seek not to be committed to any own efforts. Despite the open and constructive discussions the aim of the meetings is not to reach a consensus, but more an open exchange of ideas. A fact both sides are eager to declare.

It is not like we have a permanent consensus group. I don’t believe this would be helpful anyway (...) It is important to discuss positions and clarify if there are potential points of agreement and where might be points where we go in different directions. (D4)

But we do not make any consensus decisions there. Because we say the NAP is not a paper of the three parties, but only an action plan of the federal government. We (...) do not take any responsibility for the NAP. This is not our paper. We do not feel committed to it. (D7)

Consequently, while the meetings on the desk officer level are open and constructive, this does not mean, the organizations would agree to the NAP, to the contrary.

We had these coordination meetings with the employer organizations, the trade unions, the Laender, even to the point of single wordings. However, the overall political message did not find approval of neither the ‘Bundesrat’ nor the trade unions. (D1)

I would like to stress once again –because it took me hours and hours- that the desk officer level is one thing, the political level something completely different. On the desk office level we really worked very well together (...) there has really evolved a culture of coordination and reconciliation. (D3)

This discrepancy can be explained by the difference of informal involvement and reconciliation on the one hand and participation with shared responsibilities, as imagined by the European Commission.

This is always hard to explain to the commission. Because they write ‘governance’ as participation of all stakeholders so large –I agree and the German government also does not disagree. But we have to distinguish carefully, that we say, the social partners have always been involved, and we incorporated many, many of their comments. But of course they could not say ‘this is our plan now’. Many statements on the Agenda 2010 the trade unions don’t share. And when they would approve the whole plan they would be involved in the political responsibility. (D1)

This attitude has crucial implications for the implementation of many EES guidelines as particularly in Germany for many topics –despite wage bargaining, e.g. lifelong learning, gender specific pay gap and employment of older people- the social partners are exclusively responsible and they jealously guard their competences.

Conclusion: strategies of actors in Germany

To conclude, the EES in Germany was widely organized in the tradition of pre-existing forms of inter-departmental, vertical and social partner coordination. However, a few peculiarities are worth mentioning. First, in the course of EES inter-ministerial co-ordination on *employment* policies increased, considering a wider range of interdependencies as classical

LMP. Second, a monopolization of communication channels and competences on a technical division-level laid ground for a very active role of the division ‘international LMP and encouragement of job take-up’ in appropriating the EES to the domestic field of LMP. This *institutional entrepreneur* has used the argumentative resources provided by EES to increase the stake of employment policy and its own position in the field. In doing so it could foster particularly topics of activation and job placement, a field itself was responsible for. However, beyond the direct influence of this actor, things are rather complicated in Germany. A coherent employment policy would rely on committing the Laender, municipalities and the social partners to own responsibilities. Not only does the complex process of reconciling all stakeholder interests hinder a coherent policy but these actors also have different reasons for resisting the influence of EES on domestic policy making. For doing so, these actors pursue different strategies. The Laender, fearing to lose importance, collaborate in the process and hope to influence and thereby hinder as many topics as possible. The municipalities, being split in three competing organizations, have too little organizational resources to play a major role in the coordination process. They look the other way and neglect an important influence of EES. The social partners, cherishing hopes and being apprehensive at the same time, collaborate closely in the domestic reconciliation on the technical level, but on the political level they opposed the NAP just as strong as the Laender. Accordingly, the EES could contribute to institutional change in two ways. Firstly, transnational learning processes have contributed to change the preferences of labour market experts in the ministry. Secondly, these experts used their domestic and EES resources to influence the direction of ongoing reforms.

4.3 France: hierarchic coordination of a coherent employment policy and EES

The French coordination of EES shows a completely different picture compared. Compared to Germany and Italy it is much more hierarchic, centralistic and by far less complex. Here, not a technical division is in charge of EES but a central coordination body. Additionally, policy making within the EES is strongly etatistic, merely incorporating social partners or regions into coordination. This administrative pattern of coordination has important consequences for the reform of domestic LMP. As European and domestic competences are kept separately, there is not one strong institutional entrepreneur striving to influence the field but two competing actors, where the administrative body is by far stronger than the ‘working’ level. Last but not least, European resources are merely legitimate within the domestic field. Therefore actors cannot improve their position in directly and explicitly drawing from EES. These peculiarities constitute strong barriers for the influence of EES.

The organization of EES in France

Within the domestic organization of EES the patterns of centralistic steering and administrative coordination are clearly visible. Particularly two departments are important for understanding the organization of the EES in France: the SGAE which is located in the prime minister’s office and the department for employment and vocational training¹⁰ within the Labour Ministry. Since founded by Robert Schuman in 1948 the SGAE has been one of the most important actors in French policy making in respect to EU.

Here we coordinate and, at last, we give the final position of France. (...) It is a special organisation in France, this secrétariat général. (...) It exists since 1948. So it’s a very old structure. And the idea is that when somebody from France speaks at Brussels, he has always in front of him or her a sheet with the French position. And this sheet is made here by this secretariat. This idea is that when somebody speaks, it has to be in coherence with the rest. (F4)

¹⁰ *Délégation Générale à l’Emploi et la Formation Professionnelle (DGEFP)*

Consequently there was a clear separation of responsibilities between coordinating the French position in the EMCO and domestic employment policy making.

We have the DGEFP. That's a department more political which decides on employment policies. The SGAE is an inter-ministerial structure that depends on the prime minister. This body coordinates all European questions. Thus, the SGAE asks all ministries for documents, compiles them and sends them to Brussels. (F3)

While the director general of DGEFP is core member of the EMCO, the SGAE claims responsibility to coordinate and formulate a coherent French position for all committees (cf. fig. 4). Therefore the delegates go to the EMCO with clear orders by the SGAE.

