

MARCELLA MILANA

4. EUROPEANISATION AND THE CHANGING NATURE OF THE (EUROPEAN) STATE

Implications for Studying Adult and Lifelong Education¹

INTRODUCTION

Drawing on contributions from state theory, European studies and education, this chapter problematises how the changing nature of the state restricts or amplifies member states' political space. In particular, part one outlines how changes that occurred with the European Union (EU) led to the subsidiarity principle in education to be bypassed, generating a new scenario for European policy work in education. Although this process, generally captured under the label of Europeanisation, has reinforced a shift in legitimate authority from member states to EU institutions, my argument is that the authoritative backing of political agencies from within member states is still an important aspect of EU policy work. Against this scenario, part two pays close attention to the organisational means by which the state works, so as to capture the changing nature of legitimate authority by and within member states. Here I argue that European policy work in education is increasingly a matter of individual, organisational and inter-systemic negotiation and coordination across member states (and its array of political agencies) and the EU (and its diverse political institutions) as a pooling of sovereignty. The chapter concludes with a few considerations on the implications of bringing the state back into the study of adult and lifelong education policies in Europe. Specifically, this implies raising a rather different set of questions from those addressed when either excluding or underestimating member states' political space.

EUROPEANISATION, EU-ISATION AND THE PRINCIPLE OF SUBSIDIARITY

Education is an area that falls within the exclusive competence of member states; thus it is subject to the principle of subsidiarity. While this legal position might easily lead to the assumption that European policy work in education has not changed over the last 20 years, it has, dramatically! Starting with a brief account of EU competence in this area, I proceed to unpack the changes that have led the EU to by-pass (to a certain extent) the principle of subsidiarity in education, which in turn has reinforced a shift in legitimate authority from member states to EU institutions. Despite this shift, however, I argue that the EU still needs the authoritative backing of political agencies within member states.

M. MILANA

A Glance at the Treaties

In 2010 education (and vocational training) was recalled in the *Treaty Establishing the European Community* (now *Treaty on the Functioning of the European Union*) as among the competence areas of the EU that are subject to the subsidiarity principle.

The Union shall have competence to carry out actions to support, coordinate or supplement the actions of the member States. The areas of such action shall, at European level, be: . . . (e) education, vocational training, youth and sport (TFEU, 2010, art. 6).²

Yet the specificity of EU action in this area, prior to its having been incorporated in the *Treaty Establishing the European Community* (2010), was already spelled out in the *Treaty on European Union* (1992), better known as the *Maastricht Treaty* (see also Rasmussen, this volume).

The Community shall contribute to the development of quality education by encouraging cooperation between Member States and, if necessary, by supporting and supplementing their action, while fully respecting the responsibility of the Member States for the content of teaching and the organization of education systems and their cultural and linguistic diversity (TEU, 1992, ch. 3, art. 126, para. 1).³

Article 126 (now art. 149) has remained unchanged in its wording ever since; and so has the principle of subsidiarity. Yet, several scholars have devoted attention to the subtle dynamics that can explain the vivid changes that have occurred in European policy work.

Europeanisation Through Education

In the words of Grek and her colleagues:

Europeanization is the process of formation of the European Union, the processes which are attached loosely or formally to this formation, or set in motion by it (Grek et al., 2009: 112).

The specificity of such a process of formation of the European Union has been addressed by Klatt (this volume). My concern here is how Europeanisation mingles with education.

The creation of a European education space had started long before the appearance of the EU. Its grounding principles can be found in post-1945 Europe, when educationalists from Europe, either in their capacity as professionals, researchers or policymakers, networked across borders, partly thanks to inputs by major comparative educationalists (Lawn & Grek, 2012). A key turning point for institutionalising the exchanges of knowledge and ideas around a European Educational Space, Pépin (2006) claims, can be found in *For a Community Policy on Education* (1973); a

report commissioned to Henri Janne, former Belgian Minister of Education. As we can read in its Preface:

The Commission of the European Communities, realizing that its responsibility for developing Community policies extends to the field of education . . . asked Professor Henri Janne . . . to formulate the first principles of an education policy at Community level . . . The Members of the Commission of the European Communities welcomed the report enthusiastically . . . particularly as the new Commission attaches so much significance to the questions of education policy it has to deal with (Janne, 1973: 5).

The report renders explicit how a Community education policy is in line with the *Treaty Establishing the European Economic Community* (1957), better known as the *Treaty of Rome* due to its links with the economic need for training at a time of Community expansion.

Thus there is ‘awareness’ of the fact that the economic (and therefore ‘professional’) needs for training are not separable from the education system in general . . . Coherence in one field calls for coherence in the other, and an operation of ‘approximation’ or ‘harmonization’ of the policies – carried out with the necessary prudence – is indispensable (Janne, 1973: 11).

