

POLICY LEARNING IN THE EUROPEAN UNION:

The case of the European Employment Strategy

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Mutual learning among the Member states is the primary purpose of the employment policy of the European Union. The two most important research questions in this regard are how learning occurs and how much learning takes place. In this article it is argued that existing studies of the effects of learning in the European Employment Strategy (EES) have been either determined by the donor's interests or have misunderstood how mutual learning between countries takes place. In contrast, this article develops a constructivist approach to learning and uses it to generate some concrete hypotheses about when learning in committees is most likely to take place. This constructivist approach is then used to analyse the institutional framework surrounding the EES in order to evaluate whether the potential for learning is optimal. Finally, the article concludes that even though some basic premises for learning have been fulfilled, the potential for mutual learning could and should be increased through the implementation of a range of concrete institutional reforms. Firstly, a range of professional and autonomous subcommittees that report to the Employment Committee (EMCO) should be established. Secondly, the EMCO should be given more time to discuss national action plans in meetings with more loosely defined agendas. Thirdly, cooperation should be concentrated around the areas where the differences in terms of policy performances among the Member states are greatest. Fourthly, the president of the EMCO should be given a more prominent role at the expense of the Commission. Finally, the members of the EMCO should in the main be recruited from directorates in the member states rather than minister's departments.

Introduction

Mutual learning among the member states is the purpose of the employment policy of the European Union (EU). The two most important questions in this regard are *how* learning occurs and *how much* learning takes place. It is argued here that existing studies of the effects of learning in the European Employment Strategy (EES) have been either determined by donor interests or have misunderstood how mutual learning between countries takes place. In this article, a model is outlined for harnessing the potential for cooperative learning through committees associated with the EES. A set of recommendations for improving learning in the EES is then presented for consideration.

The EES has its roots in the so-called Luxembourg process, which was adopted at the summit of the European Council in Luxembourg in 1997. The Luxembourg process was introduced in the Treaty of Amsterdam and was inspired by the pressing need for macroeconomic coordination across EU member states. The purpose of the EES is, in the words of the Portuguese presidency at the conclusion to the European Council summit in 2000, 'mutual learning' (European Council, 2000).¹ This involves what has been termed the 'Open Method of Coordination', which is built on the assumption that member states will learn each others' 'best practices' by exchanging experiences on the basis of benchmark indicators that are defined jointly. In short, understanding the dynamics that drive learning is an essential component of EU policy-making. Unfortunately it is not an easy task to analyse the learning processes in the EES because the strategy is relatively new, its organisation complex, and its impact difficult to measure (Zeitlin, 2004). As a result, much of the research done on the EES has suffered from the absence of adequate theorisation and methodological difficulties (see Barbier, 2004; De Deken, 2003).

The purpose of this article is therefore to sketch a theoretical approach for analysing learning processes in the employment strategy and to develop a plausible methodology for its operation. The argument is developed in three substantive sections. First, a brief review of the way the concept of learning is used in recent political science literature is presented and a model for conceptualising mutual learning is proposed. Secondly, this model is then used to evaluate mutual learning in the European employment strategy. Thirdly, a range of practical recommendations for improving learning are prescribed.

What is Learning?

Although policy transfer processes have been subject to growing interest in the political science literature (see Dolowitz and Marsh, 2000; Evans, 2004; Rose, 2005; Sabatier and Jenkins-Smith, 1999), some potentially effective approaches for explaining policy transfer have been largely overlooked. There is a tendency in the literature to take learning processes for granted as a part of a presumed deliberative process (see Dolowitz and Marsh, 2000). However, both the understanding and the estimation of the learning processes depend very much on the conceptual apparatus that is utilised.

Traditionally the analysis of learning has been dominated by approaches based in various psychological, pedagogical and philosophical theories that either explained learning as an internal mental and endogenous process or as an exogenous process (Gergen, 2001, p. 118). Both approaches place learning in the single person and can accordingly be claimed to reflect a dominating orientation of individualism. There has in recent years, however, been a growing literature on mutual learning in the study of international relations. As several researchers have observed (see Flockhart, 2004; Levy, 1994), the field is a minefield of conceptual and methodological problems because learning is difficult to define, isolate, operationalise and thus measure empirically. In the political science literature there has therefore been a natural tendency to colonise the dominating approaches to learning that have been used in other disciplines.