Before going to the EMCO we talk to the SGAE, because we have in our service to take into account the French position (...) when France is formulating an official political position, which we forward to the commission, it has to pass the office of the prime minister. (F 1)

Due to this claim for coherence -contrary to Germany and Italy- also the Permanent Representation plays a major role for the French position in the EMCO.

We always join in the Employment committee; (...) We are more into the decisions of the EMCO, so we know things and do kind of a translation approach, in every dossier that we have and particularly on the employment side. This is an informal way for us to have cohesion between Paris and the representation in the EMCO. (EU 22)

The operating department therefore is strongly confined in formulating agreements on the European level and in influencing the domestic position. But not only was the SGAE responsible for the French position in the EMCO, since 2004 it also drafts and coordinates the NAP.

When the general documents are issued we organize meetings with the ministers. (...) We drafted the national program and we answer when the Commission issues the fiche France, the comment about our national program. And the answer was established here. (F 4)

This development of increasing the coordinating role and thus improving the position of the SGAE is seen as a major achievement of the last years.

We coordinate and determine the positions. (...) Thus we have more a role of producing coherence of all which affects the European committees. And so we have worked on the NAP 2004 and NRP 2005 here in this office. We have coordinated it (...) it's us who have effectively written it, we have send it to Brussels, it's here were the NRP was made. (F 4)

For own action of the technical department merely the technical level of the EES without comprehensive policy implications is left. This privileges the use of best practice examples and the mutual learning program in France.

According to the DGEFP *and* the SGAE there have been repeated attempts to involve the regions. However, due to a missing contact organization that felt responsible these were overcomplicated and finally all failed.

It has been a complete failure, we never reached to bring the EES alive on the regional or local level. There is a organization of regions in France, the ARF, at the beginning we presented the NAP to them. But it was very formal. (...) Subsequently we tried with a body responsible for coordinating regional vocational training. (...) We presented them the plan (...) but it remained very formal. Finally we have sent 300 copies to all the regions of France, all départements and to the local PES. (F 4)

Therefore, in coordinating the NAP, the regions in France do not play a decisive role.

In France the NAP does not really take into account the region's policies. This is a very bad thing since the regions do have the competences. (F 22)

Finally, it proved that the most successful consideration of regional interests was possible by the national Agency for Spatial Planning and Regional Action (DATAR)¹¹. There the NAP was of particular interest for drafting ESF-proposals.

The social partners are involved predominantly via the *Comité du dialogue social en Europe et international* (CDSEI), which was found in 1998 to respond to the necessities of EES. In working groups of this body the social partners are not only presented the NAP, they also discuss the guidelines and the statistics.

Since two years ago we have working groups which were established by the Comité du dialogue social. We not only meet to approve or disapprove the French governments' plan but first of all to work on the guidelines for example concerning the national statistics. (F 22)

However, as far as we could find out, this involvement was predominantly concerning details of implementation in France. It did merely concern the political implementations and hardly involve social partners in formulating the French position towards the guidelines and employment policy. Also in the NAP in the end the influence of the social partners is marginal.

The NAP/employment was presented in the same committee. Social partners made their comments but they have not been taken into account. (F 1)

This is due to a missing tradition of horizontal policy reconciliation between state and social partners in France. The meetings are not perceived as an arena for negotiating a common position but more for informing social partners and listening to their opinion. Consequently, while formally closely involved the social partners in France have little stake in the domestic organization of the EES.

The SGAE and the DGEFP as competing institutional entrepreneurs

As a consequence of the dual structure of coordination there is not one single *institutional entrepreneur* in the French employment policy field. In fact, two strong actors compete for the central position. However, the administrative coordination body SGAE was by far more successful to monopolize the communication than the technical level. They used the NAP increasingly as a policy planning document of the government. The other actors in the field -perceiving the NAP as such- did not have major interest in getting involved. This is also a result of the rather inactive self-conception of the technical department.

The government makes the policy and we are in charge of the application of the policy here. (F1)

This passive attitude is in strong contrast to the active role the technical level takes in Germany. Even more, the EES does not provide actors with legitimate resources for argumentation in the domestic debate.

In France, nobody wants to admit that what is being done has to do with Europe. (...) Thus it is somewhat harder to recognize what part of this comes from Brussels. (F4)

Thus a direct link between the reforms and the EES cannot be established. This, however, does not necessarily mean that EES had no influence on these reforms. The French administration has rather used the EES as a point of orientation without emphasising this in public.

One refers to the EES and transfers this to France. But one never says that the CNE or the CPE for adolescents was recourse to the cornerstones of education policy. (F11)

The poor involvement of other actors in formulating and organizing the EES in France, as well as the failure to openly discuss EES inputs in the field, fostered societal resistance

¹¹ In 2005 this agency was renamed in DIACT, *Délégation interministérielle à l'aménagement et à la compétitivité des territoires* (Interministerial Agency for Spatial Planning and Competitiveness)

subsequent to policy making. As the interests of regions and social partners was hardly considered beforehand and as these actors have not been involved in the reconciliation of a common modernization of French employment policy it was much easier to organize public opposition.

Conclusion: strategies of actors in France

The EES in France is characterized by centralistic, etatistic and hierarchic coordination. The need for coordination was used by the administrative coordination body SGAE to improve its position in the field and to increase centralistic, non-specialist steering. This centralization may raise the potential of central steering by the prime minister and the president of the republic for a coherent national employment strategy. However, only most recently there might be indications for this development. The options for the technical level therefore are restricted from two sides. Within the EMCO they only have an imperative mandate on behalf of the SGAE, on the domestic level most communication concerning the EES is monopolized by the SGAE. Additionally, the little involvement of other actors in formulating French employment policy in the end fostered public resistance and hindered from a comprehensive modernization of employment policy. However narrowly confined, the DGEFP made use of the EES within the possibilities they had. Their playground was reforming employment policy and insertion schemes. This was not a comprehensive new policy approach but rather improved existing policy schemes.