The policy principles of ‘approximation’ or ‘harmonisation’ have since been at the core of the European Educational Space, and have been promoted over time via cross-European projects and activities run in partnership between a multiplicity of European associations of universities, schools, trade unions etc., with the support of the European Commission. By the late ’90s, the development of specific programmes such as Erasmus, Socrates, Leonardo, and Comenius had come to play a major role in supporting joint Europe-wide education projects across sectors (Lawn & Grek, 2012; Pépin, 2006).

This confirms that networking, cross-dissemination of ideas, and brokering across national borders, institutions, educational sub-systems, and productive sectors has always been centrally backed in the formation of a European Educational Space (Dale & Robertson, 2009; Grek et al., 2009), and continues to be so, also thanks to the creation of stronger links across specific programmes under the Lifelong Learning (now Erasmus+) programme (see Rasmussen, this volume). However, it is the 2000 Lisbon summit that represents a landmark in EU policy work in education, as we have come to know it in current times. At the Lisbon summit the Heads of EU governments approved a common strategy that

Implicitly give[s] the Union the mandate to develop a common interest approach in education going beyond national diversities as can be seen in the demand of Ministries of Education to debate common objectives of educational systems (Hingel, 2001: 15).

Accordingly, Ertl (2006) called the Strategy a “turning point” in the process of “unionization” (Nóvoa & de Jong-Lambert, 2003) of education policies – in an

area that is still officially within the exclusive competence of member states. In line with this argument, Nóvoa (2002: 133) spoke of the Strategy as the precondition for the EU to function as “a regulatory ideal” because it gives the EU a power to influence national policies that goes beyond existing diversity in national education and training systems, and thus by-passes the subsidiarity principle.

To date there is a shared consensus among educationalists that the Lisbon summit represents a landmark in the history of EU policy work in education, and very few, if any, would call it into question. Although not enforced via binding regulations, directives, or decisions⁴, EU leverage occurs through new governance mechanisms; mechanisms that were introduced by Directorates General other than the Directorate General for Education and Culture, but institutionalised at the Lisbon summit also for the governance of education (Bruno, Jacquot & Mandin, 2006). Accordingly, much post-Lisbon policy research has brought to the foreground the functioning of these new governance mechanisms, against the background of Europeanisation as its driving force. This however has often closed off considerations of political agency by and within member states; political agency that exists despite and sometimes by means of these very mechanisms. Let me elaborate on this statement by pointing at a few issues emerging from European studies literature.

Europeanisation versus EU-isation. Europeanisation is by and large assumed to be the totality of political, legal and social processes that constitutes and explains both the cause and effect of the EU (see quotation from Grek and her colleagues above); the emergence and development of “distinct structures of governance . . . specializing in the creation of authoritative European rules” (Risse, Cowles & Caporaso, 2000: 3) that direct and shape national politics (Ladrech, 1994: 69). Such “conceptual stretching”, as Radaelli (2002) pointed out, is primarily concerned with the identification of the set of qualities covered under the umbrella of Europeanisation, that is to say the extension to which the concept applies, rather than with clarifying the type of entities to which Europeanisation applies, namely its conceptual intentions. As a result, a certain degree of Europeanisation is found everywhere in the literature, often without clarifying what falls outside such a concept. This recalls what Sartori (1991) addressed as “degreeism”, specifically the problem of a concept that does not distinguish between A and B, but rather addresses the entire A-B continuum. While theoretically relevant, degreeism tends to reduce the analytical power of a concept. It is in line with this argument that Radaelli (2002: 105) coined “EU-isation” to capture, specifically, the national effect of EU public policy.

From this viewpoint, Europeanisation is an all-encompassing concept that incorporates both EU policy formation processes and their outcomes. EU-isation, on the contrary, focuses specifically on mechanisms for public policy formation within the EU that work either vertically or horizontally. While the former makes reference to policies that are defined at an EU level and prescribes models to be implemented at a national level, through pressure and/or coercive mechanisms, the latter addresses changes in domestic policies that are triggered by policies defined at the EU level. Accordingly, EU-isation captures and explains better both policy convergence and

policy divergence. In other words, despite the EU's harmonising intentions, EU-isation draws attention to differential changes in domestic policy that weaken, alarm or strengthen EU member states (Börzel, 1999: 111).

