

**PROCEDURAL DEMOCRACY IN THE EU:
THE EUROPEANIZATION OF NATIONAL AND SECTORAL POLICYMAKING PROCESSES**

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ABSTRACT: The EU's 'semi-pluralist' policymaking processes have had a differential impact on its member-states' policymaking processes as a matter of institutional 'fit', with greater disruption to the statist systems of France and Britain than to the corporatist systems of Germany and Italy. Such 'macro' patterns of adjustment to the EU are complicated, however, by the 'micro' patterns of policymaking in any given policy sector. These may differ from the 'macro' pattern at EU or national level. This raises the question of whether we can still talk about Europeanization in terms of 'macro' patterns of national policymaking. This article answers in the affirmative, demonstrating with the matched pairs of cases of France and Britain, Germany and Italy, that despite the fact that national patterns are less distinctive than in the past, they nevertheless remain distinguishable along a continuum from statist through corporatist, although pluralism has become a new default option in between the two.

KEYWORDS: Europeanization, democracy, policy process, pluralism, statism, corporatism, France, Britain, Germany, Italy

When the EU Commission in the "White Paper on Governance" in 2000 called for more transparency and openness in EU policymaking, with greater participation in EU governance by 'civil society,' it was seeking to address the self-same democratic deficit in EU level policymaking processes that the future Constitutional Convention was to attempt to address through institutional redesign. But efforts to galvanize societal actors to participate in decision-making at the EU level address only part of the problems with regard to the democratic deficit. This is because EU level processes have already, by their very presence, altered the procedural bases for national democracy. Europeanization has affected not only the traditional ways in which state actors formulate and implement policy but also the traditional routes by which societal actors gain access and exercise influence in policymaking.

The EU has a ‘semi-pluralist’ system of policymaking in which interests have reasonably open access and influence in policy formulation but not in implementation, where regulatory and legalistic enforcement is the rule. By laying this system on top of the systems of its member-states, the EU has effectively ‘pluralized’ national policy formulation processes by moving the locus of interest access and influence from national capitals to Brussels while it has ‘juridified’ its member-states’ implementation processes by promoting more regulatory and legalistic modes of enforcement over modes that relied instead on administrative discretion, self-regulation, or even, in some instances, joint-regulation. Complicating this general set of effects, however, has been the EU’s differential impact on its member-states’ ‘macro’ patterns of policymaking, which sit along a continuum from statist to corporatist policymaking. Europeanization of national policymaking has been more disruptive to member-states with statist processes than to those with corporatist processes, mainly as a question of institutional ‘fit’.

Further complicating matters, however, is the fact that the EU may also have an impact on the ‘micro’ patterns of policymaking in any given policy sector. Adjustment here depends not only upon the nature of EU pressures for change, the mechanisms of adaptation, and the interaction effects—whether direct, diffuse, or ‘knock-on’—but also upon the nature of member-state responses. As a result, the EU’s sectoral effects vary greatly, with little or no predictability from one policy sector to another, leaving one to question whether we can still talk about macro national patterns of policymaking. This article shows that macro national patterns of policymaking still matter. Although they are less distinctive than they were in the past, they can still be distinguished along a continuum from statist to corporatist processes. Pluralism, however, has become a new default option between the two.

The article begins with a brief overview of the EU’s semi-pluralist policy-making pattern and its impact on the ‘macro’ and ‘micro’ policymaking patterns of its member-states. It follows with an examination of four countries cases: France, Britain, Germany, and Italy. The four countries serve not only as ‘most different’ matched pairs of cases, with statist France and Britain contrasted with more corporatist Germany and Italy, but also as ‘most different’ cases within each matched pair, given the significant differences between Britain and France on the one hand, Germany and Italy on the other, in history, culture, institutional capacity, and politics as well as in responses to Europeanization.

“MACRO” PATTERNS OF POLICYMAKING IN THE EU AND ITS MEMBER-STATES

Although European policymaking processes do not fit any national model of policymaking, they are closest to a model of "transnational pluralism" (Streeck and Schmitter 1991) and most comparable to the pluralism of the United States in its open access to interests and its regulatory and legalistic patterns of implementation. However, the EU's societal actors enjoy a pluralism that is more close and cooperative than that of the U.S., more controlled by EU state actors who act as 'gatekeepers'; more insulated from the pressures of undue influence or the dangers of agency capture of the kind found in the United States; and less "pluralistic" in the kinds of interests represented as well as in their access and potential influence (Schmidt 1999; 2005). In fact, the predominance of the Commission as gate-keeper, with its greater powers of policy initiation and greater control over the interest articulation process, introduces a statist element into the system akin to that found in France and the UK. The EU's more cooperative engagement with interests in policy formulation, by contrast, brings it closer to corporatist patterns of interaction typical of Germany, as does the fact that the EU explicitly promotes corporatist arrangements in a number of areas (Falkner 1998).

