

Politico-Administrative Relations in the National Reception of OMC Policies: Comparing Policy Sectors in Slovenia

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ABSTRACT

The article examines the relationship between the national politicians and their civil servants in the reception of the Open Method of Coordination (OMC) policies. Our comparative case study of three policy fields in Slovenia identifies variations in the politico-administrative relations among different policy sectors. These variations can be explained by the weight of the ideological-political burden that determines the extent to which a particular policy sector is politicised. Although the reception of OMC policy is first and foremost in the hands of the national politicians, national civil servants have greater scope to act autonomously in those policy sectors which are less politicised.

Keywords: Politico-administrative relations, open method of coordination, Slovenia

1. Introduction

To date, the research into new modes of governance (NMG) – particularly the Open Method of Coordination (OMC)¹ – has tackled a number of issues (Zeitlin et al. 2005; Heidenreich and Zeitlin 2009; Zeitlin 2015; Kröger 2009). Among them have been (i) the influence of the OMC on procedural shifts in policymaking arrangements and (ii) the framing/reframing of policy agendas (Zeitlin et al. 2005; López-Santana 2006, 2009; Heidenreich and Zeitlin 2009). However, the politico-administrative relations that affect the processes by which OMC policies are received by member states have remained understudied.

Due to its voluntary nature, the OMC has usually been understood as a non-political or de-politicised method of policy coordination among EU member states in policy fields where more politicised policymaking has not been politically

¹ The Open Method of Coordination (OMC) is based on the voluntary cooperation between EU Member States and EU institutions in those policy fields where treaties establishing European Communities give little or no place for direct decision-making within the framework of EU institutions (Dehousse 2002, 5).

acceptable. As a rule, national civil servants and experts have been the primary players in these processes. This is why it is believed that politics – in terms of the power-struggle – plays little or no role in the OMC processes (Kröger 2009). So far, the research has been predominantly focused at the EU level, where a certain degree of politics can be found, particularly in studying the role of the European Commission. By contrast, little attention has been paid to the politico-administrative relations that affect the processes by which OMC policies are received by member states.

While we will examine the politico-administrative relations in receiving OMC policies at the national level, our main research focus is two-fold. Firstly, we will respond to the criticism that research approaches which analyse the OMC have been excessively confined to the literature on Europeanisation while not taking into account the politics of the OMC (Borrás and Radaelli 2011; de la Porte and Pochet 2012). This literature focuses primarily on substantive policy changes, while the management of the policy process and the role of civil servants and politicians are left to one side. Secondly, we will contribute to closing the gap in the public administration literature. This literature has so far revealed that the European Commission is for the most part active in the lower echelons of domestic government hierarchies, particularly through professional experts within sector ministries and agencies, and that the multilevel interaction of administrative systems occurs largely outside the control of the domestic politico-administrative leadership (Larsson and Trondal 2005). This research approach has also adapted to studying the multi-level aspects of public administration coordination in the EU context (see a literature review in Benz et al. 2016). Nevertheless, the politico-administrative relations in receiving OMC policies have remained understudied. To close this gap in the literature, our main research questions are the following: (1) what are the main characteristics of the management of the policy process in the OMC policy sectors?; and (2) which factors determine the management of the policy process in the OMC policy? Given that the OMC's orientation is more technical than political (Kröger 2009), we hypothesise that the OMC favours civil servants in the management of the policy process at the national level.

In presenting our empirical research findings from a post-communist EU member state, we will take the post-communist legacy to be a constant whilst we examine the variations in the three policy sectors: employment, education and the environment. The post-communist country which will serve as our case study is Slovenia. In this article we will attempt to draw conclusions as to: (a) the different types of politico-administrative relations which have developed within the three policy sectors in Slovenia during the process of absorbing OMC policies; and (b) how these variations can be explained. We will first present the theoretical-analytical framework before proceeding with our comparative analysis of the three policy sectors in Slovenia. We will conclude by summarising the factors which cause the variation(s) in politico-administrative relations among the policy sectors.

2. Theoretical-analytical framework

2.1 Politico-administrative relations

The literature on public administration has for the most part been dominated by the thesis of the politico-administrative dichotomy. Over the years, however, the debate has moved from the politico-administrative dichotomy to more complex models. The works of Frank Johnson Goodnow, Leonard White and Max Weber in the early twentieth century, together with the work of W. Wilson, have been cited for decades as sources of the thesis that the government's role is to introduce ideas and principles whilst the administrators exist to implement them. Svava (2001) warns that the dichotomy is in fact a myth, which overlooks other traditions both in the literature and in real life (Svava 1999). He also argues (Svava 1999, 687-688) that the politico-administrative distinction (not dichotomy) is necessary both in order to remove administration "from the hurry and strife of politics" and to ensure that public administration plays an executive role beyond mere implementation. Some authors who have distanced themselves from the dyadic model, such as Schreurs et al. (2011), have suggested conceptualising politico-administrative relations on a continuum is more realistic. Following this approach, they have observed an increase in the emergence of hybrid relationships. To some extent this phenomenon may have contributed to the diffusion of the phenomenon of new public management (NPM) (Connaughton 2006).