Shift in authority. No agreement exists on whether or not the EU should be considered a 'state'. Yet, there is a certain degree of accord around the fact that the EU "possess[es] governmental institutions and policy-making machinery and therefore invites comparison with known state forms" (Delanty & Rumford, 2005: 137). When we consider traditional state functions, such as the existence of a political-administrative system, the regulation of relations between individuals and collectives within a given territory, and the steering of socio-political development in the pursuit of a 'common good', the EU – in some measure – acts as a state-like institution (see also next section). Against this background, as Caporaso and Wittenbrinck (2006) pointed out, it is important to distinguish between the institutions that make laws and the process of law-making. When we extend such an observation more broadly to policymaking processes, thus incorporating also norm-setting, agenda-setting, and policy implementations processes, it is worth noticing that EU institutions, their interactions and outcomes need the authoritative backing of member states. In view of that, we shall acknowledge that the influence of EU institutions is "more in devising the proper tools, and less in negotiating an intergovernmental compromise, so as to achieve a consensus on strategic goals set in Lisbon" (Bruno et al., 2006: 521). At the same time, we shall not underestimate that devising and applying these tools or new government mechanisms also requires authoritative backing in one form or another. As a result, new governance mechanisms have undoubtedly shifted "patterns of authority and legitimacy in the EU" (Caporaso & Wittenbrinck, 2006: 474), and require more backing by expert authority such as from the European Commission (see also Klatt, this volume). Still, authority from legislative to executive powers within member states has also shifted, as Duina and Raunio (2007) contended, at least with reference to the Open Method of Coordination (OMC) (see Rasmussen, this volume). By recognising that the OMC tends to marginalise the participation of national parliaments in favour of national governments in EU policy formation processes, Duina and Raunio (2007) argued that the same mechanism "introduces new possibilities and dynamics in the institutional power struggles of the member states". This is to suggest that knowledge produced through the OMC could be used by domestic legislative powers to better scrutinise and / or contrast their executive counterparts, so "at a time when national legislatures worldwide increasingly seem to lose relevance, the OMC can potentially give NPs [National Parliaments] new grounds for asserting themselves" (Duina & Raunio, 2007: 497).

Member states' bargaining power. Member states still possess a certain degree of bargaining power in EU policy work; however their degree of success may depend on a number of factors. Arregui and Thompson (2009) drew special attention to a few perspectives of decision-making within the EU that help elucidate this point. One such

factor is *member states' network relations with other states*, or the depth and breadth of cooperation in which a member state is involved, independently from its size or total population. Naurin and Lindhal (2008) noted, for instance, that big countries such as Germany, the United Kingdom and France, as well as smaller countries like Sweden, Denmark or the Netherlands, possess a higher stock of network capital than, for instance, Spain or Italy. Another factor is *member states' interest in prioritising the issue under negotiation at the European level*. An additional factor is *country size*, as small member states tend to have narrower interests, and thus clearer policy priorities, as compared to their bigger counterparts. Finally, an important factor is *member states' salience* or "the extent to which a state is willing to put into effect its capabilities to influence other actors" (Arregui & Thompson, 2009: 671). These capacities include, but are not limited to, all those resources, relevant to the situation or issue at stake, which can be used to exert power. One such resource is the rotating Council presidency, as presidents have privileged access to knowledge about other member states' positions, and thus are in a better position to craft compromise proposals that are as close as possible to their own position on a matter of common concern. Yet, the holding of the Council presidency, after the 2004 enlargement, seems to bring less opportunity for the presidency to exert bargaining power, as a higher effort is often needed to facilitate agreements between a larger number of states with more diverse positions, rather than on the pursuit of a presidency's own country interests (Arregui & Thompson, 2009).

It shall be noted that Arregui and Thompson's (2009) line of reasoning derives from the study of congruence and incongruence between the outcomes from EU legislative decision-making on controversial issues, and member states' policy positions on such issues. Although Education is exempt from these legislative processes, but because the subsidiarity principle has been by-passed, it is reasonable to assume that these factors also affect, to some extent, consultation processes leading to soft law instruments, such as strategic documents approved by the Heads of EU governments (e.g. Lisbon strategy, 2010) or Communications and Action plans by the European Commission, later approved under Resolutions by either the European Parliament (e.g. Resolution on Adult Learning, 2008) or the European Council (e.g. Resolution on Lifelong Learning, 2002; Resolution on a Renewed European Agenda for Adult Learning, 2011). In fact, according to consultation procedures, when the European Commission makes a proposal to the European Parliament or the European Council, these institutions can only change the proposal unanimously or approve it by either qualified majority votes or unanimity. For that reason, expert authority by the European Commission can support or counteract member states' bargaining power, depending on whether or not member states hold similar positions to that of the European Commission, or have been able to exert influence on the European Commission's position.