Originally many researchers of international politics have applied an approach to learning that can be characterised as naive and individualistic, as exemplified by Joseph

Nye's (1987, p. 379) statement that the 'extent and accuracy of learning depends upon the strength of the prior beliefs and the quantity and quality of new information'. Latterly the typical conceptualisation of learning has moved in a less individualistic direction. Ernest B. Haas (1990, p. 23) defines learning as 'the process by which consensual knowledge is used to specify causal relationships in new ways so that the result affects the content of public policy'. Haas (1990, p. 24) adds that 'learning implies the sharing of larger meanings among those who learn'. Hence, 'consensual knowledge' becomes the cornerstone in his conceptualisation of learning and in this way he distances himself from the purely individualistic approach by adding the concept of the 'sharing of larger meanings'.

Peter Haas's seminal edited collection on epistemic communities published in 1992 in the journal *International Organisation* can be viewed as a further development of Ernest Haas's original conception. Peter Haas (1992, p. 3) argues that epistemic communities are the decisive channels through which ideas circulate defining them as 'network[s] of professionals with recognized expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue-area'. Haas thereby recognises that learning takes place in communities and networks rather than individually, although he is less explicit with regard to the medium through which learning takes place.

Jeffrey T. Checkel (1999) applies a constructivist conceptual apparatus when analysing mutual learning. In his concept of social learning he defines learning as 'a process whereby actors, through interaction with broader institutional contexts (norms and discursive structures), acquire new interests and preferences'. Checkel is more explicit about the medium of learning, focusing on the role of 'norms' and 'discursive structures'. Norms are understood as shared collective understandings that regulate behaviour. From an analytical point of view both concepts are too vague to be worth much as independent variables.

Trine Flockhart (2004) builds on Checkel's concept of social learning in her analysis of mutual learning in NATO's parliamentarian assembly. Flockhart defines mutual learning as the 'change of beliefs at the individual level, either in relation to values, norms, procedures or new routines'. She also claims that learning can occur even if it is not reflected in actual behaviour; a phenomenon she terms 'passive' learning. Accordingly it becomes very difficult to decide whether learning has actually taken place, as learning can occur without resulting in policy change and policy change can occur without learning.

A Social Constructivist Model of Learning

This article will seek to overcome the distinction between language and learning by using a constructivist approach to learning. Constructivism has also been the basis of analysis of learning in other disciplines. Social psychologists such as Gergen (1998, 2001) and Shotter (1995) have, for example, made telling contributions to the constructivist understanding of learning. The social constructivist approach to learning originates from the Anglo-Saxon language philosophy that was founded by Ludwig Wittgenstein. Wittgenstein (1953) proposed that language did not get its meaning through a mental or subjective process, but as result of its practical use in language games. From a

constructivist perspective, knowledge is therefore a socio-cultural process in which learning occurs through communicative processes among people contrary to conventional perspectives that focus on cognitive characteristics. Learning occurs when words are situated in a new and different relationship to one another giving rise to a new context for understanding an issue (Norval, 2004). This means that learning is not caused by cognitive acquisitions or the accumulation of facts, but by a change in terminology.

The social constructivist approach to learning therefore sees learning as the result of a process in which, through interaction, people begin to address the world in new ways as a socially constructed reality (Wittgenstein, 1953, p. 169). In contrast with conventional perspectives that see learning as a cumulative process (e.g. filling a bucket with water), constructivism does not necessarily perceive learning in this way. Learning often involves struggles for power. In the constructivist approach, power is understood in terms of (power) relations that are based on the ability of actors to define concepts in various practices or, for example, the ability to establish an epistemic community in the 'Haasian' sense. The dominant logic of argumentation in the European employment policy is therefore defined by the hegemonic coalition of actors, and other actors are forced to use the dominating concepts if they wish to be understood and have their arguments accepted.

Although learning is embedded in concrete practices, it always transcends individual practice when an individual takes up a new practice in a different sphere. This transcendence occurs through 'trajectories of participation' (Lave, 1999) that follow the movement of an actor from one area of practice to another. This means that learning is spread when the concepts used in one field or location are transferred to another field or location as actors move from one circle of interacting actors (e.g. a transnational committee) to another circle of interacting actors (e.g. the national administration). Of course transfer of this form is not certain and chances are that the conceptual language may be adapted to fit the new setting. However, as Flockhart (2004) notes, a change in the language-constituted relations can also be the result of 'strategic social interaction' where the shift does not reflect learning but proforma changes in the vocabulary. This phenomenon is a methodological weakness in the social constructivist approach that must be considered carefully in empirical analysis. Nonetheless, the significance of this problem can be overstated. In response one could advance a historical institutional counter-argument that runs something like this. Even though actors might initially use new concepts strategically, they can become caught up in the line of argument and unable to brake the path dependency as the social costs of doing so would be too high (in terms of being accused of inconsistency and dishonesty). Accordingly, from an analytical perspective it is not important whether the actors mean what they say when new arguments are advanced. The central reason for this is that even strategic social constructions must be used continuously. Consequently, if a change in the use of concepts is not the result of learning, it would require an almost schizophrenic personality to uphold it as learning as learning is not just about changes in language, but also in language-constituted relations to others. Another potential weakness in the constructivist methodology is that learning might not result in policy change in EU member states. This might not be not due to strategic social interaction but could be the product of weak trajectories of participation. This issue will be dealt with further below.