However, we also need to take into account the political context as a determiner of politico-administrative relations. The political context of politico-administrative relations matters, not only in terms of the afore-mentioned typologies/regional differences, but also in terms of political dynamics – for instance, coalition governments can be seen as co-determiners of politico-administrative relations (see Connaughton 2002).

For the purposes of this article, it is also particularly important to take into account the post-communist context, the influence of which can still be felt. In spite of the variations in the administrative traditions of post-communist countries (see Fink-Hafner 2007), it is possible to identify one common idiosyncrasy they all share: namely, the tradition of subordinating public administration to a single ruling party. Whilst it could previously have been said that public administrations were single-party responsive (Verheijen and Rabrenovic 1999, 19-20), since the transition to democracy public administrations appear to serve a range of parties as power changes hands with each election cycle. Coalition governments introduce both government re-shuffles and the re-allocation of strategic ministerial posts, which tends to make the relationships problematic. This is especially the case when changes in government go hand in hand with changes in office of senior public officials. There is a tendency for politics to intrude into the ever more numerous layers of the administrative hierarchy. This exacerbates the problem of excluding civil servants from the policy development process and results in the ruling parties placing their own people in key civil servant positions.

2.2 The Europeanisation literature on politico-administrative relations

At present, there is no systematic theory of party politics or public administration theory within the EU. Furthermore, the relationship between the two sets remains opaque. To date, the research has revealed that EU political integration increasingly demands administrative integration. At present, a pan-EU public administration is not being developed, although the idea of a Europe-wide administration appears explicitly and implicitly in a number of EU documents (Matei and Matei 2008). For some authors, the creation of the so-called European Administrative Space (EAS – for example, by convergence on a common European model) could be regarded as a normative political programme, a real-life phenomenon in the making, a theoretically predicted development based on expert judgment. However, the evidence suggests that administrative integration tends instead to take place via several intermediate-level administrative adaptations.

Trondal and Peters (2012) assert that the EAS is already emerging incrementally through bureaucratic integration. Although this approach has been associated with political integration and the creation of a European administration, it does not deliberate on the particularities of politico-administrative relations in such a context. Administrative fusion mainly seems to be occurring via the actions of professional experts working on behalf of the European Commission at lower levels within sector ministries and agencies (Trondal 2007). It also seems that while the European Commission weakens the domestic politico-administrative leadership, this is counterbalanced to some extent by the interlocking effect of national systems of co-ordination and politico-administrative control (Trondal 2007). Similarly, the literature on the Europeanisation of national executives is rather inconclusive as to whether a process of politicisation (the prominence of politicians) or bureaucratisation (the prominence of civil servants) is occurring (Goetz and Meyer-Sahling 2008). By contrast, comparative public administration (Bouckaert et al. 2010) as well as political science (see Poguntke 2008) point to an increasing politicisation of leadership within the national executives.

Top-down Europeanisation creates an exponential increase in the number of EU-policy-related issues entering the national politico-administrative system, particularly by instrumentalising NPM techniques and the increased use of action plans and benchmarking at national and regional levels (Borrás and Peters 2011, 528). Consequently, variations among the types of policy issue may matter. In the national process of co-ordination of EU matters, the question regarding the role of bureaucrats *vis-à-vis* that of politicians is critically related to the question of whether leadership is mostly exercised by elected politicians or by civil servants (Borrás and Peters 2011, 530). An analysis of OMC processes raises a similar question.

In light of the fact that the Lisbon Strategy was politically determined and has been dependent on a governance architecture developed for the purpose of managing politically-silent policy issues both at the supranational and the national levels (such as economic growth, competitiveness, jobs), it would seem reasonable to expect this governance structure to tend to reinforce the politicisation – rather than the bureaucratisation – of the national executives (Borrás and Peters 2011, 530). Some researchers (such as James 2010) even claim that the OMC method seems to empow-

er core executives at the expense of sectoral ministries as well as legislatures. We are not aware of any research that would link the supranational and national levels in politico-administrative relations or link the trend towards the presidentialisation of politics with the creation of administrative spaces between the national and supranational arenas. However, some reports on the particular uses of policy coordination have shown that the OMC does not automatically put OMC policies on the national political agenda.