4.4 Italy: fragmented responsibilities in employment policy coordination and EES

In Italy, a wide range of works has cited the EU as catalyst and promoter of the labour market reforms (cf. e.g. Natali and Rhodes 2005, Natali 2004, Treu 2001). In particular, these works address two links: the close European involvement of an influential political group of labour market experts (cf. Ferrera 2004, Ferrera and Sacchi 2005, Graziano 2004) and secondly the strong dependence of Italian LMP on financial support by the European Social Fund (ESF) (cf. e.g. Sestito 2002, Pirrone and Sestito 2006). At the same time, the European Commission did strongly criticise the Italian reforms. This contradiction can be explained by the specific appropriation of EES by domestic actors. The strategic Lisbon goals and the EES expertise were used by a small group of academic political advisors to stress the exigency of labour market reforms. Particularly in the years 2001-2006, the reforms express a political interest in reducing labour market rigidities, reducing labour costs and strengthening the role of Italian regions while weakening the central government.

The organization of EES in Italy

In Italy, at the beginning the EES was not conceived of as political process and therefore it was external labour market experts that represented Italy in the EMCO and experts from ISFOL¹² drafted the NAP (cf. Ferrera and Sacchi 2005: 145f). This changed after the death of Marco Biagi in 2002. Heaving drafted the NAP on Social Inclusion, the new Director General of the labour market department insisted on being member of the EMCO and drafting the NAP. However, the 'Secretaria Tecnica del Ministro' became head of the EMCO delegation¹³. The position in the EMCO was coordinated by this unit at the ministers' office

¹² Istituto per lo Sviluppo della Formazione Professionale dei Lavoratori

¹³ This secretariat in Italy takes an important role as interface between the technical administration and the political level of the minister.

(cf. fig. 5). Due to the central role of this secretariat from then on for the EES in Italy everyday politics played a much more important role than in other countries.

Due to inconsistent and problematic coordination it was hard to find acceptable formulations. The NAP in this period was obviously an incoherent collage of contributions from different ministries, the regions and the social partners. It could therefore not develop the consolidating potential as in Germany or France. Contrary to the work in the EMCO the NAP from 2001 on - formally in charge of undersecretary Maurizio Sacchoni- has been coordinated by the director general of the technical department 'employment and vocational training' (cf. fig. 6). However, despite other important units, the department of 'Spatial Cohesion and Development' within the Ministry of Economics due to its role in the ESF played a major role for the Italian NAP.

The department of cohesion and development has always been an interpreter of the claims of Mezzogiorno. Therefore it has considerably conditioned the compilation of the NAP in respect to our infrastructural delay. (I4)

Due to strong and important ministries involved, the inter-ministerial coordination of the NAP was one of the main challenges

The difficulties in constructing the NAP derived from missing resources, of the different potential to make quantifiable strategies. (...) We are a lot of ministries occupied with labour topics, this is not always that easy. (I3)

Additionally the NAP was explicitly subordinate to the economic- and financial program of the government. The coordinators therefore had very little discretion in compiling the NAP.

The model of the NAP produces the NAP and not much more. The NAP does not exist. It's a paper document which is completely ignored at the operating level. (I4)

The peculiar mode of regionalism in Italy constitutes a major problem for the domestic organization of the EES. Since a reform of federalism in 2001, the regions are the only actors responsible for most LMP. But on formulating the Italian position in the EMCO the regions are hardly involved. However, because of their competences they had an important role in drafting the NAP. Due to missing alternatives, the existing network for coordinating ESF programs between the regions has organized these contributions. However this does not imply a reconciliation of ideas among the regions and between the regions and the state. The regions only reported their actions concerning particular guidelines because for them the NAP is not very important. As they rely heavily on the structural funds the programming documents of the ESF is the pivotal document for them.

The regions have contributed to the NAP, but this was a completely formal involvement. Because for the regions the real NAP is not the NAP but the programming document of the European Social Fund. (I4)

For them the ESF is the most important financial resource, the NAP only serves as an additional opportunity to report the success of ESF programs in the regions.

At the territorial level the NAP (...) did never have any relevance, neither politically nor technically. What counted was the POR, the plan of occupational activities of the regions (the planning document of the ESF, the author) where not only the challenges are mentioned but also the policies, but first of all the financial necessities. (I4)

The role of the social partners proved to be almost as complicated as the one of the regions. For implementing LMP reforms their contribution would have been crucial because most new labour contracts as well as their social protection only come to force by social partners' joint approval. However, in formulating the national position in the EMCO they were hardly involved. They have been presented the NAP in two plenary-meetings with 37 members.

The consultations to the NAP have always taken place in plenary form, therefore they have been very reserved. We have not been listened there, not CISL, not CGIL, not UIL. In this sense we have only participated in the plenary meeting. (I 9)

At the first session they were explained what their contributions to the guidelines should look like, at the second they were presented the final NAP and had the opportunity to express opinions which had been amended to the NAP. These amendments did, however, not give a common position of the social partners but rather emphasized the disagreements of the major trade unions among each other and with the government.

Academic advisors as institutional entrepreneur

Due to the marginal role of the administration in the EES and the formulation of the domestic employment policy they could not become an institutional entrepreneur. However, an important role was played by the technical secretariat.