If the social constructivist definition of learning is accepted, a range of factors influencing the potential for policy learning in committees can be identified. A basic precondition for learning to take place is naturally that people are in contact with each other and that meetings have a certain frequency. An indicator of the potential for learning in the EES is accordingly that the participating persons meet relatively frequently.

For analytical purposes, other factors that influence learning understood here as *changes in language constituted relations* can be organised into two dimensions – external and internal processes. The existence of certain conditions within these two sets of processes facilitates the harmonisation or the fragmentation of the concepts used by participating actors. Harmonisation in this context refers to the situation in which the concepts are broadly accepted as descriptions of the social reality (learning), while fragmentation implies that no conceptual consensus concerning the social reality has been reached.

External processes can create conditions that either increase or limit the conceptual room for manoeuvre. For example, the imposition of narrow political mandates could limit the possibility of committee members changing their positions on the basis of new professional knowledge or new concepts, thereby inhibiting learning. Conversely, an increase in the conceptual room for manoeuvre can promote learning. Hence, the conceptual room for manoeuvre may be used as a proxy indicator of the potential for policy learning.

A second external factor that may promote or impair learning is the degree of uncertainty within the committee concerning whether the policy is right or wrong (Mintzberg, 1979). If the degree of uncertainty is high, committee members will have little faith in the usual solutions to the problems they confront and will be more open to new suggestions (Simon, 1945). Indeed, the opportunity for successful learning is highest when members of the committee view a continuation of the *status quo* as unacceptable. With regard to employment policy, the degree of unemployment is a proxy indicator for the success of the employment policy. A high level of unemployment can accordingly be expected to promote learning as policy actors will be looking for new solutions to the problems they confront.

Processes internal to the committee may also promote or impair learning processes. A successful forum facilitating learning can be defined as one in which consensus is reached among preciously disagreeing scientists on whatever technical or policy issue that is placed before them and in which the forum's decisions are accepted by all the major coalitions of participating actors (Sabatier and Jenkins-Smith, 1999). One further internal factor that can be thought to affect the potential for learning is the norms that regulate the argumentative competition during committee discussions. If the existing norms support the willingness of participating members to accept the reasoned arguments of other members, making it possible to reach a common position, the potential for learning will be high. A proxy indicator for the possibility of reaching a common position and accordingly to learn is therefore the degree of willingness to reach a common position. One might, however, add that the strength and substance of norms may vary with the subject under discussion. For example, the willingness to reach a common position may

be greater where the discussions concern technical or empirical questions rather than deeper normative beliefs (Sabatier and Jenkins-Smith, 1999).

A second potential internal factor influencing learning is the presence of an authoritative persuader or so-called ‘policy broker’ who is perceived as relatively neutral by all members of the committee (Sabatier & Jenkins-Smith, 1999). Authority based on professional and scientific knowledge, neutrality and a commonly accepted use of language can be extremely constructive for the learning process as participants tend to be more willing to listen to such actors. An indicator of a member’s authority can be the extent to which the other members view the person as having significant analytical capabilities or experience beyond the ordinary.

Figure 1 depicts learning as determined by external and internal processes that can be expected to influence the potential for learning by either pressuring for fragmentation or harmonisation of the use of concepts among the members. The fragmentation of concepts refers to the absence of learning, whereas harmonisation constitutes the establishment of a learning process.

Five hypotheses can be derived from the above discussion of the theorisation of learning for investigating the learning processes pursued by the Committee on European Employment Policy:

- *Hypothesis 1.* Learning is more likely when a committee meets regularly.
- *Hypothesis 2.* Learning is more likely when a Committee is insulated from direct political pressure.
- *Hypothesis 3.* Learning is more likely when a committee is confronted with indisputable evidence of policy failure.