In implementation as well, although the EU follows the general pattern of the pluralist US, with a legalistic and regulatory enforcement pattern in which the rules are to apply equally to all, there are significant differences. Instead of a hierarchical model of rule-making and implementation by a single bureaucracy, the EU's model tends to be coordinative in rule-making, with wide consultation through committees making it akin to a second round of legislative review, and collaborative in implementation, because transposition by the member-states ensures that the final law is a collaborative effort between EU and national officials, while national officials are responsible for enforcement (Page 2001, pp. 143-47). The difficulties at the transposition stage, moreover, involve not just ensuring that all member-states actually transpose the rules in keeping with the spirit of EU legislation but also that they apply the rules uniformly—or even apply them at all. Enforcement is the black hole of the EU. Compliance records are highly varied, depending not only on national citizen's awareness and willingness to bring cases to the courts but also on national institutional design, capacity, and will to implement (see Boerzel 2001; Falkner 2005).

EU policymaking, in short, although closest to the pluralism of the US, departs substantially from the US pattern—thus the moniker 'semi-pluralist'. But the EU's processes depart even more from the patterns of its member-states.

Whereas the EU has a ‘semi-pluralist’ policymaking process, in which an ever-expanding set of societal actors has access in policy formulation but not in implementation, where regulatory and legalistic approaches apply, EU member-states can be situated along a continuum from statist to corporatist processes. For member-states closer to the statist end of the continuum like France, Britain, and Greece, state actors have traditionally provided interests with little access or influence in policy formulation but have generally accommodated them in implementation—either by making exceptions to the rules as often as not (in France) or limiting the number of rules to allow self-governing arrangements (in Britain). By contrast, for member-states closer to the corporatist end of the continuum like Germany, the Netherlands, Italy, and Sweden, state actors have traditionally brought certain societal interests, mainly business and labor, into both policy formulation and implementation, although such policymaking, when not corporatist, may be legalistic (in Germany) or clientelist (in Italy, where derogation of the rules is even greater than in France).

The question here, therefore, is: how have the EU’s policymaking patterns affected member-states’ patterns in the process of Europeanization? The answer requires, first, a definition of Europeanization and, second, the identification of the factors that explain how national policymaking is affected by such Europeanization.

Europeanization itself has been defined in a great many ways (see Featherstone 2003). It has been presented as a top-down process (Ladrech 1994; Héritier et al. 2001; Radaelli 2000; Börzel and Risse 2000), a bottom-up process (Caporaso and Jupille 1999), or both (Cowles, Caporaso, and Risse 2001). For purposes of clarity, I define Europeanization herein as the top-down process of member-state adaptation to the EU in order to distinguish it from European integration as the bottom-up process of projecting influence (see Schmidt 2002a, Ch. 1). Important to note, however, is that although it is useful for our purposes to separate the two processes in order to focus on the impact of the EU on member-states policymaking processes, any full explanation of member-state responses to the EU requires seeing how the two processes interact, especially over time (see Dyson 2002), rather than taking only a bottom-up or top-down perspective (see Schmidt and Radaelli 2004, pp. 189-192).

One of the key factors highlighted in the Europeanization literature has been the question of institutional ‘fit’ (Börzel and Risse 2000; Héritier, Knill, and Mingers 1996; Cowles, Caporaso, and Risse 2001). This factor is extremely helpful in a preliminary way to identify areas where the EU’s policymaking processes may represent a challenge to its

member-states' national patterns of policymaking. The argument is a relatively simple one: the closer the 'fit,' the less disruption to traditional patterns of policymaking.

A more detailed analysis also shows that the EU's semi-pluralist policy formulation and regulatory implementation process has a more disruptive impact on statist systems than on corporatist systems as a matter of institutional fit (see Table 1). Adaptation to the EU's policy formulation process has arguably been harder for state actors in statist systems such as France and Britain because the EU eliminates their virtual monopoly on policy formulation by bringing in societal actors as well as other state actors at the EU level. It has arguably not been quite as difficult for state actors in corporatist systems such as Germany or Italy mainly because they never had the same kind of monopoly over policy formulation, given consultation processes that brought in other (subnational) state actors as well as societal actors. The EU's pluralist interest intermediation process, moreover, clashes with statist intermediation processes, since state actors regard the influence of lobbies as illegitimate and traditionally use their formal consultation process with a goal more toward informing than incorporating interest views (Hayward 1995; Schmidt 1996, Ch. 2). By contrast, it tends to complement corporatist processes in which state actors, much as in the EU, albeit with a more restricted groups of societal actors, actively encourage organized interest representation, listen when they consult, and incorporate interest group recommendations in their own.

[Table 1 about here]

Similarly, moreover, the EU's regulatory model that allows no exceptions to the rules clashes with statist flexibility in implementation—since derogation of the rules (as in France) has become illegal while statutory rules, rather than voluntary arrangements (as in Britain), have become the norm. Adaptation has been less difficult for countries with corporatist policymaking processes, mainly because the EU has generally allowed corporatist processes to continue where they existed in policy implementation. In non-corporatist policy areas, however, while Germany still benefits from a reasonable 'goodness of fit' since its implementation processes have traditionally been regulatory or legalistic, the adaptational problems for Italy are much greater, given a tradition of clientelism and derogation of the rules (Schmidt 1999).