Direct and outside lobbying. From within member states diverse interest groups lobby EU policy, either directly or via leverage on national governments. When it comes to specifically lobbying EU legislation at both the European and national

EUROPEANISATION AND THE CHANGING NATURE OF THE (EUROPEAN) STATE

levels, Dür and Mateo (2012) suggested that the interest groups that reach out more strongly at the EU level are those that are more influential at the national level. Such interest groups can either lobby EU institutions, particularly the European Commission or the European Parliament, or national political actors, who will defend their interest within those institutions. The literature on lobbying also suggests that interest groups' success depends on the type and amount of resources (e.g. financial means, legitimacy, representation, knowledge and expertise, and information). Thus, business organisations gain better access to both the European Commission and national governments via direct lobbying, while citizens and citizenship associations have a stronger sway on national parliaments via outside lobbying aimed at influencing public opinion. In line with this argument, diverse interest groups have a variety of options to exert leverage with either EU and national governments, or national political programmes and legislation by elected parliaments, on educational as well as other matters.

In sum, in the post-Lisbon period the principle of subsidiarity in education has been by-passed to a certain degree thanks to a shift in legitimate authority from member states to shared institutions at the European level, as recent literature on Europeanisation and education also points out. Yet such emphases tend to underestimate that political agencies within member states also provide authoritative backing to the work of EU institutions; a backing that is played out by a multiplicity of political agencies, which include parliaments, governments and other interest groups active at both national and European levels. Member states' backing occurs through different means, such as direct or outside lobbying, which are resource-dependent; backing therefore varies across both sets of political actors and countries. Accordingly, new government mechanisms do not necessarily diminish member states' authority *tout court*; rather they weaken, trigger or strengthen the legitimate authority of a specific set of political actors from within member states. Legitimate authority, and how it plays out in EU-member states' relations, necessitates deeper understandings of the changing nature of the modern state.

THE STATE, ITS CHANGING NATURE AND EUROPEAN MEMBERSHIP

The modern state is traditionally understood as the embodiment of organised political power, which is exercised through a set of arrangements with the scope to control specific fields of action (Poggi, 1990). Against the scenario depicted in the prior section, however, my attention here turns to the organisational means by which the state works, so as to capture the changing nature of legitimate authority by and within member states. With a point of departure in Weber's (1978) conceptualisation of legitimate authority, I introduce Jessop's (2007) approach to the state, and bring to light the functioning of strategic selectivity. By combining such perspectives with a multi-scalar governance approach, my position is that European policy work in education in the post-Lisbon period is increasingly a matter of individual, organisational and inter-systemic negotiation and coordination across member states

M. MILANA

(and its array of political agencies) and the EU as a pooling of sovereignty (and its diverse political institutions).

The State and its Legitimate Authority

According to Weber (1970: 77-78) there is scarcely any task that some political association has not taken in hand, and there is no task that one could say has always been exclusive and peculiar to those associations designated as political ones. Yet, what distinguishes the modern state from other political associations is its organisational structure based on a few principles:

- “a monopoly of the legitimate use of physical force” (Weber, 1978: 54). Although such a monopoly may never be fully accomplished, the state is the only legitimising source who grants the ‘right’ to use physical force;
- a territorially-based organisation. Modern states, in fact, occupy clearly defined physical spaces;
- a binding authority in the area of its jurisdiction, embodied by the very idea that no other political agent can contrast the will of the sovereign state within its territorial boundaries; and
- an administrative and legislative organisation by which sovereignty is exercised, which in Weber’s (1978) words is “bureaucratic” in its very essence. Public bureaucracy is based on a hierarchy that defines state officials’ responsibilities, on the adoption of fixed rules and procedures, on specialised knowledge or expertise of administrative procedures, on impartial applications of general rules to particular cases, and last but not least, on state officials acting according to the public office they occupy, rather than in their personal capacity.

In order to appraise the organisational means of the modern state as a particular political organisation, however, its authority and legitimacy becomes fundamental.

Authority has been traditionally defined as:

. . . the probability of certain specific commands (or all commands) will be obeyed by a given group of persons . . . every genuine form of domination implies a minimum of voluntary compliance, that is an *interest* (based on ulterior motives or genuine acceptance) in obedience (Weber, 1978: 212, emphasis in original text).

Depending on its grounding, authority can be legal, charismatic or traditional. Legal authority rests on “an established belief in the legality of enacted rules and the right of those elevated to authority under such rules to issue commands” (Weber, 1978: 215). Traditional authority is based on the inviolability of traditions and the authority of those ruling under them. Charismatic authority derives from the exemplary character of an individual. While legal authority is the most frequently found in the modern state, other forms of authority can also be found in those political structures with rotating office holders, such as “Parliamentary and committee administration

and all sorts of collegiate and administrative bodies” (Weber, 1958: 3). This is the case, for instance, with the rotating Council presidency of the EU. Independently from its origins, an authority that receives popular acceptance is what constitutes ‘legitimacy’. By combining these aspects, the term ‘legitimate authority’ refers to an effective authority that is accepted by those who are subject to it. Legislation, and public policy more broadly, are the primary means by which the state’s legitimate authority is exercised.