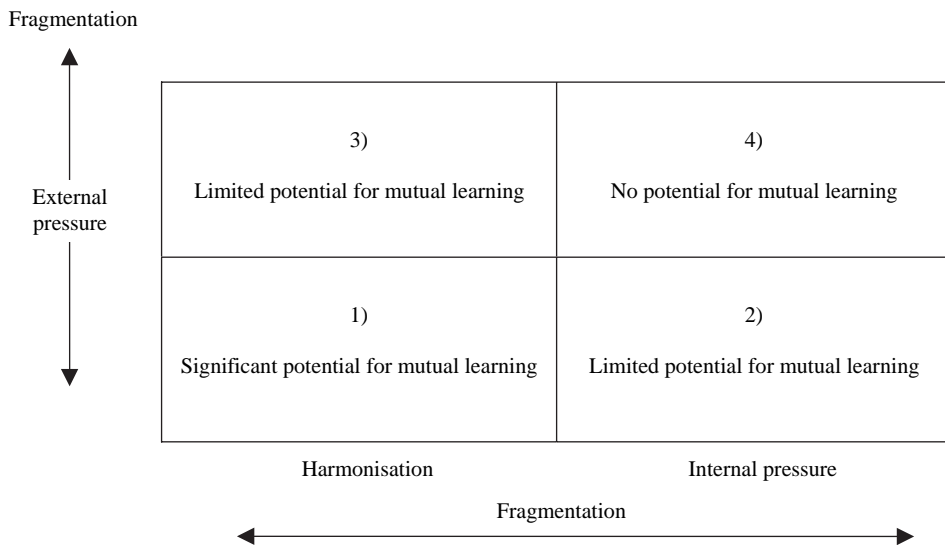


FIGURE 1
A model for analysing the potential for learning in committees

- *Hypothesis 4.* Learning is more likely in committees where individuals are willing to reach a common position.
- *Hypothesis 5.* Learning is more likely when a committee includes an authoritative member with analytical capabilities or experience beyond the ordinary.

In the next section these five hypotheses will be interrogated on the basis of quantitative and qualitative data collected by the author Nedergaard (2005a) on the EES.

Learning in the European Employment Strategy

The EES follows the ensuing annual cycle: the design of guidelines – the identification of indicators – the development of national action plans – evaluation – peer review. At the end of the year, the Commission and the Council of Ministers examine which problems are still unresolved and it issues recommendations. The Employment Committee (EMCO) is the cornerstone of the EES and it is in this forum that all areas of policy-making are discussed.

Hypothesis 1. Learning Is More Likely when a Committee Meets Regularly

The EMCO normally meets four times a year for one day at a time. In addition, the committee meets twice a year in the country of the presidency. According to Sabatier and Jenkins-Smith (1999), p. 146) a successful forum for learning should meet at least half a dozen times a year, which indicates that the first and basic condition for learning to take place in the EES is fulfilled.

Hypothesis 2. Learning Is More Likely when a Committee Is Insulated from Direct Political Pressure

The meetings in the EMCO are closely connected to the preparations of the meetings in the Council of Ministers and the agenda in the EMCO is often structured by the subjects that are to be dealt with at the next Council meeting. The discussions in the EMCO often resemble a political dogfight in which every word and every sentence in the recommendations to the Council of Ministers are the outcome of struggle. For every subject on the agenda in the Council of Ministers that concerns the European employment policy, the EMCO prepares a note on its attitude towards the question. The attitude is most often – not surprisingly – supported by the ministers as they have been briefed in advance by the same public servants who have participated in the EMCO meetings. The EMCO meetings are consequently highly politicised, and public servants most often negotiate on the basis of a ‘soft mandate’ (meaning that negotiations are carried-out in ‘the spirit of the minister’) or a ‘hard mandate’ (meaning that negotiations are carried-out in accordance with the instructions issued by the minister). The relevant documents in the EMCO are prepared by a so-called Support Team consisting of Eurocrats from the Commission acting as a *de facto* secretariat for the EMCO. In sum, with regard to Hypothesis 2 it can be concluded that the EMCO with regard to this dimension is too politicised to provide significant potential for learning.