Although some OMC policies (especially in the fields of employment and education) have been studied quite a lot, research into politico-administrative relations seem to have been more or less omitted. The OMC literature tends to employ a rather general ideological or academic discourse on the following topics: the modes of democracy; policy innovation; the administrative capacity for the proper reception of OMC policies (especially in new EU member states); the reshaping of national policymaking and the possible changes in the relationships between actors and institutions; “deviant” administrative behaviour; and “creative” bottom-up interpretations of decisions (Stone 1999; Pollitt 2001; Bulmer and Radaelli 2004).

2.3 Factors impacting on politico-administrative relations

Several factors may determine the nature of politico-administrative relations. These include mission, policy, administration and management (Hansen and Ejersbo 2002). In fact, there are tasks and responsibilities that can and must be accomplished by politicians and public administrators, but the way these tasks are distributed among the actors is determined by the characteristics of the decision-making process (Haruta et al. 2009, 76). For this reason, we are only interested in the real life of the relationship between Euro-national civil servants and national politicians in the process of the reception of OMC and OMC-type policies.

Among the factors causing variations is the policy type. In the classical literature we find Lowi’s amended typology of policy issues, which includes the following: distributive issues (involving the distribution of new sources); redistributive issues (changing the distribution of existing sources); regulatory issues (involving the regulation and control of activities); and constitutional policy issues (the establishment or reorganisation of institutions) (Lowi 1972). Given the idiosyncrasies of particular types of policy issues, it comes as no surprise that this is in fact the variable shaping politico-administrative configurations (Sootla 2001). According to Sootla’s typology, the various types of policy are to varying extents burdened by ideological and political characteristics. Distributive policy brings about purely political coordination, which creates the potential for conflict between the sides. Redistributive policy is characterised by policy fit and the consensus among the political elites on the strategic aims, which allows for an emerging balance with an administrative dimension. Regulatory policy is considered to be highly political with interest groups playing a direct role, but with the policy outcomes nevertheless being balanced.

2.4 The analytical model

In this article we assume the architecture of EU governance to be an independent variable. For the purpose of empirical research, our interest is limited to the relationship between the EU-national civil servants and the national politicians involved in putting OMC policies on the national agenda. As the primary factor that shapes the politico-administrative configurations we will consider the relative influence of the policy-sector idiosyncrasies in terms of a policy type that is characterised by a particular level of ideological-political contagiousness. Whilst the presence of a crisis will be considered to be an intervening variable, various kinds of crises (the creation of a new socio-economic-political system; the creation of an independent state; EU integration; the economic and financial crisis) have offered transformative windows of opportunity to change politico-administrative relations.

We selected the three policy sectors according to the level of institutionalisation of soft-law policy processes (Laffan and Shaw 2005): employment (being the most institutionalised), education and environment (being the least institutionalised). Our analysis is based on an analysis of Slovenian legislation and other official documents and EU official documents. From May 2008 to April 2012 we conducted 23 semi-structured interviews with civil servants and politicians at the relevant ministries in Slovenia and with Slovenian interest groups in the policy fields we investigated. We conducted twelve further interviews with officials of the European Commission and the Permanent Representation of Slovenia to the EU in the field of education policy in January 2010. We organised six stakeholder meetings during the period from December 2009 to December 2011 in which stakeholders from the investigated policy fields participated. The stakeholder meetings took place on 10 December 2009, 23-24 September 2010, 20 September 2011, 24 October 2011 and 21 November 2011 at the Faculty of Social Sciences in Ljubljana and on 6 April 2011 at the Environment Centre (*Okoljski center*) in Ljubljana.

3. Politico-administrative relations in the reception of selected OMC policies in Slovenia

3.1 Slovenian public administration and its Europeanisation

Slovenia is a parliamentary democracy. The executive authority at the national level is composed of the state administration (the professional part of the executive) together with the government, the political head of the executive, which directs, coordinates and controls the operations of the state administration through the state ministries (Tičar and Rakar 2011). According to the constitution, the prime minister ensures the unity of political and administrative policies and coordinates the work of the ministers, whilst each minister is responsible for the work of his or her ministry; all of them together are collectively responsible for the work of the government.