'MICRO' PATTERNS OF POLICYMAKING IN THE EU AND ITS MEMBER-STATES

An analysis of the impact of the EU on member-states' 'macro' patterns of policymaking can only take us so far, however. This is because the patterns of policymaking

in different policy sectors add another level of complication to the analysis. Because we cannot take either the EU processes or the national for granted in any given sector, the questions of institutional ‘fit’ between the EU and national ‘micro’ patterns of adaptation also require analysis.

The Intervening Variables in the Europeanization of Sectoral Policymaking Processes

To capture the complexity of policymaking within different policy arenas, the more sectorally-focused policy literature has long since moved away from discussions of statist, corporatist, and pluralist patterns to discussions of issues networks, policy networks, and policy communities. This literature identifies a continuum in interactions among state and societal actors from closed policy communities with stable membership and cooperative participation in joint decision-making to more open, more loosely constituted policy communities with members involved in cooperative decision-shaping; to even looser and more open issues networks with more unstable membership, competition among interests, and consultation through lobbying (Jordan and Richardson 1983; Marsh and Rhodes 1992). Although this literature brings us closer to understanding sector-specific processes of state-society interaction, it does little to set this into national institutional context, or to link the ‘micro’ patterns with the ‘macro’ patterns. We can, however, building on the work of Gerda Falkner (2001), put the micro and macro together, using these micro categories not as a substitute for the ‘macro’ national patterns but as a helpful, added level of detail to illustrate the continuum between statist, pluralist, and corporatist processes, with the closed policy communities of the policy literature called ‘corporatist policy communities’; the more open ones, ‘pluralist policy communities’; the open issues networks, ‘pluralist issues networks’; and the less open issues networks more controlled by state actors, ‘statist issues networks’ (see Table 2). This combination of national patterns with the policy literature can be visualized as intersecting, concave and convex vectors in which pluralist policymaking fills the intersection of the two vectors; statist policymaking sits on the left side of the axis below the intersecting vectors, and corporatist policymaking, on the right side; the y axis goes from low societal participation (where societal actors participate little, with little stability over time) to high societal participation (where societal actors participate a lot, often shaping decisions); and the x axis, from high state autonomy (where state actors lead the policymaking process) to low state autonomy (where state actors are involved in joint decision-making) (see Figure 1).

[Table 2 and Figure 1 about here]

This range of patterns can be found at both the EU and national levels. The question is: how does any one pattern at the EU level potentially affect another pattern at the national level? Here, we could hypothesize (also following Falkner 2001) that when there is stronger EU ‘state’ leadership, less interest participation, and more interest competition, then national joint decision processes, societal participation and cooperation are at risk whereas when there are strong EU joint decision processes with much participation and cooperation then national state leadership and societal competition are likely to be reduced. Finally, where the EU pattern matches the national pattern, there will be no significant change. It is perhaps easiest to gain a sense of this by plotting out potential responses in terms of pluses and minuses related to increasing or decreasing state leadership and societal participation, with 0 for no change (see Table 3). What is interesting here is not so much the detailed interaction of statist, pluralist, and corporatist policy issues and networks—which although useful for sector-focused analysis tends to muddy the waters for our purposes—as the more general interaction effects. These show that where the EU is more pluralist or corporatist in policymaking, it is potentially more empowering to interests in national statist policymaking—pulling traditional statist patterns toward pluralism or corporatism—while where the EU is more pluralist or statist, it can be disruptive of national corporatist policymaking—pulling the traditional pattern more toward pluralism or statism.

[Table 3]

This kind of analysis is limited, however, by the fact that it speaks only to potential impact, without considering a further range of factors which might account for actual impact. These factors are identified in the Europeanization literature that focuses on the impact of EU policies on national policies, and which considers the EU-related pressures, adjustment mechanisms, and interaction effects as well as the national mediating factors that influence policy outcomes in different policy sectors in different countries (see Héritier, Knill, and Minger 1996; Radaelli 2000; Héritier 2001; Knill and Lehmkuhl 1999; Schmidt 2002a, chap. 2). Although this literature has tended to deal only tangentially with the impact of the EU on national policymaking processes specifically, it can nevertheless be usefully adapted to our purposes.

Europeanization has different potential effects on its member-states depending upon the kinds of pressures for change and the mechanisms of adjustment to such pressures. EU-related pressures for change include the policymaking processes that the EU may mandate in any given sector; the learning experiences of state and societal actors gleaned through

participation in or observation of EU processes that may inspire them to change national processes; and the incentives provided by new EU policies that may tempt state and/or societal actors to break with existing national processes. Certain adjustment mechanisms tend to be linked to these pressures, with imposition the mechanism by which national policymaking tends to adjust to EU-mandated processes, since national actors are obligated to change their processes; diffusion the way in which national policymaking adjusts to EU-related learning experiences, as national actors may change their processes in response to the new ideas represented by those experiences; and competition the mechanism for adjustment to EU-related incentives, as national actors may break with national processes in response to perceived advantages from new policies. This said, these mechanisms may also be paired with other pressures, since EU mandates can also lead to the diffusion of ideas, while both EU-related learning experiences and incentives can promote competition among national actors or imposition of a given process by the proponents of change.