It is generally agreed upon that a state refers to people sharing a common government and territory, while a nation is generally defined as a community of people sharing a common language, culture, ethnicity, descent or history. It should be noted, however, that since the Peace of Westphalia, European states’ legitimate authority has been secured also through an intentional effort of coupling a government with its people in geographically demarcated territories that at least share and enforce a common predominant language, culture, and historical narrative. This effort, however, has been challenged to such an extent that some speak of the rise of a post-Westphalian model where

National governments are no longer the only source of policy authority . . .
The bureaucratic administrative state also has been replaced by polycentric arrangements involving both public and private interests (Rizvi & Lingard, 2011: 117).

Within the European region, examples of such polycentric arrangements are constituted by the pooling sovereignty of the EU, and its institutions.⁵ From an empirical viewpoint this raises the question of how European states can uphold legitimate authority while acquiring EU membership. Recent theories of the state, to which I now turn, can help elucidate this point.

Recent Theories of the State

Although not exempt from controversies, a review of recent theories of the state highlights that

The state should not be taken as a free-standing entity, whether as agent, instrument, organisation or structure, located apart from and opposed to another entity called society (Mitchell, 1991: 95, as cited in Pierson, 2004: 77).

Accordingly, the state is the site for different political agents to act intentionally and strategically; however access to such a site is gained by certain agents and not others, given their structural position or privilege. Among the most important factors giving or preventing access to the state are economic resources, political resources, knowledge and gender.

Against this background, the traditional definition of the state as an ‘organised political power’ still holds true, however, the organisational means and modalities through which it exercises such power in diverse societies are always the resultant of contingent factors and global forces.

M. MILANA

This perspective questions the traditional dichotomy between the self-reproductive nature of the state apparatus and the role of agency in transforming the state system. Poulantzas (1978), for instance, suggested that, as an “institutional ensemble”, the state has no power in itself. State power results from the balance between social forces that act within and upon such an ensemble, and which depends on particular institutional forms. Accordingly, class contradictions are reproduced within the state apparatus, as evidenced by public policies that are often incoherent and / or of a disorganised character. However, the complex dialectic between state structure and social forces, emphasised by Poulantzas, also produces a general (though contingent) political direction, which is the resultant of a ‘strategic’ organisation of the state. In other words, a general political direction in the exercise of state power does not result from a single logic but rather from a clash between diverse strategies and tactics.

In this sense Poulantzas resorts to what one might call a strategic causality which explains state policy in terms of process of strategic calculation without a calculating subject (Jessop, 1990: 257).

A Strategic-Relational Perspective

Further elaboration of the state as a “complex social process” (Jessop, 1990: 5) can be found in Jessop’s (1990, 2002, 2007) distinctive “strategic-relational” approach to the state. Jessop’s point of departure is the state as a set of institutions and system of political domination, according to the Marxist tradition. However, the relation between state institutional structures and class struggles for Jessop are always contingent, as determined by temporally and spatially defined social conjunctures. Jessop’s point of view abandons the Marxist view of a ‘relatively autonomous’ state with respect to forces located elsewhere, and he additionally rejects the supremacy of class and economy. Also, inspired by Poulantzas’ strategic causality, Jessop’s arguments consider the state as the resultant of intentional action through which political agents pursue particular ‘projects’; however such capacity

. . . is not inscribed in the state system as such. Instead it depends upon the relation between state structures and the strategies which various [social] forces adopt towards it (Jessop, 1989, as cited in Pierson, 2004: 62).

This results in a ‘dialectic duality’ between structure and agency. Structures are always spatially and temporarily defined horizons of actions defining the context in which agents’ strategically calculated and structurally oriented action is possible. Accordingly, political action is the resultant of the interplay between institutional materialities and agents’ interactions with others (Jessop, 1990). From this perspective, state power is a complex phenomenon that

. . . can serve at best to identify the production of significant ‘effects’ . . . through the interaction of specific social forces within the limits implied in the prevailing set of structural constraints (Jessop, 2007: 29).

Jessop's emphasis of state 'effects' highlights the existence not of a unified state, but rather of structural and strategic factors that contribute to the realisation of (competing) state projects, from which some political strategies will be privileged over others at the time that they interact. Thus, while the structure upon which these effects rest is 'determined', the effects as such are at all times 'contingent'. Accordingly, an analysis of state power requires attention to the organisation, modes of calculation, resources, strategies and tactics by different agents as well as relations between these agents, while taking into consideration both structural constraints and conjunctural opportunities from a 'comparative advantage' perspective. As a result, among viable structural alternatives at a given conjuncture, a situation, action or event is in the interest of a specific agent when it secures a net increase or smaller net decrease of the conditions that guarantee its existence (Jessop, 2007: 30).

