

Ten Open Questions about the Open Method of Coordination

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1. What is the Open Method of Coordination?

- A new mode of EU governance? (Rodrigues)
- A sustainable way between a fragmented Europe and a European supra-state? (Larsson)
- A middle way between intergovernmental negotiations and mutual adjustment, capable of addressing common European concerns while respecting national diversity? (Scharpf)

What is the Open Method of Coordination?

(2)

- An appropriate means for organizing activities at European level in sensitive policy areas? (de la Porte)
- A better route than regulation for European social policy? (Vandenbroucke)
- A cognitive and normative tool for defining a distinct EU social model and policy paradigm based on common social values? (Vandenbroucke, Ferrera)

What is the Open Method of Coordination?

(3)

- An exercise in symbolic politics, whereby national governments repackage their existing policies to demonstrate compliance with European objectives? (Scharpf)
- A defensive adjustment to the constraints on European social policy imposed by the Internal Market, Monetary Union, and globalization? (Scharpf)
- A potential threat to the ‘Community Method’ of regulation through legally binding directives and social dialogue agreements? (Goetschy, ETUC, Commission)

2. Phases of development or multiple architectures for diverse problems?

- The Lisbon definition of the OMC as a method involving:
 - “Fixing guidelines for the Union combined with specific timetables for achieving the goals which they set in the short, medium and long term;
 - establishing, where appropriate, quantitative and qualitative indicators and benchmarks against the best in the world and tailored to the needs of different Member States and sectors as a means of comparing best practices;
 - translating these European guidelines into national and regional policies by setting specific targets and adopting measures, taking into account national and regional differences;
 - periodic monitoring, evaluation and peer review organized as mutual learning processes.”
- Based on the EES and the Broad Economic Policy Guidelines

Recipe or cookbook?

- “Open coordination is not some kind of fixed recipe that can applied to whichever issue....[It] is a kind of cookbook that contains various recipes, lighter and heavier ones.” (Vandenbroucke)
- Variations in modalities and procedures depending on:
 - the specific characteristics of the policy field;
 - the Treaty basis of EU competence;
 - the willingness of the Member States to undertake joint action
- Commission and Council powers
 - can issue joint recommendations to Member States on implementation of the EES and BEPG;
 - but not on social inclusion and pension reform OMCs

Format and periodicity

- annual NAPs and guidelines for the EES and BEPG
- bi-annual NAPs but no guidelines yet for social inclusion
- ‘National Strategy Reports’ every three or four years for pension reform (and probably health care), with annual updates for BEPG
- Other OMC processes
 - education: ‘rolling agenda’, Bologna Process, common objectives, ‘interoperability’
 - immigration: OMC as a tool for monitoring implementation of EU legislation

Future evolution of OMC social policy processes

- From common objectives and indicators to common policy approaches and guidelines?
- What role for mutual surveillance and peer review?
- What role for EU institutions?

3. Is the OMC a tool for promoting convergence among EU Member States?

- Convergence of what?
 - Objectives
 - Performance
 - Policy approaches
 - Programs or rules
 - Institutions

Variation across OMC processes

- EES and BEPG
- social inclusion and pension reform
- health care and education
(salience of mutual learning and mobility issues)
- immigration and asylum

4. How does OMC work, in theory and in practice, without binding sanctions?

- Persuasion
- Peer pressure/‘naming and shaming’
- Internalization of external constraints
- Mutual socialization
- Experimental learning
 - The EU as ‘a natural laboratory for policy experimentation’
 - Closer cooperation among members of the same ‘regime family’ vs. expanded learning through diversity and difference?
 - Mechanisms of learning: mutual surveillance, peer review, exchange of good practices, deliberation

How does the OMC work? (2)

- Epistemic/normative convergence
 - ‘cognitive harmonization’: common policy paradigm, shared language of debate, or new orthodoxy?
 - definition of common objectives as an inductive tool for normative convergence?
- Public accountability
- All of the above?

5. How effective is the OMC?

- How much does it contribute to the EU's problem-solving or institutional capacity? (Scharpf, Héritier)
- Achievement of common European objectives?
- Promotion of crossnational learning?
- Impact on lower levels of governance?
 - national, subnational
 - administrative reorganization vs. policy change
 - direct vs. indirect impacts

6. How legitimate is the OMC?

- Is the OMC part of the solution to the EU's democratic deficit or part of the problem?
- What is its relationship to national and EU representative institutions?
- How open are OMC processes to participation by non-governmental actors at European, national, and subnational levels?
- How public and transparent are their procedures?

How legitimate is the OMC? (2)

- What model of democracy for the EU?
 - Intergovernmental and/or supranational representation vs. participatory problem-solving (‘directly-deliberative polyarchy’)

7. What is the relationship of the OMC to other EU policy instruments?

- Community legislation
 - Complementary or competitive?
 - Framework directives as ‘OMC with teeth’? (Scharpf)
- Social dialogue
 - OMC-like framework agreements (e.g. teleworking)?
 - Should there be a new OMC process for industrial relations?
- Fundamental rights
 - OMC as a vehicle for implementing the Charter of Fundamental Rights?

8. Towards what kind of Social Europe might the OMC lead?

- Race-to-the-bottom?
- Race-to-the-top?
- Continuing institutional diversity amidst convergent objectives and performance?
- Crossfertilization and hybridization of national models?

9. Towards what kind of European Union might the OMC lead?

- How far does the OMC support Cohen and Sabel's reading of the EU as a 'deliberative polyarchy', as opposed to a technocracy, an association of associations, or a transnational public sphere?
- What, if anything, can the OMC contribute to the current constitutional debate about the future of the Union?
- Can the OMC itself be seen as a prototype of a new form of constitutionalism?

10. Is the OMC a potential model of new governance for other countries/regions?

- Are there any parallels with developments in other world regions?
 - Horizontal coordination and information pooling across US states (health care, labor market reform)
 - Experimentalist regulation within US states (schooling, policing)
- Could OMC serve as a new model of multi-level governance for federal systems?
 - US welfare reform: beyond block grants and federal mandates
 - Italy: federalization of social welfare, labor market policy, and economic development