In Slovenia, the transition to democracy and a market economy as well as the creation of an independent state took place at the beginning of the 1990s. Slovenia's relatively rapid inclusion in the process of European integration was already underway by the mid-1990s (Fink-Hafner and Lajh 2008). Slovenia's EU-integration was

strongly supported by both business and public opinion; the political elite also consensually adopted it as a national goal. The question of Slovenia's membership of the EU was confirmed by a plebiscite majority of almost 90 per cent (see Fink-Hafner and Lajh 2008; Krašovec and Lajh 2009). Like other EU member states, Slovenia can be considered to be a "Europeanisation hybrid" (Knill 2001, 213), because Europeanisation affects different public policies in various ways (see Kajnič and Lajh 2009).

The adaptation of Slovenia's political system (including its public administration) to European integration has been pragmatic and flexible (Fink-Hafner and Lajh 2008). Slovenia's civil servants have gained education and training through the course of numerous technical assistance projects (*PHARE*, *TAIEX*, and *MASTER*) (Pirnat 2011). As part of the challenge of meeting the political criteria (particularly the administrative capacity requirement), a comprehensive reform of public administration was adopted to help bring about the professionalisation of civil servants as well as the distinction between public officials (who perform public functions and the most demanding ancillary work in public bodies) and technical civil servants (Pirnat 2011). Although most officials at the national level have added European matters to their work (see more in Fink-Hafner and Lajh 2008), there remains a deficit of so-called 'European specialists' (Fink-Hafner and Lajh 2008).

Furthermore, politico-administrative traditions from the time when Slovenia was part of Yugoslavia have persisted. These traditions have been closer to the continental European civil service tradition, which differentiates Slovenia from other Central and East European states (Verheijen and Rabrenovic 1999, 5). Slovenia does, however, share some common characteristics with other post-communist countries. This is particularly evident in the practice of politicians (ministers) tending to work with top civil servants. Top civil servants have been, as a rule, replaced, following a change in the ideological persuasion of the government and of a particular minister.

In the process of integrating with the EU, beginning in the mid-1990s, NPM was introduced under pressure from the EU (in collaboration with the OECD). Contrary to initial expectations that the professionalisation of civil servants, and particularly the introduction of open competition, would prevent political interests from directly impacting on the functioning of the administration (Pirnat 2011, 66-68), the statistical data has shown that the adoption of the Civil Servants Act in 2003² (in force since June 2003) has allowed politicians to exert a significant influence on civil servants (Kovač 2006, 62). The Constitutional Court of Slovenia has estimated that government-authorised dismissals of top public managers without breaching the law (put in law) have been excessive (Kovač 2006, 62). The politicisation of public administration is also evident in the prevalent descriptions of the "good relationships between politicians and bureaucrats and the lack of conflicts between the two in the eyes of ministers" (Krašovec and Kovačič 2008). The shift since 2004 from a tri-polar towards a bi-polar party system – along with the competitive swings back and forth between centre-right and centre-left governments (Fink-Hafner 2007, 2014) – has further increased the politicisation of public administration.

² *The Official Journal of the Republic of Slovenia (OJRS) 56/02.*

3.2 Comparing three policy sectors in Slovenia

In order to identify possible distinctions in politico-administrative relations across different policy fields, we will compare three policy sectors: two “typical” OMC policy sectors (education and employment) and one OMC-type (see Homeyer et al. 2004) policy sector (the environment). In order to separate OMC-related processes from other processes, we will consider these cases within the policy fields studied, namely: European Employment Strategy (employment), the Education and Training 2010/2020 Work Programme (education) and green public procurement (environment).

In order to identify the sectoral idiosyncrasies, the following variables will be considered: the national ideological-political idiosyncrasies of the policy sector; the prevalent national orientation in the particular sector; the characteristics of the predominant politico-administrative relations in the policy sector; the external pressures (from the EU and other intergovernmental organisations); and the role of civil servants in policy development in terms of OMC reception at the national level.

Employment policy

The field of employment policy has been burdened with the predominant values inherited from the socialist system, which have translated into voters’ expectations that the state would and should guarantee full employment and general welfare. This explains why the change in the old employment policy paradigm has incurred high ideological and political costs reaching up to the level of the prime minister. During its transition, Slovenia pursued a policy of full employment guaranteeing lifelong employment as well as a reasonable level of social security and welfare. While the labour market remained increasingly rigid and the economy lagged behind other developed countries both in terms of its technological development and its productivity, the disintegration of the erstwhile Yugoslavia destroyed former markets, which increased unemployment (Ignjatović et al. 2002, 210-211). The 1990s employment legislation was prepared in cooperation with the various international organisations, including the EC/EU (Glazer et al. 2002); since 1994, employment legislation has also included the neo-corporatist arrangements that were institutionalised as a tripartite social dialogue in line with the ILO’s model of tripartism.