These pressures and mechanisms, in turn, have different potential interaction effects on national policymaking (see Table 4). They may have a direct effect where EU-mandated processes impose change in national policymaking processes, as in EU mandates for pluralist consultation of societal interests in regional policy and pluralist consultation or legalistic enforcement in environmental policy. They may have a diffuse effect where EU-related learning experiences leads to the diffusion of new ideas, as in lobbying or in the open method of coordination (OMC), with EU recommendations for corporatist consultation in the European Employment Strategy (EES) or for pluralist consultation in the Social Inclusion OMC. But they may instead have a ‘knock-on’ effect in cases where EU policies act as incentives for state and/or societal actors to break the policymaking rules, as for example in competition policy decisions in banking, electricity, and transport.

[Table 4 about here]

The EU’s Actual Impact on Sectoral Policymaking

All of the above speaks to the potential impact of the EU on national policymaking processes. The actual outcomes can be very different, given the range of factors identified in the Europeanization literature which also may affect national responses. While fit or misfit with policymaking legacies set the stage, policymaking preferences dictate whether misfit is seen as a problem or an opportunity, policymaking capacity affects whether state and societal actors can respond effectively, and discourse enhances capacity to respond by altering perceptions of legacies and influencing preferences (see Schmidt 2002a, 2002b). As a result,

while in some sectors, the interaction effects of the EU and national policymaking processes may be significant, entailing the transformation of national processes, in others the EU may have only a minor impact, with the absorption by national processes of any EU-related changes, and in yet others the EU may have almost no impact at all, as national processes show inertia with regard to the EU (see H  ritier 2001).

Thus, for example, the direct effects of EU-mandated pluralist consultation in regional policy—which expected “horizontal cooperation” or “partnership” with civil society in the structural funds process—produced little more than statist forms of consultation in French and in German regions (Dupoirier 2004) as well as in the UK (Bache 2000). In environmental policy, moreover, EU mandates for legalistic implementation engendered little change in legalistic Germany, due to a good institutional fit (Knill and Lenschow 1998), or in Italy, due to a lack of administrative capacity (Duina and Blithe 1999), whereas they produced significant change in the long run in Britain, which went from self-regulation to more regulatory and legalistic enforcement (Jordan 2002), and in France, which lost its administrative discretion (Knill and Lenschow 1998). By contrast, where the EU mandated self-regulatory implementation, Britain was little affected but Germany had to change—although this was relatively easy, given its corporatist traditions (H  ritier et al. 1996, pp. 207-65).

Similarly, the diffuse effects of EU recommendations for corporatist consultation in the EES and for pluralist consultations in the Social Inclusion OMC have been mixed. They produced a new pluralist consultation pattern in France’s EES but followed France’s traditional statist pattern in the Social Inclusion OMC; followed traditional statist patterns in Britain’s EES but produced new pluralist consultation in the Social Inclusion OMC; followed traditional corporatist consultation in Germany’s EES and Social Inclusion OMC; while they didn’t even get as far as statist consultation in either domain in Italy (Zeitlin and Pochet 2005). The diffuse effects of national groups’ experience of EU lobbying have also been varied. Whereas the British and the Germans had little to learn, the French had much to learn—given the illegitimacy of open lobbying at the national level—and the Italians, much to unlearn—given clientelism (Coen 1998; Schmidt 1999). Equally significantly, national level public interest groups experienced few diffuse effects—and had minimal direct influence on the EU—in cases where their EU level influence came from supranational NGOs with little direct relationship to national ones—whether European NGOs, as in the case

of immigration policy (Guiraudon 2001), or international NGOs, as in environmental policy (Webster 1998).

Finally, the knock-on effects of EU competition policy in the electricity sector were most apparent in Germany, where the corporatist community split apart because societal actors were divided as to how to implement deregulation, in contrast with France, where the state remained in control of the process (Eising and Jabko 2001). In road haulage, while deregulation of the sector had no effect in the cases of the already liberalized markets of Britain and France, in Germany the EU rule acted as a spur to the formation of new, more pluralist coalitions for reform which then promoted liberalization while in Italy it acted as a spur to the old corporatist coalitions to create greater protectionism in the sector (Héritier et al., 1996). In banking, corporatist ties were undermined not only in Germany, when German private banks brought complaint against the regional public banks for unfair competition because of their state-guaranteed loans but also in France, where private banks complained to the Commission about the preferential treatment given *Crédit Lyonnais* by the state bailout (Grossman 2003).

COUNTRY EXPERIENCES

The ‘micro’ patterns of sectoral policymaking, thus, add further complication to the ‘macro’ patterns of national policymaking of our four country cases, making it hard to predict whether EU-mandates, recommendations, or incentives will promote change in traditional national patterns. For all this, however, national patterns remain distinguishable along a continuum from statist through corporatist, even though both statism and corporatism have been attenuated while pluralist patterns also increasingly appear.

France

In France, statist policymaking can be summarized as one in which traditionally the state has acted and society reacted. State actors have formulated policies without significant input from societal actors but accommodated them in the implementation process, mainly through administrative discretion, else risk confrontation (Schmidt 1996, Ch. 2). Although this pattern has become more attenuated over time—as societal participation in decision-making has increased and state repression decreased—the balance in the state-society relationship in favor of the state has not.