These reflections suggest that state actions should not be attributed to the state as an originating subject but should be understood as the emergent, unintended and complex resultant of what rival 'states within the state' have done and are doing, on a complex strategic terrain (Jessop, 1990: 9).

In other words, the state is always the resultant of the balance between social forces that are spatially and temporally situated. This implies that rather than being embedded in the state system, the differential capacity of political agents to pursue their own interests within a time horizon is dependent on the complex relations between the strategies that these agents adopt, as well as on specific state structures. Thus the state cannot be reduced to an autonomous actor in relation to others, as its action is determined by the very nature of the broader social relations in which it is situated.

In line with this argument, the state simultaneously represents the site, the generator and the product of 'strategic selectivity'. As a site of strategic selectivity, any given state's type, form or regime is more or less accessible to certain political agents, and not others, depending on the strategies these agents adopt in their strive to power. As a generator of strategic selectivity, politicians and state officials adopt strategies to impose some kind of unity or coherence on the state's activities. Finally, as a product of strategic selectivity, any given state's type, form or regime always results from past political strategies and struggles, thus current political strategies embed past patterns of strategic selectivity as well as their reproductive or transformative potentials (Jessop, 1990, 2007).

In his later work, Jessop (2007) combined the dialogical relationship between structure and agency with that of ideation and materiality, recognising the relevance of discursive selectivity in the pursuit of strategic selectivity. From this perspective, the emergence, selection, retention, contestation and replacement of discourses, although based on social imaginaries, always resonate to a certain extent with the agents' material experience, and thus provide cognitive templates that interact with strategic selectivity at the intersection between structural constraints and conjunctural opportunities.

In sum, in the same way that a given context is strategically selective – selecting for, but never determining, certain strategies over others – it is also discursively-selective – selecting for, but never determining, the discourses

M. MILANA

through which it might be appropriated (Hay, 2001, Discursive selectivity: The place for ideas section, para. 6).

Summing up, I argue that from a strategic-relational perspective any EU member state represents distinct political agents whose materiality results in an ensemble of institutions and organisations exercising power to serve specific functions. However, the organisational means and modality through which this ensemble exercises power at national as well as EU levels are by necessity geographically and historically determined. Legitimate authority remains a central concern for any member state to exercise power over its territory as well as over the extended European territory, but it no longer only relies on bureaucratic principles; it depends on strategic selectivity (structural and discursive) by privileged political agencies and the adoption of diversified means that are contextually relevant. Nonetheless, strategic selectivity (thus, member state activity) is dependent on the links or relations that a member state has with other institutions and organisations within and beyond its core ensemble, at national, international and regional levels. Accordingly, forms and mechanisms through which member states participate in the activity of the EU and its institutions (as well as the effects of such participation) are spatially and temporally determined by strategic and discursive selectivity. EU membership can act as a conjunctural opportunity for member states to (re)gain (national) legitimate authority, at the same time as it can act as a structural constraint, in favour of the EU, acting as a state-like institution. State-like institutions define or implement collective decisions affecting member states, and their relative populations, in the name of a shared (inter-state) common interest. Klatt (this volume) depicts this occurrence via hard and soft law mechanisms. Further, as Reinalda and Kulesza (2006) recall, from a judicial perspective, even when ratified by member states on a voluntary basis, collective decisions still represent a formal agreement binding their signatories to cross-national cooperation. This underpins processes of European governance, to which I shall now turn attention.

Member States and Multi-Scalar Governance

European governance makes reference to diverse modes of coordination of activities that are inter-dependent, thus suggesting that governing – the traditionally exclusive business of individual member states – is increasingly a matter of negotiated decision-making that occurs within, as well as beyond and across, member states via formal as well as informal interactions with EU institutions and non-state actors. Still some of the ‘blind spots’ of governance, which studies have more broadly defined (Lemke, 2007), also apply here. Of particular relevance is the assumption of the object of governance as pre-defined or independent of governance mechanisms, which in turn underestimates the role of strategic selectivity by a whole range of actors (see Jessop, 2007). In doing so, European governance is assumed by some to be a heterarchic alternative to hierarchic (state-centred) governing forms and mechanisms, with no due recognition to indirect forms and mechanisms of cooperative governance, within and across member states. When authority is contingent and historically constructed, and norms and ideas

are used as tools of power by member states, EU institutions and non-state actors, it is worth questioning the organisation of the conditions for European governance which contrast hierarchical (state-based) modes of governing. Jessop (1998, 2002) distinguished between three types of heterarchy or multi-scalar governance:

- *Interpersonal exchanges* (or meta-exchanges) that occur between individuals who may not have the mandate to make commitments on behalf of the organisations to which they belong;
- *Self-organisation of inter-organisational relations* (or meta-organisation), which represents a strategic alliance among institutions and organisations who share perceived joint interests and work to achieve mutual benefits; and
- *Inter-systemic steering* (or meta-heterarchy) that also takes place among institutions and organisations but is used to strengthen mutual understanding and avoid negative repercussions of individual decisions upon others.