Employment policy in the EU has come almost full circle with the advent of the Lisbon Treaty. The formation of the EEC was all about economic integration, while employment and social issues were almost an addendum to early treaties. Gradually, social policy appeared on the agenda as a key plank of integration, reaching its zenith in Maastricht and its Social Chapter, after which the realities posed by the push for monetary union and the need to create real jobs meant a softer approach to employment policy. This softer approach followed on from the Treaty of Amsterdam and beyond – all influenced by the steady enlargement of the EU and the recognition that “one size is never going to fit all” (Walsh 2009, 11). The OMC was advanced with the intention that “sizes” between states should not be too big. As a process, the OMC encourages the exchange of information and joint discussions between all

member states to attempt to find joint solutions or best practices which will help to create a greater number of better jobs in every member state.

Slovenia started to adapt to the EU rules and guidelines in the field of employment in the second half of the 1990s, well before gaining full EU membership in 2004. In accordance with the Treaty of Amsterdam, the adoption of which coincided with Slovenia's accession period to the EU, the coordination of the development strategies and policies on employment required EU member states to prepare three documents in the field of employment: (1) annual surveys of their labour markets; (2) long-term employment strategies; and (3) annual employment action programmes in line with the guidelines of the Council of the EU. Although Slovenia was not at that time an EU member state, it nevertheless undertook the preparation of these documents. In cooperation with the European Commission, it prepared a review of the labour market and employment policy, which formed the basis of planning activities in the coming years. In 1999, the Slovenian Government also adopted two programme documents in the field of employment policy (Hagl et al. 2002, 81; Kajzer 2002, 476): the Strategy for the Development of the Labour Market and Employment Policy until 2006; and the National Employment Action Plan for 2000 and 2001. In the pre-accession period, the management of the policy process in the field of employment policy was marked by cooperation among politicians and policy officials, pursuing the common goal of obtaining full EU membership.

The Mutual Learning Programme (MLP) plays an important part in the employment OMC. It was launched at the beginning of 2005 and incorporated the former Peer Review Programme (launched in 1999). Its main objectives have been to encourage mutual learning at all levels and to encourage its stakeholders to promote the wider and more effective dissemination of information about the EES and its implementation. The MLP focuses on specific relevant labour-market themes, which are dealt with within the framework through three strands of activities: (a) twice-yearly EU-wide Thematic Review Seminars on the key challenges or policy priorities; (b) a Peer Review in individual member states, which focuses on specific policies and measures within the broad policy priority; and (c) Follow-up and Dissemination Activities which involve a broader group of national stakeholders and further the cooperation and exchange of good practices between member states. Active participation in such programmes demonstrates the prevalent national orientation in this policy sector. Based on observations of the mutual learning activities, Slovenia has been on average a "good student". Since its accession to the EU and up until the second half of 2010, it has participated in 42 per cent of peer reviews. This is quite an encouraging result, especially according to the restrictions on the number of countries in each review (Interview 2010a) and the large number of participating countries (EU member states, EEA, plus candidate and potential candidate countries). However, during the observed period, on one occasion only did Slovenia host a peer review (see Lajh and Silaj 2010, 52). Slovenia has also been a highly selective participant: in certain substantive areas it has been involved to a great extent, while in other areas it has been inactive. Slovenia has been a frequent participant of peer reviews that cover the topics of active employment policy; but it has not engaged in peer reviews on the topic of passive employment policy (Lajh and Silaj 2010). The empirical evidence reveals that the management of the policy process in the field of

the employment OMC has been defined by the personal preferences of particular civil servants who have opted for select topics and influenced the extent of the country's participation in the MLP, making it one of the most institutionalised areas of the employment OMC.

The non-obligatory nature of the OMC has generated various "sizes" among states. Since Slovenian civil servants have actively participated in peer reviews organised by other countries whilst Slovenia has only once hosted a peer review, Slovenia can be perceived as "a good student, but a reluctant teacher" at the administrative level. The Slovenian domestic environment, however, has resisted the reception of the employment OMC at the political level. Still the political realm has shown more enthusiasm since the global economic and financial crisis and the increasing external pressures (from the EU and OECD). Once politicians put the reforms on the national agenda, the strategy of "active aging" and the concept of "flexicurity" began to influence the formation of policy alternatives (among them the so-called "mini job" reform as well as changes to the pensions legislation). Nevertheless, the social partners vetoed the implementation of the "flexicurity" concept in the Slovenian labour market (Lajh and Štremfel 2011, 128). EU-national civil servants did not play a discernible role in these processes, as the minister preferred to rely on handpicked collaborators.