This policymaking pattern has its origins in the French Revolution, in the Jacobin understanding of the role of the state, in which elected governments are mandated to carry out the will of the people directly, without the mediation of organized interests. But while

the Jacobin vision of state action unsullied by interest interaction has remained, the reality has changed. Societal actors have become more involved in policy formulation as associations have grown in importance over time (Rosanvallon 2004) and social movements in strength (Sommier 2003) while the state has consulted more through mandated associational representation in a wide range of policy areas such as the family, urban and regional planning, and the environment; through committees of '*sages*' gathering public views on controversial subjects such as citizenship and the head scarf in schools; and through 'concertation' between business and labor 'in the shadow of the state,' as in the case of the 35 hour work week.

Although internal dynamics have played the largest role in the transformation of French policymaking processes, the EU has also been a significant factor. In EU level policy formulation, French societal actors have had a very steep learning curve. This is because national level lobbying has traditionally been seen as illegitimate, with only lobbying '*à la française*' acceptable, which entailed relying on political arbitration late in the process rather than getting in early with solid technical information. But not only have French businesses in particular learned the EU lessons well, they have also been greatly empowered by it (Schmidt 1996; Cowles 2001). At the EU level, big firms often now act as partners of the French government in lobbying the Commission at the same time that they have developed a certain autonomy that has enabled them to forge alliances with other large firms to promote their goals (Coen 1998). This is not true for all sectors, however. In banking, for example, French bankers who in the early 1990s set up shop to lobby in Brussels by the late 1990s had closed up shop, leaving lobbying to the national government because they decided that it was more effective (Grossman 2003).

The EU has had an even greater impact in policy implementation. The EU's regulatory and legalistic approach to policy implementation no longer allows the kinds of exceptions to the rules that were the stock in trade of the administrative state, where state civil servants had the administrative discretion to 'adjust' the laws to meet individual needs. This loss of flexibility is not much of an issue for businesses which can and do go to Brussels to make their voices heard. However, for citizens with little direct access at the EU level and non-business interests that remain more focused at the national level due to a lack of organizational capacity, resources, and proximity, the EU-related loss of flexibility is a real problem. Already denied input at the front end, in policy formulation, and now cut out at the back end, in policy implementation, because accommodation is proscribed, they are more

likely to engage in confrontation—the case of the truck drivers, the farmers, and the public service workers. But they are no longer likely to be able to stop the policy, because French governments are no longer as free to bend, or not, in response to confrontation (Schmidt 1999). Thus, the EU-related changes in access and enforcement patterns, although producing greater equality and predictability in the application of the laws, come at the cost of disenfranchising certain groups and at the risk of greater societal instability, since such citizens' only way to be heard now is through confrontation when their concerns are not addressed.

Britain

Britain's traditional statist system has never been as sharply demarcated from pluralist or corporatist systems as the French. Britain, especially in the 1960s, was deemed 'pluralist' because of the amount of lobbying of Parliament and the wide range of economic interests engaged in self-regulation (Beer 1969). In the 1970s, it was called corporatist because of government attempts at concertation with management and labor (Winkler 1976). But Britain never quite fit either of these patterns because its pluralism could not account for the autonomy of the government when it chose to act while its 'corporatism' never really worked (Cox and Hayward 1983). Britain has been statist in the sense that governments have tended to be highly autonomous and able to make policy absent interest input. But it has had a much less all-pervasive kind of statism than the French in policy formulation, given that it tended to act in a more restricted sphere, and in policy implementation, given how often society was left to act on its own. Moreover, although this pattern has changed over time as a result of an increase in societal participation in decision-making along with much devolution of power to regulatory agencies, the balance in state-society relations remains weighted toward state (or at least public) actors.

In Britain, the traditional centralized image of Westminster and Whitehall controlling policymaking has been offset by formulation and implementation processes that have long been permeated by policy networks and often operated through self-regulation. Lately, however, those policy networks have been breaking up while self-regulation has been replaced by regulatory agencies and legalistic controls in an increasing number of domains (Jordan 2002; Bache 2000; Moran 2004). State actors have been 'steering' more even as they have expanded societal actors' participation through policy networks in areas such as regional policy (Bache 2000) while societal actors have sometimes turned to contentious politics so as to be heard—whether outsider groups in roads policy (Dudley and Richardson

1998) or even traditional insider groups, as in the case of the farmers (Grant 2001). In policy areas now ruled by regulatory agencies, moreover, strong regulators have replaced weak government administrators and opened up the process to greater public scrutiny and considerations of the public interest (Moran 2004). Some of the flexibility of the previous system remains, however, as in the telecommunications arena, which is characterized by agency discretion to make “deals” with regulated firms, a continued preference for voluntary agreements and codes of conduct whenever possible, and an avoidance of the courts to resolve disputes (Coen 2005; Thatcher 2004).