Hypothesis 3. Learning Is More Likely when a Committee Is Confronted with Indisputable Evidence of Policy Failure

The discussions in the EMCO often concern a trade-off between how much security or flexibility should characterise the labour markets in the EU. The debates are dominated by two coalitions that weigh the relative importance of the concepts differently. One coalition consists of member states that prioritise flexibility and assert that flexibility creates jobs and that rules for job security should accordingly be 'modernised' in order to create incentives for hiring new people. This coalition consists of, among others, Britain, the Netherlands, Denmark, Ireland, the new east-European and central European countries, and sometimes Germany. In general these countries have lower unemployment statistics than the participants in the other coalition, which supports job security regulations and consists of France, Luxembourg, Spain, Greece, and Belgium among others. Discussions on the subject of job security versus flexibility is often political rather than technical; however, existing research demonstrates (Nedergaard, 2005a) that member states with high unemployment are more likely to accept the flexibility argument. Accordingly, it can be concluded that learning is more likely when participants have experience of policy failure, in this example in the form of high unemployment. Consequently, there is compelling evidence to support Hypothesis 3.

Hypothesis 4. Learning Is More Likely in Committees where Individuals Are Willing to Reach a Common Position

On the one hand, decisions in the EMCO are in practice reached unanimously and reflect a delicate balance between the representatives of the member states who are advocates of job security and the representatives who advance flexibility arguments. This indicates that norms do, to some extent, provide evidence of the openness of participants to arguments from other members. However, as mentioned above, the meetings in the EMCO are highly politicised. Norms supporting the establishment of genuine consensus through the force of better argument would promote learning to a greater extent. Consequently, the unanimous decisions in the EMCO reflect negotiated compromises rather than learning. In sum, it can be concluded that while the EMCO is characterised by willingness to compromise, the compromises are reached in a politicised environment. Consequently, willingness to reach a common position on the basis of common professional norms does not exist.

Hypothesis 5. Learning Is More Likely when a Committee Includes an Authoritative Member with Analytical Capabilities or Experience Beyond the Ordinary

The Commission participates directly in the EMCO meetings and plays the situation-defining role despite the fact that the presidency is formally held by a representative of one of the member states. The secretariat of the Council of Ministers is also present but usually acts in a very passive manner. The Commission representative, normally the Director-General or the Deputy Director-General for Employment and Social Affairs,

presents his or her view on the topics on the agenda. As she/he is the first speaker, she/he often sets the agenda of the ensuing debates. Even though the Commission plays the situation-defining role it does not have the status of an epistemic community with professional authority or a neutral persuader, but is viewed as a political agent. The Commission also plays a decisive role in the organisation of peer review that the EMCO decides to carry out. A peer review functions as a seminar in which the policies of a member state are reviewed by two or three other member states. With regard to employment policy the reviews tend to be concerned with the efficiency of public actions, the integration on the labour market, conditions of equal treatment, and so on. The members who participate in the EMCO are usually involved in peer review.

Despite the Commission's strong position, representatives of member states that have experienced a success with regard to their employment policy can become authoritative persuaders in discussions. However, in all situations there are limits to how much a successful member state can go against the dominating argumentative logic in the committee, which is in most instances defined by the Commission. The Commission is therefore the most influential persuader in the committee but it does not possess the necessary professional authority to maximise the potential for learning. Conversely, member states that have experienced success in employment policy-making can to a certain degree act as authoritative persuaders. However, this does not change the fact that the committee lacks a neutral and professional persuader who can boost the learning process.

While the prevailing employment situation in Europe is the most important defining feature of cooperation in the EMCO meetings and is central to the degree of learning that occurs, a range of political factors – such as the use of political mandates, the influence of dominating coalitions, and the role of the Commission – can also impair the learning process. In the following section a set of recommendations for the reform of the EMCO are presented that could improve the potential for effective learning in European Employment Policy.

Improving the Potential for Learning in the European Employment Strategy

With regard to the evaluation of the degree of learning in the EES (and accordingly the justification for the existence of the strategy) there is no scholarly consensus. The Commission's own evaluation, which was conducted in 2002, is not surprisingly positive and concludes that, during the five-year operating life of the strategy, significant changes have occurred in the policies of member states (Commission, 2002). Likewise Kerstin Jacobsson (2003) also identifies a positive effect. She claims that a form of 'cognitive consensus' has been achieved concerning common challenges, goals and approaches to policy. In a similar vein, Borrás and Jacobsson (2004) argue on a more general level that development of common discourses and core concepts have been central to the growth of new policy coordination processes. In opposition it has been argued that no scholarly consensus exists as to whether the strategy works and (in cases of where it works) how it works (Trubek and Trubek, 2003, p. 13).