Education policy

Since the initial formation of modern political parties in Slovenia, education policy has been one of the key sectors of ideological and political conflict – particularly between liberals and conservatives. The various ministers for education have always come from the top cadre of the prime minister's party and since 2000 have all been considered to be the prime minister's party ideologist. Even in the context of the economic and financial crisis, the ruling-party elites have primarily been interested in the (re)distribution of state sources in line with the preferences of their ideological and interest-group networks.

The development of education policy can be divided into several main periods (see more in Lajh and Štremfel 2011). After the Second World War, the Yugoslav Republic of Slovenia increasingly developed its own education policy while retaining some consistency with the common federal arrangement of socialist Yugoslavia. In the context of the development of a democratic political system and the creation of an independent state, developments in education policy have been influenced by Slovenia's membership of and cooperation with various international organisations (more recently the EU in particular) as and when required and to the extent that national politicians believed it to be necessary.

Education in the EU context is an area of policy in which the harmonisation of national laws and regulations with EU legislation is not required. The EU's aim in education is primarily to contribute to the development of high-quality education by encouraging cooperation between member states and by supporting and complementing their actions, whilst fully respecting the responsibility of member states to create their own curriculum content and to organise education systems to fit their cultural and linguistic diversity (Lajh and Štremfel 2010). In the field of education,

the foundations for cooperation between the EU member states have been laid down through the OMC. These include the following: diversified working groups which bring together national experts and the partners concerned; the sharing of practices and experiences regarding common objectives adopted by ministers; defining indicators for monitoring progress; and producing common European frameworks of reference to support national reforms. By introducing the OMC, the Lisbon Strategy established a common European education space in which (hitherto completely heterogeneous) education systems could connect to create a uniform core of lifelong learning (Gornitzka 2005). The Lisbon process and the introduction of the OMC formed the basis for installing the education sector in the broader EU context and for legitimising it as a subject of European integration (Gornitzka 2006).

The preparation for Slovenia's participation in the European education and training programmes began in 1998, when Slovenia began including its pre-school institutions, schools, adult-education organisations, firms, universities, independent higher-education institutions, and other educational organisations in European educational and training projects. In October 2002, the Government of the Republic of Slovenia passed a resolution to form the EU Programmes Agency, thus giving the green light for the foundation of CMEPIUS – the Centre of the Republic of Slovenia for Mobility and European Educational and Training Programmes (Eurydice 2009, 226). In 2004, Slovenia became a full member of the EU and has since then been integrated into all forms of (voluntary-based) international cooperation as well as the coordination at the individual, institutional and governmental levels (Eurydice 2009, 225).

In Slovenia's case, the management of the policy process in the field of education has not changed as a result of the OMC's influence. OMC activities supplement the principal reform process and do not effect any deep systemic change. In this way, for example, the Strategy of Lifelong Learning in Slovenia emerged primarily within the framework of the Ministry of Education and Sport. Therefore, its main focus has been on those solutions and measures directly relevant to the Education and Training 2010 Programme. While policymakers in other fields, such as the economy, have more actively embraced the various emerging OMC proposals, education policymakers seem to find it difficult to accept that the issue of lifelong learning also demands an integral inter-sectoral approach (Lajh and Štremfel 2010). Nonetheless, the stewards of education policy have not only been the ministers responsible for education, but also the ministers responsible for labour and social affairs. The latter have also had an obligation to reach an agreement with the social partners in this policy field. Other policy actors have been the three national agencies, civil society organisations – service providers, producers of “new” ideas and practices, as well as informed critics and advocates of particular policy solutions (for more see Lajh and Štremfel 2011). Although civil society groups play an active role in translating European guidelines into national policies in the field of adult education, civil society groups are not actively involved in the periodic monitoring and mutual learning process; these tasks are performed by EU-specialised civil servants. Slovenian representatives in EU working groups and clusters are usually appointed on their own initiative and are autonomous in presenting ideas and data at the EU level (Interview 2010b). However, EU-national civil servants find resistance when

they try to advocate EU guidelines for consideration at the ministerial level (Lajh and Štremfelj 2011), since ministers tend to rely on their own experts. In addition, weak inter-sectoral cooperation amounts to poor OMC reception in the form of “mimicry”. For example, the adoption of the lifelong-learning strategy and the establishment of advisory bodies such as the “Coordination body of education and training” pay lip service to OMC proposals in education rather than reflecting a desire to implement real change.