The EU has not played all that significant a role with regard to the changes in policy formulation. British interests had much less to learn, having honed their lobbying skills in their relations with Parliament and their one-on-one negotiation skills with the bureaucracy through policy networks, although they also gained in influence as compared to national policymaking (Greenwood 2003). Moreover, Britain's horizontally integrated policy networks tend to be better suited to representing domestic interests in the multi-polar, competitive decision-making structure of the EU than France's more vertical, state-dominated networks (Josselin 1996). Unable to count on the same kind of national government support as their French counterparts or on the institutionalized routes of their German counterparts, they developed direct lobbying strategies which were also quite effective in the EU policy formulation process (Coen 1998).

The EU has had a greater impact on policy implementation—although here, too, the turn to the regulatory state is largely the result of internal dynamics since the 1970s (see Moran 2004). While the EU's preference for regulation fits well with British reform initiatives since Thatcher, its insistence on legalistic enforcement with statutory laws as opposed to voluntary rules and informal agreements does not. For Britain, the dramatic increase in regulations—in particular those emanating from the EU—which have replaced informal, voluntary arrangements with formal rules and statutory law administered by independent regulatory agencies or enforced by the courts, represents a serious challenge not only to traditional governing practices but also to procedural ideas about democracy. The formalization that accompanies Brussels directives, and especially its insistence on compulsory rather than voluntary rules, only encourages what the British see as the growing rigidification of a public domain which will only increase the likelihood of legal conflict as it undermines the traditional, informal process of conflict resolution.

Germany

In Germany, unlike in either France or Britain, societal actors are integrated with state actors in corporatist policymaking processes which involves “a whole range of intermediary interests that partly assume public functions and partly represent private interests,” including chambers of commerce, banks, employers’ associations, unions, and non-profit organizations active in social service provision (Benz and Goetz 1996, p. 17). Such corporatist processes are framed by federal institutions and supported by a culture of consensus, as federal state and Laender have to compromise to ensure the appropriate application of laws and implementation of policies, and this works best when done in concertation with corporate societal actors. In Germany, moreover, public law is an important back-up to these state-society relations, while implementation, where it is not corporatist, is often legalistic. This system of state-society interactions has changed little since the 1950s, unlike in France and Britain. It has been a highly effective system when actors agree, largely the case from the early postwar years until the mid 1990s, but subject to a ‘joint decision-trap’ when they disagree (Scharpf 1988).

The EU has not greatly affected the overall German patterns in either policy formulation or implementation. In policy formulation, its combination of consensus-oriented state-societal relations within federal arrangements and a respect for the rule of law has meant that corporatist Germany’s decision-making culture comes closer to that of the EU than that of statist France or Britain. Its decisions are generally arrived at consensually, are much less clearly political, and are rarely arrived at quickly or taken at the top. This has made it easier for German civil servants, used to flexible and collegial ways of cooperating, to negotiate the complex circuits of power in Brussels (Wessels and Rometsch 1996) than, say, for French civil servants used to more hierarchical or authoritative bureaucratic relations. One caveat, though: whereas German state actors may adapt more readily to everyday policymaking in Brussels, when it comes to projecting state preferences onto the EU, it is arguably easier for French and British state actors, given unitary state and centralized administrative structures, than for Germans, given federal structures and a more fragmented administration (see Schmidt 2005).

Moreover, German business’ experience of corporatism has been excellent training for exerting influence in the EU’s vast range of committees, standard-setting, and management bodies (Egan 2001, pp. 144-45). In addition, their organization in peak associations enables them not only to act as effectively on their own as the British but also to act more in concert through employers’ associations (Coen 1998) and as multi-level players

in EU and national lobbying (Eising 2004). Nonetheless, some corporatist processes have been unbalanced as business has gained greater access than labor in arenas other than labor and social policy (Falkner 1998). And the EU may have produced some weakening around the edges of national corporatist arrangements, the case of the Transatlantic Business Dialogue in which big firms lobbied individually rather than as part of national associations (Cowles 2001)—although this may be typical only of foreign trade policies (Eising 2003).

In policy implementation, German state and societal actors also have a better fit than their French or British counterparts. Because the *Länder* and/or the social partners participate in policy formulation and implementation at both national and European levels, there is much less potential for societal actors to feel disenfranchised by the increasing importance of European level decision-making than in statist regimes—with the exception of those who have little access at the national level anyway, like consumers, women, or immigrants. Moreover, the German notion of regulation, linked with the concept of ‘*Rechtsstaat*,’ of rules embodied in public law, is close to that of the EU, since it also assumes universal applicability and no exception to the rules (Dyson 1992). In fact, because Germany has always codified the law much more than Britain, the increasing legal formalization coming from the EU does not cause the kind of consternation that it does in Britain. This said, the German pattern of regulation in which the rules are embodied in public law, tend to allow for much less flexibility than in the U.K., where agencies have much more discretion with regard to setting the rules and making deals with regulated firms (Dyson 1992). Moreover, the participation of the *Länder* and/or the social partners in transposition and policy implementation makes for a slower process and may help explain Germany’s poor implementation record (Wessels and Rometsch 1996).