Although distinctive, these forms of multi-scalar governance are not mutually exclusive, and can support one another.

In synthesis, by dismantling old assumptions that member states are major political actors and discrete sovereign unities, European governance, rather than the working of governments, has come to the surface. European governance highlights how governing is increasingly a matter of negotiated decision-making that occurs via interactions by a multiplicity of actors, who use norms and ideas as tools of power and authority. Still, with its primary focus on EU institutions, European studies sometimes dismiss member states as active players and the EU as a pooling sovereignty. A strategic-relational perspective to the state combined with a multi-scalar governance approach moves beyond this impasse. Further, it suggests at least three levels at which negotiation and coordination across member states (and an array of political agencies) and the EU (and its diverse political institutions) takes place: individual, organisational and inter-systemic.

CONCLUSION

Institutional changes that have occurred at the EU level – with a view of the EU as an institution which pools sovereignty – and in its operational workings have increased EU political agency in education, yet have also redefined the contours of political agencies within member states. Broadly addressed under the label of Europeanisation, the ways these changes affect public policy work on adult and lifelong education is hard to capture. The main argument brought forward in this chapter to overcome this conundrum is to refocus attention on the reciprocal power relation between the EU and its members states, under European governance, through a process that glues and blends these elements together. Moving in this direction implies:

1. Recognition of the distinctive nature of EU policy formation processes and the outcomes of such processes that reverberate within international and national contexts.

M. MILANA

2. Acknowledgment of more subtle shifts in legitimate authority within the EU, both through the changing nature of its pooled sovereignty – relations between member states and EU – and through shifts in the relationships between and within the EU's representative institutions (i.e., European Parliament, European Council and European Commission, Directorate General for Education and Directorate General for Employment, Social Affairs and Inclusion).
3. Recognition that subtle shifts in authority are also occurring within member states, and their nationally representative institutions (i.e., parliaments and governments), and that these have an impact on EU-member state relations.
4. Appreciation of member states' bargaining power, and the factors that affect their degree of success.
5. Attention to lobbying potentials and mechanisms that either directly or indirectly leverage both EU and national representative institutions.

On these premises, when we look at new government mechanisms, such as the OMC, not only as tools of European governance, but also as tools for understanding the system of governance these create at both inter-state and national levels, member states' authority is not necessarily diminished or weakened as some claim. It is certainly triggered in ways that can also strengthen its authority within its own territory or expand it beyond national borders. Yet member states' authority can no longer be interpreted according to traditional modes of understanding the modern state, as primarily based on legal authority. Here we need to appraise political intentions and strategies adopted by national representative powers inasmuch as they are influenced by business institutions, citizenship organisations, research institutes and policy consultancy agencies, and their representatives, who have an interest in adult and lifelong education. These agencies participate, either directly or indirectly, in material and ideational work carried out via new governance mechanisms. One way to go about it is to look at the organisation of the conditions for European governance, rather than hierarchical (state-based) modes of governing, and member states' political space within such processes as consisting of political intentions and strategies by multiple agencies. Thus we can question individual and blended forms of multi-scalar governance that occur via interpersonal exchanges and inter-organisational relations, which also lead to common EU policies on adult and lifelong education. Emblematic examples can be found in a series of initiatives undertaken under the Strategic Framework for European cooperation in Education and Training (ET2020) (CEU, 2009). For instance, according to the principle of the OMC, the Directorate General for Education and Culture has set up a Thematic Working Group on Financing Adult Learning in 2011 (DG EAC, 2011) and a Thematic Working Group on Quality in Adult Learning in 2012 (CEC, 2012). The topics for these groups were decided on from within DG EAC's Unit B.2, which held responsibility for adult education and learning. Yet the staff at B.2 were either employed by the European Commission (EC) or seconded by member states, and hence embodied national knowledge and understandings about adult education and learning, and possessed