I was appointed in the year 2001 as an economic advisor and in 2003 I became the head of this strategic unit (...) The unit is acting as the advisor of the minister on some of the most critical issues - at national and international level. (...) Not so much in the practical application of the implementation but mainly in designing the labour market reform. (I2)

And a close epistemic community of academic experts –internal and external to the ministry¹⁴ - took the role of an institutional entrepreneur (cf. Graziano 2004, Ferrera 2004).

The structure of the labour market reforms, the law on the labour market was made by this ministry, however even more so by counsellors of the ministry, particularly Biagi. The direction in this respect has applied the reforms, it did not take part in designing the reforms. (I 3)

For bringing these experts together Marco Biagi was the central figure. Not only was he personally involved in various domestic reforms¹⁵ but from 1997 to 2002 he was also head of the EMCO delegation¹⁶.

Marco Biagi was the first thinker of the reform and he was a part of the EMCO and a long contributor in EMCO. (...) There are normally exactly the same people involved in both exercises (the national reforms and EES, the author). (I2)

An increasing role was played by the monitoring group in the labour ministry (cf. Ferrera and Sacchi 2005). Inspired by EES and OECD the ministry has set up this working group, which includes experts from ISFOL¹⁷ and ISTAT¹⁸, in 2000. The head of this group is considered an economic advisor to the minister and was part of the epistemic community around Marco Biagi. The monitoring group collaborated on the whitepaper on labour market reforms and provided further economic expertise in the reform process. Additionally, the technical secretariat has set a further working group coordinating the statistical work of the ministry (cf. Ferrera and Sacchi 2005: 147). A member of this working group was delegate in the indicator group of the EMCO and drafted the statistical annex to the NAP, which was the most analytical part.

¹⁴ A multiplicity of scientific publications shows the strong academic orientation of these experts (cf. Sestito 2002, Pirrone and Sestito 2006, Marano and Sestito 2004; Barbieri and Sestito 2004, Barbieri and Sestito 2005; Casavola and Sestito 2000)

¹⁵ Marco Biagi was counselor to the labour minister Tiziano Treu –himself originally being professor in labour law- in 1996, 1997 counselor to prime minister Romano Prodi, 1998 counselor of labour minister Antonio Bassolino. At this time he prepared various, major reforms and participated in additional expert groups on labour market reforms on the regional and local level (Tiraboschi 2003)

¹⁶ Additionally to the EMCO Marco Biagi, e.g. was member of the high-ranking group on industrial relations and member of the administrative board of European Foundation for the Improvement of Living and Working Conditions.

¹⁷ *Istituto per lo Sviluppo e la Formazione Professionale dei Lavoratori*

¹⁸ *Istituto Nazionale di Statistica*

This epistemic community, dominated by economic experts was very active in advocating a comprehensive reform starting with a reduction of the employment protection for the core labour force. Even though, again, Marco Biagi was closely involved in negotiating the ‘Patto per l’Italia’ between two of the major trade unions and the government (Tiraboschi 2003), however, overall these experts were hardly connected to the everyday work of the ministry as well as political bargaining and reconciliation of reforms with the social partners.

The role of trade unions and regions

The tripartite reconciliation of labour market reforms and the involvement of the social partners in the EES –far from being easy from the beginning- became politically almost impossible after the labour market reforms in 2002/3. The trade unions themselves were missing shared opinions to be a coherent partner to the government. As in Germany and France it was not possible to commit them to the NAP as it was regarded as a governments’ document.

For the social partners that has been much more complicated on the political side. Because obviously the social partners were refusing to adopt a document which is on the ownership of the government. (...) that is very complicated with the social partners. They endorse the national action plan, but do not see it as their own as their document. (I 2)

After the complete regionalisation of the PES and LMP legislation the state has barely any influence on these topics. The modernisation of LMP schemes, e.g. in terms of activation, could thus only be realised on a local level. Here the EES had major impact, but less so by national coordination but more indirectly by ESF (cf. Pirrone and Sestito 2006). As the necessary capacities are scarce the regions dependent heavily on the ESF. The ESF therefore was one reason for regionalizing LMP responsibilities. In this way, it seemed much easier to develop coherent programs on the regional level. One interview partner in the European Commission thus called the ESF ‘the basis of implementation of the EES’ in Italy. It is considered ‘the silver bullet to devise regional labour market policies’ in an active and preventive way (Ministero del Lavoro e delle Politiche Sociali 2001: 337).

The EES is, especially on a local level, taken very seriously because the Structural Funds realise our national strategies. For (...) the guidelines of the EES became, by the virtue of the ESF, also guidelines of regional policies. (I3)

Consequently, the local and regional employment policies pursue the goals of EES (cf. Graziano 2004: 21) in concentrating on ESF financed programs.

Conclusion: strategies of actors in Italy

In Italy, like in the other countries, the domestic organization of the EES is largely characterized by pre-existing national structures. For the domestic organization of EES in Italy particularly four institutional characteristics were important. Firstly, legitimizing by external experts and ‘the EU’ is immanent to Italian policy making, at least since the beginning of the 1990s (cf. Graziano 2004, Ferrera 2004). Therefore, most labour market reforms of the 1990s have not been conceptualized by technical officials at the working level of the ministry but by counsellors of the minister. Even more than in France, in Italy the bureaucracy is fragmented between policy-responsibilities at the top, technical-administration and scientific expertise (cf. Ferrera and Sacchi 2005). Additionally, there is not a central coordination body of the same strength as in France. Secondly, even though there is a high continuity in bureaucratic personnel particularly regarding European policy within the

administration often personalized, but fragmented and changing responsibilities¹⁹ as well as disorganized, sometimes politicized inter-ministerial coordination hinder from a coherent policy making (Della Cananea 2000: 104). Thirdly, employment and social policy making in Italy is battle ground for reshaping the share of competences between regions and the nation state. And finally fourthly, the conflictive tripartite industrial relations make the reconciled EES positions unlikely.