Italy

Italy’s traditional policymaking processes are easier to describe by what they are not. Unlike in France, where the state traditionally acted in a wide sphere and society reacted, or Britain, where the state acted in a restricted sphere and society was charged to act on its own, in Italy, the state barely acted in a wide sphere and society often acted on its own around the state—with a pattern of derogation of the rules even greater than in France (Pasquino 1989)—or reacted to the state—with an even greater pattern of contestation (Tarrow 1988). What is more, where Italy resembled Germany, with state and societal actors acting together, they did so in a clientelistic rather than corporatist manner. It is only since the 1990s that this pattern has changed for the better, as the state has gained in capacity (Radaelli 1998) and societal

actors in cooperativeness, and as clientelism has given way to corporatism. Electoral reforms helped move Italy marginally toward more statism at the same time that corporatism in labor relations was strengthened through state-society cooperation in labor and pension reform (Ferrera and Gualmini 2004), although such corporatism has been undermined in the 2000s by Berlusconi.

The EU has added to the improvement of Italian patterns of policymaking. In policy formulation, it has served as the ‘rescue of the nation-state’ (Ferrera and Gualmini 2004), reinforcing state capacity in a wide range of EU-affected policy areas, including monetary policy (Sbragia 2001) and the structural funds. State administrative capacity nevertheless remains a problem, as evident from Italy’s poor record of implementation of EU directives as well as in its implementation of the structural funds (Gualini 2003).

Italian societal actors, moreover, had a rather steep learning curve with regard to lobbying the EU. Although their long training in clientelism may have meant that they had less to learn than the French with regard to the process of lobbying, they had arguably more to learn as to its content, to wit, that it is neither a political nor an influence peddling process in the EU. Big Italian firms, at the top of Italy’s largely vertical lobbying hierarchies, in which they represent smaller and medium-sized enterprises (SMEs) as well as consumer interests, seem to have learned this lesson well. Their EU level access has also served to reinforce their high level of political autonomy from the Italian government—as they pushed for EU economic stabilizing measures even as they were benefiting from the large system of state aids (Coen 1998).

For other societal actors, in particular those traditionally left out of the policy formulation process but used to accommodation or confrontation at the implementation stage, the problems have been as great as for the French societal actors similarly cut out by EU level policy formulation and more regulatory or legalistic implementation. It should come as no surprise that Italian truck drivers were blocking highways along with their French counterparts to protest deregulatory measures into which they had had no input. Moreover, organized labor, which had been so cooperative in the 1990s with regard to labor and pension reforms in response to the *vincolo esterno*, have been much less so under the Berlusconi government. What is more, given Italy’s poor record of implementation of directives, the worst is surely yet to come, when the loss of flexibility through making exceptions to the rules is likely to be a source of as much if not more citizen disenfranchisement than in France. Although Italy has been better able to bank on the general national enthusiasm for

European integration, its permissive consensus may nevertheless be on the wane, as economic Europeanization no longer looks so benign with regard to the economy while administrative Europeanization cuts down on Italy's flexible approach to implementation.

CONCLUSION

Thus, France, Britain, Germany, and Italy have all undergone significant change in their traditional patterns of policymaking as a result of internal dynamics as well as Europeanization. All have moved toward greater pluralism by way of more societal consultation and regulatory implementation even as they retain basic elements of their traditional patterns. "Micro" patterns of sectoral policymaking show that all countries are increasingly differentiated in their specific policymaking processes. And yet, "macro" patterns still seem to hold in a wide number of areas. In France, state (or public) actors largely remain in control of policymaking even though consultation has indeed grown in policy formulation while regulatory and legalistic implementation has increasingly replaced the administrative discretion of the past. In Britain, similarly, state (or at least public) actors have retained control in policy formulation even though societal access has increased at the same time that state actors have gained greater control in policy implementation as the self-regulation of the past has given way to more regulatory and legalistic enforcement. Germany has remained largely corporatist, even if some sectors have become more pluralist as a result of knock-on effects and others more regulatory and legalistic. Italy, finally, is a mix, arguably more corporatist than clientelist today, but with some sectors more pluralist, others more regulatory and legalistic—with state capacity the real problem.

Table 1: National patterns of policymaking and the impact of the EU

Policy Process	Policy Formulation	Policy Implementation	EU impact on Policy Formulation	EU impact on Policy Implementation
<i>Statist</i> France, UK	Low Societal Access	Flexible application of rules	Opens up interest access at EU level	Reduces nat'l flexibility via legalism/regulation
<i>Corporatist</i> Germany, Italy	Moderate Societal Access	Flexible or Rigid application of rules	Adds to interest access at EU level	flexibility where corporatism or adds to rigidity
<i>Semi-Pluralist</i> EU	High Societal Access	Rigid application of rules		

Table 2: State and Societal Actors in Statist, Pluralist, and Corporatist Policymaking

	Statist Issues Networks	Pluralist Issues Networks	Pluralist Policy Communities	Corporatist Policy Communities
State Actors	State leadership w low societal consultation	State leadership w high societal consultation	State's decisions shaped by high societal consultation	Joint decision-mkg w equal or greater societal leadership
Societal Actors	Unstable, competitive membership w low participation thru lobbying	Unstable, competitive membership w high participation thru lobbying	Stable, cooperative membership w maximal participation in decision-shaping	Stable, cooperative membership w restricted participation in joint decision-mkg