differential degrees of commitment to individual countries' political priorities. When we look at the composition of the Thematic Working Groups, for the most part their members were directly appointed by member states, so even if differently composed, both consisted of representatives from national ministries of selected member states and partner countries, and individual experts representing a variety of organisations, including European agencies, international trade unions, and non-governmental organisations, either internationally or nationally-based. Additionally, the Working Group on Financing Adult Learning included an individual expert from UNESCO. However, both groups were moderated by external experts working for a private company (ICF GHK, formerly GHK) that offered a series of consulting services to the Directorate General for Education and Culture. Accordingly, within these groups, representational coverage at an organisational level could constitute a strategic alliance among actors with perceived joint interests in achieving mutual benefits (e.g. the EU and UNESCO), or strengthening mutual understanding and avoiding negative repercussions of individual decisions upon others (e.g. trade unions, non-governmental organisations); at an individual level, however, not all national representatives and experts necessarily had the mandate to fully commit the organisations of which they are members. Further, both Working Groups also benefitted from exchanges with parallel groups of experts who won open calls for carrying out studies on the same topics of concern. These groups were composed of academics, researchers and private consultants from a variety of institutions and specific countries.

Yet, interpersonal exchanges and inter-organisational relations within Education and Training 2020 are undergoing important changes. Since 2013 a network of national coordinators for adult learning has been put in place, with representatives from all EU executive bodies, while a new functionality for working groups' organisation under the OMC is being considered.

In the meantime, the Directorate General for Research and Innovation commissioned a work on adult and continuing education from an Italian academic (EC-DGR&I, 2013), the results of which are receiving attention across Directorates and EU institutions. In part, this is due to an official hearing initiated by a member of the European Parliament, also from Italy.

Against these manifestations of multi-scalar governance, to deepen our understanding we should also appraise how interpersonal exchanges and inter-organisational relations weaken, trigger or strengthen legitimate authority by specific political actors (within and across member states and the EU as a pooling sovereignty). We can do so, for instance, by questioning:

1. Which are the countries, institutions and individuals being represented (i.e., in steering and working groups, in commissioned work)?
2. Why these countries, institutions or individuals (and not others)?
3. What is their differential bargaining power (i.e., in terms of network relations with other countries, institutions or individuals) in relation to other participants (and non-participants)?

M. MILANA

4. What are the country, institutional or individual interests being represented? How are the issues and debates being prioritised within individual national, sectoral or institutional contexts?
5. What are the conjunctural opportunities or structural constraints for member states (and their array of political agencies) which offer authoritative backing to EU policy?
6. How do wider socio-economic and political events, such as the economic crisis that hit much of Europe in 2009 and the plethora of ‘austerity’ policies that followed, affect members states’ domestic conditions and priorities?

In conclusion, bringing back the state into examination of adult and lifelong education policies in Europe means raising a rather different set of questions from those so often addressed when looking at EU or national policies. Essentially, policies can no longer be studied either in isolation or upon the assumption of linear dependency – we overcome these by repositioning the state at the centre of our analyses.

NOTES

- ¹ This contribution drawn on activity undertaken under the European Union’s Marie Curie funding scheme (grant agreement PEOF-GA-2011-297727). However, the views expressed herein are those of the author and not necessarily those of the European Union.
- ² Article 6 has been added to the *Treaty Establishing the European Community* (now *Treaty on the Functioning of the European Union*) in compliance with the amendments approved in 2007 at the European Council and signed by member states.
- ³ This article has remained unchanged in its wording (though it has been renumbered to article 149) from the first consolidated version of the *Treaty on European Union* (1997), but it has been removed from the subsequent consolidated versions of the *Treaty* (2002, 2008 and 2010). Since 1992, in fact, this article (and the entire Chapter 3 on education, vocational training and youth to which it belongs) has been incorporated into the *Treaty Establishing the European Community* and has remained unchanged (but has been renumbered to article 149) in all its consolidated versions (1997, 2002, 2006).
- ⁴ According to the *Treaty Establishing the European Community* (consolidated text, 2002), the legal instruments used by the Council of the European Union and the European Parliament in producing policy are: (1) regulations and (2) directives, binding on the member states to achieve results; (3) decisions, binding on those to whom they are addressed; and (4) opinions and recommendations, non-binding documents. However, also intergovernmental agreements, such as the Lisbon Agenda or the Education and Training 2010 programme (and follow-ups) signed by the Heads of states and government of the member states lay the foundation for a stronger political cooperation among member states.
- ⁵ These include: the European Parliament, the European Council, the Council of the European Union, the European Commission, the Court of Justice of the European Union, the European Central Bank and the Court of Auditors (TEU, 1992, Article 13).

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EUROPEANISATION AND THE CHANGING NATURE OF THE (EUROPEAN) STATE

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M. MILANA

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AFFILIATIONS

Marcella Milana
Department of Education,
Aarhus University
and
Graduate School of Education and Information Studies,
University of California-Los Angeles