The EES has privileged the rise of a scientific epistemic community which became a major institutional entrepreneur. But a political reconciliation in the forefront of the reforms did not take place. This –as well as the ‘social blind spot’ of the predominantly economic experts- provoked fierce opposition by the trade unions and finally contributed to the questionable compromise of making the labour market more flexible only at the margins. Secondly, not exactly the EES but the closely related ESF strengthened the role of Italian regions. This fostered a comprehensive decentralization without national coordination of LMP. From this reform the regions of the north could profit much more than the southern regions with scarce organizational and financial resources. The increasing incorporation of scientific expertise in the bureaucracy, however, represents a chance for better organizational capacities, more coherent coordination and finally a more coherent employment policy in Italy. But in order to get relevant, a further integration and internal coordination between the relevant actors is needed.

5 Conclusion

In this paper we have analyzed the impact of different nationally institutionalized patterns of coordination on the domestic appropriation of EES and respective labour market reforms in Germany, France and Italy. We have started with a puzzle of national LMP reforms that each parallel particular aspects of EES but have concerned very different policy areas in the three countries. In order to be able to explain these differences we proposed to use the approach of institutional entrepreneurship, inspired by organizational, institutional and structuration theories (cf. Fligstein 2001c, DiMaggio and Powell 1983, Giddens 1984). According to this approach, organizations that seek to structure their institutional environment in mutual interactions together constitute an organizational field. Institutional entrepreneurs –as skilled actors- reflexively use this institutional environment as resource in this practice. They do not only seek to further their immediate interest but also to improve their position for future bargaining within the field (Bourdieu and Wacquant 1992). They do so particularly by becoming more relevant in the eyes of the other organizations involved. For this they can use three –mutually not exclusive- strategies: improving relevant organizational capacity, proposing better solutions to commonly perceived problems and persuading others of new problems, they themselves have the most relevant resources for. In using this approach, we have reconstructed the national organization of EES and the role of different institutional entrepreneurs in Germany, France and Italy. We could show that the EES provided an important resource for strategic actors in the domestic organisational fields of LMP. However, the national organization of the EES has largely reproduced pre-existing patterns and differences. Finally, the starting puzzle could be explained by different interests and strategies of national institutional entrepreneurs using the EES and their position in the domestic field of LMP as recourse in their interest. While these actors have contributed considerably to the respective LMP reforms, this analysis does neither imply that these were the only actors working in favour of reforms, nor that EES was the only influence.

¹⁹ While the description of the domestic coordination process for the other two countries still broadly applies, this is not true for Italy. Here, not only due to changes in government, the organization has changed more than once in the meanwhile. The description given in this paper therefore applies particularly for the rather stable period 2002-2005.

In *Germany* the focus of these reforms was mainly to increase labour market participation and employability of long-term unemployed. This was widely considered as a major cognitive shift from passive to individualized and activating LMP. However there have been problematic compromises in implementation. We could show that this was due to the focal role played by the division 'international LMP and encouragement of job take-up' within the LMP department of the Labour Ministry. Within the EES, the German tradition of horizontal inter-ministerial reconciliation, the active self-perception of German bureaucracy and the close coupling of European and national competences supported the role of this institutional entrepreneur. In using the EES as argumentative support it has contributed to a cognitive shift in Germany that fostered particularly topics of activation and job placement, a field itself was responsible for. In the *French* LMP reforms, a streamlining and improvement of LMP schemes, particularly subsidised job insertion dominated. Most other reforms have been rejected or strongly mitigated after fierce public resistance. This could be related to the centralistic, unitarian and etatistic organization of the EES that followed the traditional patterns of policy making. While the central coordination body –the SGAE- has used the EES successfully to extent and improve centralistic steering, the LMP department used the little discretion it had for proposing better solutions to commonly perceived problems, thereby proving its own relevance. In *Italy*, the concentration on the two pillars: making the labour market more flexible and regionalising the PES could be explained by two different developments. Within the national arena, the EES has supported a close epistemic community of –economically oriented- scientific experts. These made extensive use of EES expertise to argue in favour of reducing the strong labour market rigidity. However, these experts and advisors were themselves hardly able to make compromises and to coordinate their mission with other relevant stakeholders. Therefore this reform plan was mitigated after fierce resistance by trade unions and concentrated to the margins of the labour market. On the other side, the regionalization of LMP and PES –potentially- improves the position of regions to use ESF, thus increase its organizational capacities and finally implement a coherent, regional employment strategy.

However, while national coordination structures have slightly changed, we could hardly find indications supporting the idea of opening structures, including new actors and improving the reconciliation with existing ones (Sabel and Zeitlin 2007, Eberlein and Kerwer 2004). To the contrary, the EES has tended to improve the position of actors who have been strong from the beginning while particularly weak actors tend to be more and more excluded from employment policy making. In Germany this applies particularly to municipalities, which do not have sufficient resources to participate in the complex bargaining and coordination surrounding EES. In France, the role of the SGAE has been strengthened, while neither the regions nor the social partners have experienced further involvement. And in Italy, in the end, the competences of the regions have grown enormously, while the weak nation state has lost competences. The needs for coordination have largely been ceased. However, regional disparities increased. Due to better organizational resources the strong regions in the North have profited considerably from the regionalization, while in the South the scarce organizational and administrative capacities make all a modernization of PES almost impossible.