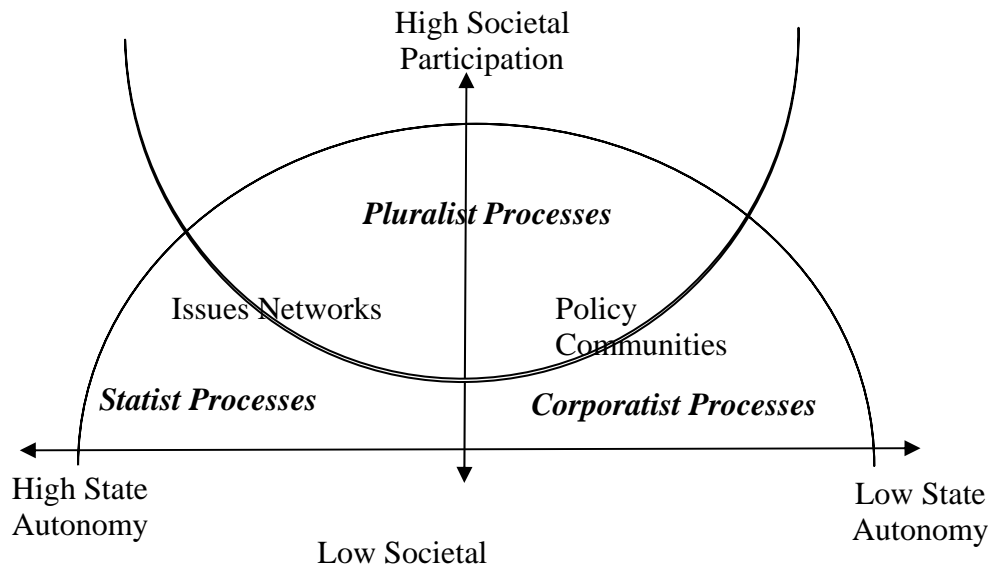


Figure 1: *Spatial relationship between statist, pluralist, and corporatist processes together with issues networks and policy communities.*

Table 3: *Potential Impact of EU Sectoral Processes on National Sectoral Processes in terms of State Leadership and Societal Participation*

(0 equals no change; - equals change on the decrease; + equals change on the increase).

		EU Statist Issues Network	EU Pluralist Issues Network	EU Pluralist Policy Community	EU Corporatist Policy Community
Statist Issues Networks	State leadership	0	-	--	---
	Societal participation	0	+	+++	++
Pluralist Issues Network	State leadership	+	0	-	--
	Societal participation	-	0	+	+
Pluralist Policy Community	State leadership	++	+	0	0
	Societal participation	---	--	0	-
Corporatist Policy Community	State leadership	+++	++	0	0
	Societal participation	--	-	+	0

Table 4: Factors affecting the impact of Europeanization on Sectoral Policy Processes

EU Pressures	Potential Adjustment Mechanisms	Potential Interaction Effects	Examples
EU-mandated processes	Imposition	Direct	Environmental policy mandates for pluralist consultation or legalistic enforcement; regional policy mandates for pluralist consultation
Learning experiences from EU processes, suggested rules	Diffusion	Diffuse	National Action Plans in European Employment Strategy suggesting corporatist consultation and in Social Inclusion suggesting pluralist consultation; EU pluralist business lobbying.
Incentives from EU policies	Competition	Knock-on	Competition policy decisions related to banking, electricity, transport

Table 5: The Sectoral Effect of EU Policies on National Policy Processes (* *Changes in direction of EU-related processes noted in italics*)

EU Effect	Policy Area and Potential Impact	Actual Outcomes in Selected Cases
Direct effects of EU-mandated processes	Regional Policy: pluralist consultation	Statist consultation in (statist) Fr, (corporatist) Ger, (statist) UK
	Environmental Policy: legalistic implementation	<i>Legalistic in (self-regulatory) UK; legalistic in (discretionary) Fr; legalistic in (legalistic) Ger; not yet legalistic in It (lack of capacity)</i>
	self-regulatory	Self-regulatory in (self-regulatory) UK; <i>self-regulatory in (legalistic) Ger</i>
Diffuse effects of EU-related learning experiences	Employment Policy: corporatist consultation	<i>Pluralist consultation in (statist) Fr; statist in (statist) UK; corporatist in (corporatist) Ger; not even statist in (corporatist) Italy</i>
	Social Policy: pluralist consultation	Statist consultation in (statist) Fr; <i>pluralist in (statist) UK; corporatist in (corporatist) Ger; not even statist in (corporatist) Italy</i>
	EU level pluralist lobbying experience	<i>Pluralist EU level lobbying by (statist) Fr bus, except banking; TABD may loosen national level corporatism in Ger</i>
Knock-on effects from EU policies that act as incentives to competition	Electricity: pluralist formulation	<i>Pluralism for (corporatist) Ger; statism for (statist) Fr</i>
	Transport: pluralist formulation	<i>pluralism for (corporatist) Ger; corporatism for (corporatist) It</i>
	Banking: pluralist formulation	<i>Loosening of corporatist ties in Ger; of statist ties in Fr</i>

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