Environmental policy

The European environment is among those policy fields that are dominated by regulatory top-down hierarchical governance approaches. However, since the early 1990s (the period in which Slovenian environmental policy began to “shift” towards the EU), “softer” modes of governance, such as consultation and learning processes, were added to the EU environmental governance repertoire (Holzinger et al. 2006; Knill and Lenschow 2005; Jordan et al. 2003; Rittberger and Richardson 2003). Several factors, including the need to harmonise environmental rules to avoid distortion of the single market, contributed to its overall hierarchical character; nevertheless, the emergence of new ideas of governance, an awareness of the inefficient implementation of existing regulatory mechanisms, and the spread of cross-cut paradigms, such as sustainable development, have led to an increased use of “new” governance modes which complement existing regulatory environmental measures.

Although historically, the development of environmental policy in Slovenia has gone through several periods (see Knep and Fink-Hafner 2011), it has not been subject to the same critical ideological-political divisions as other policy areas, and since the mid-1990s, no green political party has managed to enter the national parliament. Slovenia’s environmental policy underwent a major overhaul when Slovenia signed up to the various multilateral environmental agreements and began the process of EU integration (Knep and Fink-Hafner 2011), by which it also came under the influence of the European Commission’s soft-law EU green public procurement policy (GPP) (Knep and Fink-Hafner 2010). The GPP policy at the EU level as well as the participation of Slovenia’s representatives in GPP learning-based policymaking processes began following Slovenia’s full EU membership. Therefore, Slovenia’s participation has not been “forced” or driven by coercive mechanisms. Slovenia’s representatives have participated voluntarily, and certain factors seem to exert a strong influence on the national adaptation of GPP policy content to OMC-type suggested “soft law”. The reception of GPP soft law in Slovenia has been both delayed and modified according to national circumstances. The modifications include the extension of the implementation period, the modification of policy content according to the preferences of national economic interests, and the proposal for a specific legally-binding implementation mechanism (Knep and Fink-Hafner 2010).

In line with the perception that OMC-type policy reception is primarily an administrative process, civil servants have for the most part acted as the chief policy entrepreneurs in putting GPP on the agenda within the Ministry of the Environmental and Spatial Planning in Slovenia. Policy innovations agreed at the EU level have been introduced on to the national agenda with little enthusiasm; the semi-functional

advisory body – the Council for Sustainable Development – was assigned to take care of it. Furthermore, GPP has been adopted with little attention to the national specificities and with some delay (Knep and Fink-Hafner 2011, 137-174).

Non-governmental actors have continuously complained of poor access to information and their weak influence on national-level environmental policymaking. Since Slovenia's OMC-type environmental cooperation has depended on a particularly small segment of policy entrepreneurs – i.e. EU-national civil servants lacking political support in the reception process of EU-coordinated policy – these civil servants have sought legitimacy for their endeavours by inviting civil society actors to collaborate in placing the issue on the national agenda. The global financial and economic crisis has further marginalised environmental policies at the EU level, removing even the supranational pressures which in the past had encouraged EU-national civil servants to ensure that at least some soft-law environmental policies were received in Slovenia.

Administrative traditions, especially weakly developed inter-ministerial coordination and informal coordination among state actors and non-state actors seem to have had a strong influence on the national reception of GPP “soft law”. Additionally, the weak development of national coordination of EU matters has led to a growth in the relative autonomy of middle-ranking officials in the EU political system. In the absence of monitoring and coordinating mechanisms for national officials to participate in less-formal EU decision-making processes, these middle-ranking officials act as policy entrepreneurs. Informal contacts appear to remain important routes for non-governmental organisations to be able to participate in the decision-making processes relating to the implementation of EU soft law (Knep and Fink-Hafner 2010).

A comparative view

According to our findings, the national traditions of politico-administrative relations vary across policy sectors. These variations can be explained by ideological-political burdens and the level of political responsiveness (prime ministerial, ministerial) (Table 1). These variations also correspond to the degree of willingness and the institutionalisation of political communication between politicians and interest groups.

Opportunities to set the national agenda (as part of the OMC reception) can be obtained through the policy entrepreneurship of civil servants and experts when the ideological-political contentiousness of the policy sector in question is weak and the responsiveness resides at the ministerial level. Civil servants may act as technicians, particularly in cases where politicians perceive a certain policy process to be administrative (i.e. in cases of more regulatory-oriented policies such as the environment and taxes). However, wherever there is a political dimension to the policy, civil servants will mobilise the national civil society actors to support the national agenda-setting process. By contrast, when the policy sector is ideologically burdened and explicitly or implicitly involves some form of redistribution (as in the cases of education and employment policies), ministers tend to rely on handpicked experts rather than on civil servants.