To conclude, the EES can contribute considerably to a modernization of national employment policies, which is inspired by European ideas. It provides interested actors with sufficient resources to pursue goals that are in line with the EES. As these resources are considered legitimate in most countries and are at least indirectly useful in France we may speak of a Europeanization of labour market reforms. However, while EES constitutes an increasingly important factor in national policy making, it does neither automatically produce desired outcomes nor desired (or desirable) coordination structures.

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Figures

Figure 1: The coordination of the German position in the EMCO

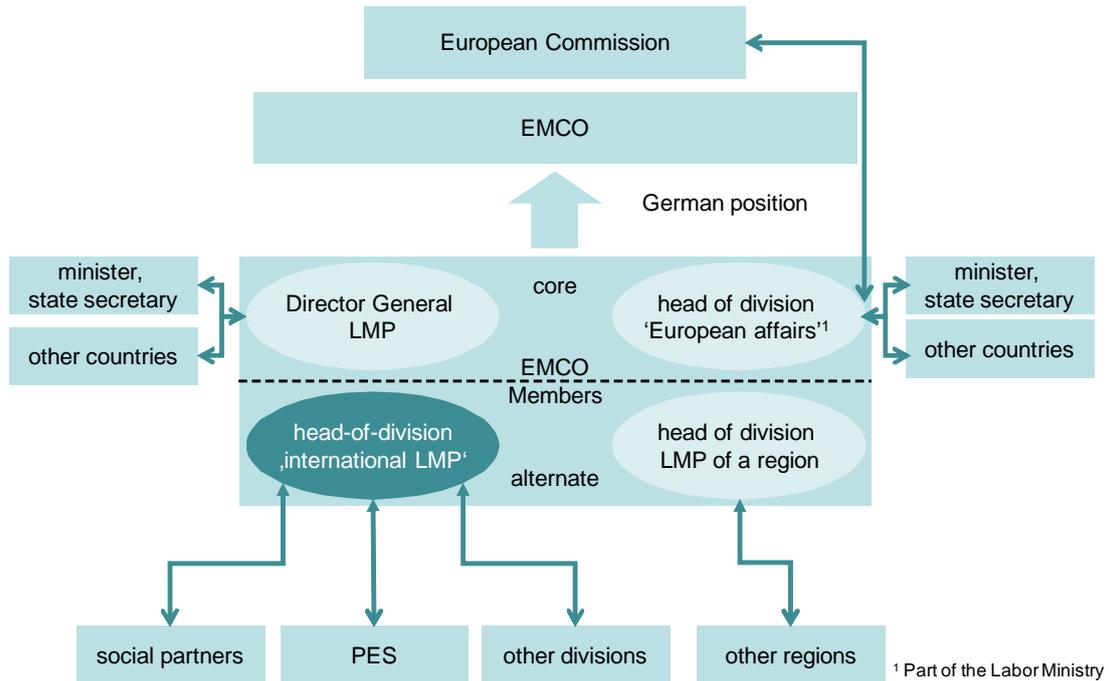


Figure 2: The coordination of the NAP in Germany

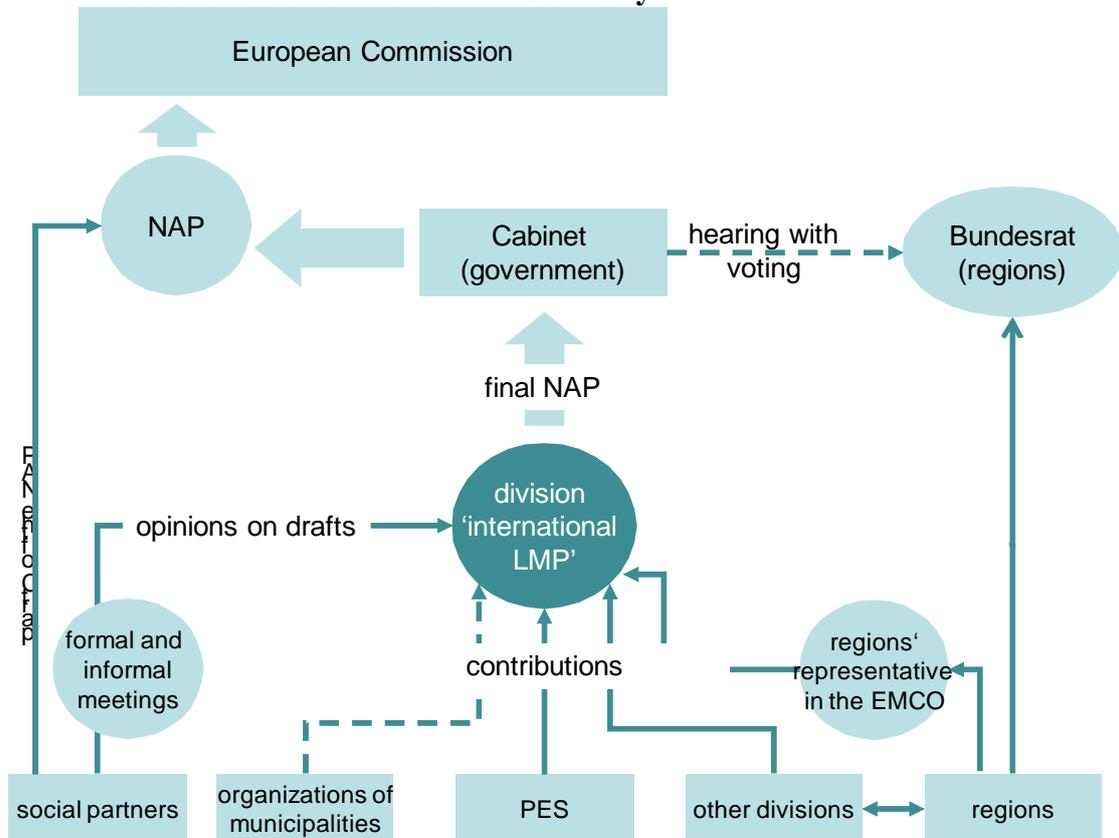


Figure 3: the coordination of the French position in the EMCO

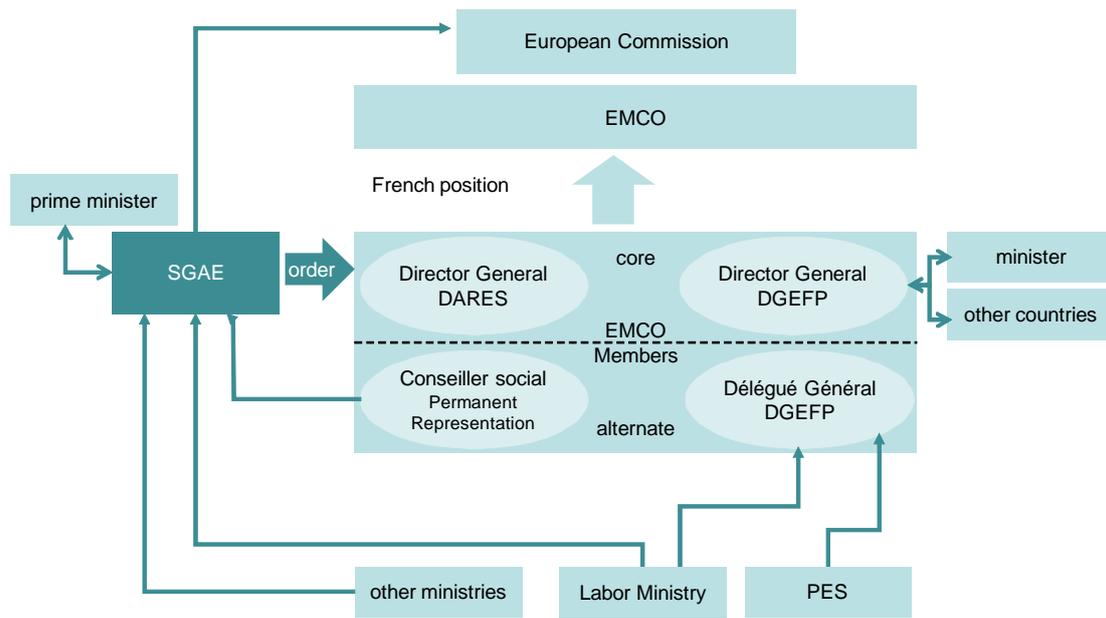
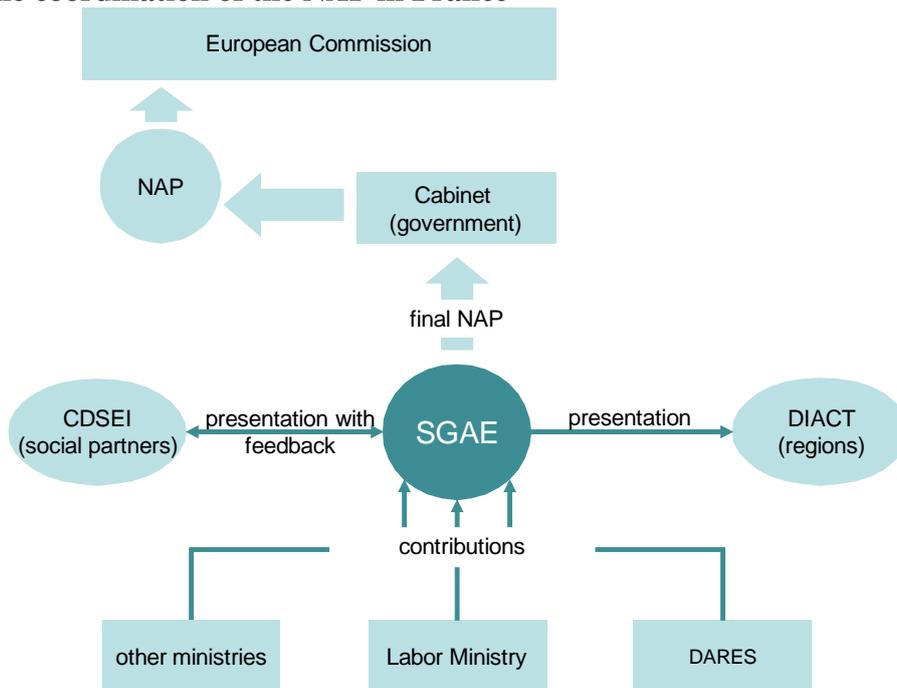


Figure 4: the coordination of the NAP in France



applied since 2004,:

Abbreviations:

CDSEI, Comité du dialogue pour les questions européennes et internationales

DARES, Direction de l'Animation, de la recherche, des études et des Statistiques, Ministère du Travail, des Relations sociales et de la Solidarité