Some researchers base their scepticism about the EES on the absence of formal enforcement measures (Alesina and Perotti, 2004). They concluded that the strategy is largely a cosmetic exercise in which although none of the member states take national action plans seriously, they do not want to run the risk of being blamed for the failure of the strategy. According to a constructivist approach to learning, the availability of formal sanctions is, however, neither necessary nor sufficient to ensure learning. On the basis of an examination of peer review, Casey and Gold (2004) conclude that a learning process has been established but that its effect has been limited as the programme has only reached a very small epistemic community. However, in a critique of Casey and Gold's conclusions it can be asserted that they apply a naïve individualistic concept of learning, as they do not examine how learning takes place but only attempt to estimate learning effects by asking participating actors whether they have learned anything from the process of engagement.

In sum, it seems that the existing analysis of learning in the EES underestimates the degree of learning that takes place. However, this does not mean that the potential for learning cannot be increased and attempts to do so ought to be made. On the basis of our investigation of the five hypotheses concerning learning in the EES, it is possible to make a range of recommendations that can be expected to increase the degree of learning in the EMCO.

Firstly, the EMCO should have a group of professional subcommittees that report to EMCO but at the same time have an autonomous status. This model is used successfully in Nordic countries and could help to facilitate learning according to Hypothesis 2 (insulation from political pressure) and Hypothesis 4 (willingness to reach a common position). A professionally oriented group of subcommittees could also promote learning on the basis of the assumption highlighted in Hypothesis 5 (the presence of an authoritative persuader) if some of the participants have accepted neutral expertise in the respective areas.

Secondly, the EMCO should spend more time discussing the national action plans as well as other reports, and its agenda should be more closely linked to the meetings in the Council of Ministers. Consequently, discussions that are deadlocked by political mandates (cf. Hypothesis 2) could be avoided and the participants in the EMCO itself could be more insulated from political pressure, and thus be more likely to reach a genuinely rational consensus (Hypothesis 4).

Thirdly, it is expected that learning can most easily be facilitated in areas of employment policy where the differences in policy performance between member states are greatest. Accordingly, member states experiencing policy failure would be more likely to learn from their more successful counterparts (cf. Hypothesis 3). Likewise, representatives from countries that are experiencing success could act as authoritative persuaders (Hypothesis 5). Consequently, the EES should focus on areas where the differences with respect to policy performance are greatest if learning potential is to be maximised. The policy performance of the respective countries is presently not a criterion when it is decided which areas are chosen to be included in the employment strategy. It should, however, be noted that areas containing deep normative differences might be more resistant to cross-national learning than areas where the differences are more technical in nature.

Fourthly, the president of the EMCO should play a far more prominent role at the expense of the Commission. This situation would be similar to the way the 'open coordination' takes place in the Nordic cooperation. Furthermore, the representative from a member state that has experienced policy success could be appointed Chair as it is more likely that he or she could function as an authoritative persuader (cf. Hypothesis 5).

Finally, the representatives in the EMCO should be recruited from the directorates, rather than the international offices in the ministerial departments of member states, as this would reduce the scope for politicisation. This could increase the possibility of establishing norms that would support a willingness to reach a common position on the basis of professional knowledge and argumentation.

In Conclusion

The purpose of the open method of coordination was defined by the Portuguese presidency at the European Council summit in Lisbon in 2000 as 'mutual learning'. Accordingly, it is of crucial importance in the study of EU policy-making to evaluate the extent to which open coordination can be expected to facilitate learning. This article has argued in favour of conceptualising learning in constructivist terms in order to examine whether the conditions for learning are optimal. It has analysed the learning framework underpinning the work in the EES on the basis of five key hypotheses derived from the extant literature and has recommended a range of reforms for improving the framework for cooperation.

The article has shown that the institutional design underpinning the work of the EES has some characteristics that can be expected to facilitate learning – frequent interactions and the partial presence of authoritative persuaders. It has also demonstrated the need for reform in order to maximise the potential for learning and undermine the damaging effects of hard and soft political mandates, the situation defining role of the Commission, and, the relative absence of authoritative actors. In order to solve these problems and increase the scope for effective learning, it is recommended that:

- a range of professional and autonomous subcommittees that report to the EMCO is established;
- the EMCO is given more time to discuss national action plans as well as other reports in meetings with more loosely defined agendas;
- cooperation is concentrated around areas where differences in policy performance among member states are greatest;
- representatives of the presidency of the EMCO are given a more prominent role in committee meetings at the expense of the Commission; and,
- members of the EMCO should be recruited from member state directorates rather than ministerial departments.

NOTE

1. Section 37 in the presidency conclusions at the summit of the European Council, Lisbon, 23–24 March 2000.

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