Table 1: Features of the three policy fields in Slovenia

POLICY FIELD FEATURES	Education	Employment	Environment
POLICY-SECTOR CHARACTERISTICS			
Ideological-political burden	High	High in special circumstances (change in socio-economic paradigm)	Low
Policy-sector type	Distributive/ redistributive policy	Redistributive policy	Regulatory policy
Politico-administrative relations	Party politics dominates administration; Interest group pluralism	Party politics dominates administration; Impacts of social partnership	Party politics dominates administration; Interest group pluralism
SECTOR-SPECIFIC EU POLICY COORDINATION (EUPC)			
EU-level pressure (hard law; soft law)	Prevalence of soft law	Prevalence of soft law with a few items of the related hard law	Some hard law with a few cases of soft law
Prevalent national orientation	Selective/ nationally politically filtered policy-taking	Selective/nationally politically filtered policy-taking in special circumstances	Policy-taking; lack of national political interest
Politico-administrative relations	Prevalence of party politics over administration; Limited involvement of other national actors	Prevalence of party politics over administration; Social partnership veto points	Administrative autonomy; civil servants' policy entrepreneurship with some collaboration with invited interest groups

Source: Own compilation based on literature review, interviews and stakeholder meetings.

Politico-administrative relations may also vary over time and may even vary across issues within the same policy sector. In spite of external pressures (from the EU, other intergovernmental organisations, and from combinations of external pressures), politicians tend to maintain the upper hand in setting the national agendas (including the reception of the OMC) unless they regard the policy process to be administrative or technical. Only in such cases do civil servants prevail in the process of national agenda-setting, thereby allowing for the reception of the OMC. Civil servants, however, tend to seek political legitimacy by mobilising national civil society organisations at an early stage.

The presence of a crisis (such as the creation of a new socio-economic-political system; the creation of an independent state; the economic and financial crisis) offers a transformative window of opportunity for the introduction of externally developed soft policy innovations into the national policy process. Nevertheless, this may be primarily as an additional policy alternative considered within the framework of national agenda setting as previously determined by senior national politicians. The common feature of the management of policy processes in selected OMC policy fields has been the low level of implementation imperative, as there are no direct sanctions for non-compliance. Although a combination of soft- and hard-law mechanisms can be identified³, the softer approaches triumph, as these allow member states selective convergence to fit their own size. This at the same time supports our hypothesis that in Slovenia the OMC favours civil servants in the management of the policy process at the national level.

4. Conclusions

Our research finds no basis for the thesis that the increasingly strong rooting of the European Commission in national administrations (*via* an elaborate set of policy instruments that directly link bureaucrats at the national and supranational levels) has resulted in EU states becoming administered by the EU. Rather, our research reveals that the variations in politico-administrative relations within the same policy sector depend on whether policymaking is ordinary national policymaking or learning from the EU soft law approach. Furthermore, not all policy sectors appear to be of equal importance for national politicians. Only those OMC mode policies which are distributive or redistributive tend to be politicised at the national level. At the same time, the administration of such policies is also dominated by politics. Unlike ordinary national policymaking, EU civil servants can act autonomously and play entrepreneurial roles in regulatory OMC policies. They do this on their own or in collaboration with invited interest groups. With regard to the introduction of stages

³ For example, in the field of employment policy, pursuant to Article 153 of the Lisbon Treaty, the European Parliament and the Council may by means of directives set minimum requirements in the following areas: improvement of the working environment to protect workers' health and safety; working conditions; protection of workers where their employment contract is terminated; the information and consultation of workers; the integration of persons excluded from the labour market; representation and collective defence of the interests of workers and employers; conditions of employment for third-country nationals legally residing in Union territory; equality between men and women with regard to labour-market opportunities and treatment at work; and the combating of social exclusion.

of OMC policies into national policies, we observe that ideologically-burdened policies are open to OMC policy learning at the stage when national political parties are searching for policy alternatives (the case in point being particularly the national employment policy change in times of crisis), while agenda-setting is more likely when EU civil servants behave as policy entrepreneurs. Nevertheless, all the indicated variations are to a great extent determined by factors that remain within the control of politicians.

We hope our contribution will help facilitate two venues of research. Firstly, while our research focuses on three policy sectors in Slovenia, we believe it provides several interesting findings which call for a broader cross-country and cross-policy sector evaluation. Secondly, the traditional dichotomy of politico-administrative relations appears to be an insufficient approach if we want to better understand the functioning of the linkage between the internationally coordinated policymaking and the national policymaking. Rather, a more complex model needs to be developed in order to better understand the real-life relations between politicians and public administration in a multilevel system of government, such as the EU. In line with our preliminary findings, such a model would also need to take account of the role of external experts, ministerial advisors as well as economic and civil society actors.

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