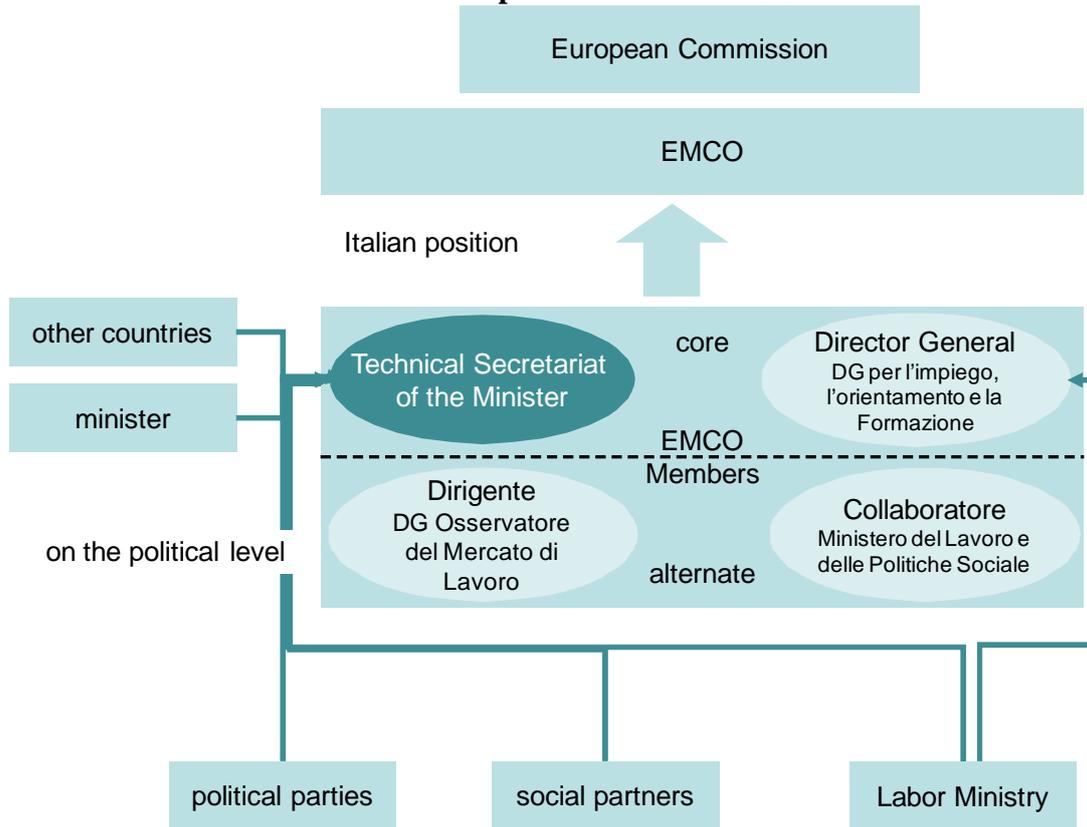
DGEFP, Délégation Générale à l'emploi et à la formation professionnelle; Ministère de l'emploi, du travail et de la cohésion sociale

DIACT, Délégation interministérielle à l'aménagement et à la compétitivité des territoires (before: DATAR)

Permanent Representation, Représentation Permanente de la France auprès de l'Union européenne

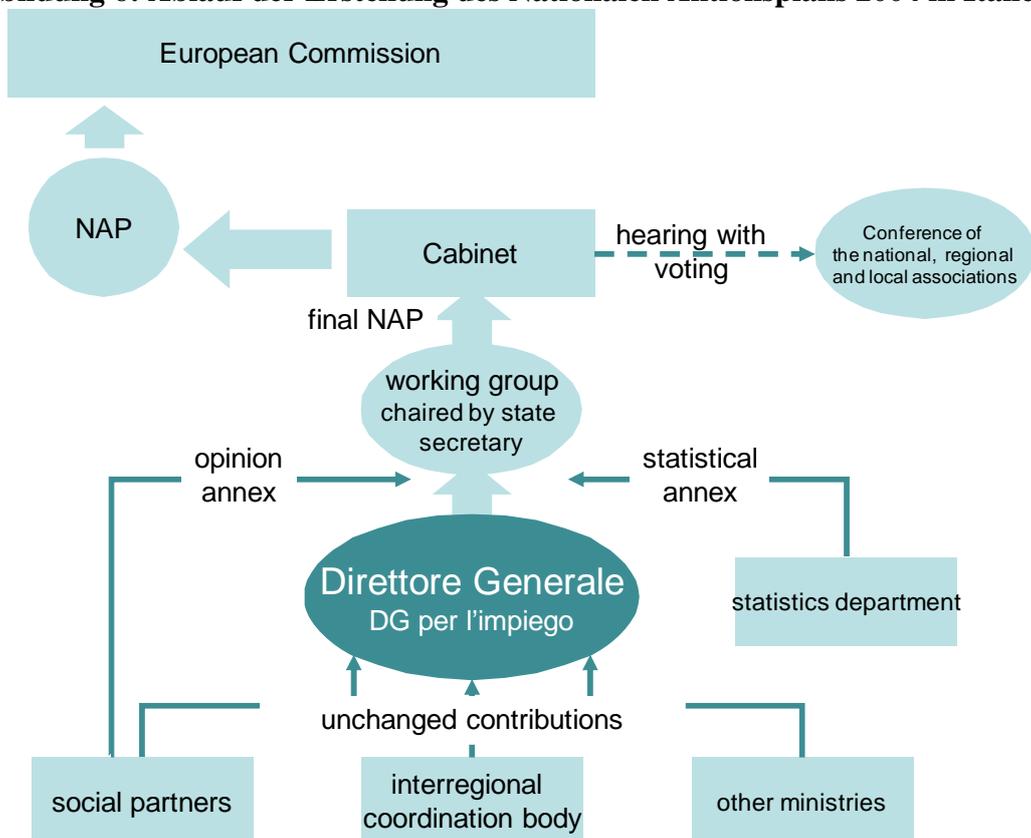
SGAE, Secrétariat Général des Affaires Européennes

Figure 5: the coordination of the Italian position in the EMCO



applies to 2002-2006

Abbildung 6: Ablauf der Erstellung des Nationalen Aktionsplans 2004 in Italien



applies to 2002-2004