"European Governance", or "Governmentality"? Reflections on the EU's System of Government

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This paper offers a critical exploration of the term 'governance', its rise to prominence within EU political discourse, and the new forms of authority and expertise it has come to be associated with within the EU's evolving political regime. Its argues that a critical understanding of EU governance might be advanced if scholars look beyond the conventional political science literature (where governance is often ontologized as that form of politics and authority which reflects the social reality of administering complex societies), and interpret it instead in terms of recent debates about neoliberal governmentality. I ask, what does the Commission's appropriation of this ambiguous concept reveal about the way EU politicians, experts and policy makers are re-conceptualising Europe and the problem of European government?

Drawing on insights from critical discourse analysis, sociology and anthropology (including my own ethnographic fieldwork among EU officials in Brussels), I examine the different meanings and uses of the term 'European governance' and the normative assumptions that underpin its use in the EU context. These arguments are subsequently developed through a critical examination of the Commission's Green Paper on the *Future of Parliamentary Democracy* and the Commission's advocacy for the Open Method of Coordination, which, I suggest, is not as open, inclusive or democratic as its rhetoric suggests. I conclude that European governance should be interpreted as an ideological keyword and form of advanced liberal governmentality, one that simultaneously promotes a technocratic style of steering and managing while concealing the way power and decision-making are increasingly being exercised in non-transparent ways by networks of European elites based around the EU's institutions.

Introduction: 'Governance' and the New Vision for Europe[1]

On taking office in 2000, the new European Commission headed by Romano Prodi proclaimed 'promoting new forms of European governance' as one of its 'four strategic objectives'.[2] This was followed a year later by the publication of a major White Paper setting out a new vision for a democratically reformed 'European governance' (European

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[1] I would like to thank the two anonymous readers for ConWEB for their detailed and critical comments on an earlier draft of this paper. I also wish to acknowledge the helpful support and insights of my colleagues Julie Park, Susanna Trnka and Christine Dureau, and especially to David Mayes, Director of the Europe Institute, University of Auckland.

[2] The other goals being to 'stabilize Europe and give it a stronger voice in the world', to 'draw up a new social and economic agenda' and to 'promote a better quality of life' (European Commission 2000 'Shaping the New Europe' (COM(2000) 154, 9 February 2000).

Commission 2001). Ever since 2000, the idea of 'governance' has become an increasingly central policy priority and organising principle for the European Union (EU), one that its leaders now claim to be 'central to the effectiveness of the EU.[3] Indeed, since the late 1990s, we have witnessed a dramatic increase in the frequency with which the previously obsolete term 'governance' is used, either as a synonym or as a substitute for the word 'government', not only among EU leaders, but equally among institutions at international and national levels. The concept was particularly associated with the World Bank and with the 'New Labour' government of the former British Prime Minister Tony Blair.[4] When it took office in May 1997, New Labour set out a vision for the future of Britain that entailed a sea-change in the way the country would be governed, its aspiration being to bring about a shift from government to 'governance' (Newman 2001; Wright 2007). Similarly, within the IMF and World Bank, 'governance' – particularly the metaphor of 'good governance' – has become a dominant theme underlying policies towards aid and development in Africa and developing countries where the World Bank has sought to lay down the criteria for good administrative practice (Smouts 1998: 83). At a more local and parochial level, the reform of public and private institutions, including schools, hospitals, universities and commercial companies, is increasingly cast in terms of managerialist notions of 'governance and accountability'. This explosion of 'governance-talk' in the EU and elsewhere raises three important questions of a political, philosophical and, above all, anthropological nature:

1. What does 'European governance' mean in practice and how does 'governance' differ from the more conventional term 'government'?

2. How do we explain the European Commission enthusiasm for the idea of governance, and what new semantic (and political) terrain does this discourse create?

3. What does the appropriation of the concept of governance by the Commission and EU experts tell us about wider shifts in policy and in the way European policy elites are re-conceptualising the EU project?

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[3] See 'Governance in the European Union'
http://www.europa.eu.int/comm/governance/governance_eu/con_gov_en.htm (accessed 7-03-2005).
[4] For useful analyses of the genealogy of the term of governance See Pagden 1998; Smouts 1998.

What I want to do in this paper is explore the history of the term 'governance' in the context of the EU and debates over European integration. I also want to examine the different meanings of this elusive and protean concept, the way it is being used within the EU and by EU policy makers, and the implications of the 'governance turn' for democracy in Europe. The EU's Open Method of Coordination ('OMC'), which was introduced at the EU Lisbon Summit in 2000, is a prime example of how this idea translates into practice and of its consequences for the future of democratic government at both European and national levels.

It is commonly assumed by EU scholars and policy professionals that 'governance' - as opposed to the traditional and more limited term 'government' - represents a more pluralistic and progressive way of conceptualizing the relationship between institutions of authority and the people; that governance is an inherently broader and more inclusive concept, one that recognizes the contribution of diverse multi-level actors and stakeholders in the decision-making processes.[5] In the literature on international relations governance is typically presented 'as an asset to be pursued or an ideal to be attained' (Smouts 1998: 82) while 'governance mechanisms' are hailed as the 'solution to market and/or state failure' (Jessop 1997: 118). This article aims to challenge these assumptions by looking at other, less recognized meanings and uses of the term governance. I suggest that *governance* is best viewed as an example of what Raymond Williams (1973) termed a contemporary 'keyword'; a concept in which, and through which, major processes of social and economic change can be charted and observed. It is also a highly contested and ideological term; one that re-casts vast areas of policy as essentially technical or organizational matters to be decided on the basis of scientific and technical expertise rather than public debate. Finally, echoing Walters and Haahr (2005a; 2005b) and other critical sociologists (Barry 2001; Barry and Walters 2003; Dean 2007; Jessop 1997; Lemke 2007) I ask whether 'European governance' might not be better analyzed as a new type of 'governmentality'; i.e. a more complex regime of normative and dispositional power involving the production of certain 'truths' about the people and things to be governed (Foucault 1991). I argue that under the new EU regime of governance the principles of democracy are subtly supplanted by the

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[5] For useful discussions of the history, semantics and implications of the term governance see Amin and Hausner 1997; Rosenau and Czempie, 1992; Rhodes 1996; 1997.

imperatives of neo-liberal economics, New Public Management, and the logic of inter-governmental and supranational elite bargaining.

From 'Government' to 'Governance': Tracking Shifts in EU Discourse

Within the European Commission, the rise of the discourse of 'European governance' can be traced to events around 2000, but it can also be understood in the context of earlier visions of European government. During the 1980s and early 1990s, in the period before the Danish referendum on the Maastricht Treaty when optimism about the future of the European integration project was still high, the idea of an institutionalized 'government for Europe' was quite seriously and openly mooted. That vision, which was quite actively promoted during the Delors era, had its roots in Jean Monnet's high modernist vision of a new, integrated and supranational European order (Scott 1998; Walters and Haahr 2005:20-24). However, as Joerges points out, the idea of economic governance and a European-wide market economy system based upon the rule of law - and protected from political interference - had its origins in the doctrines of German *ordo*-liberalism that were developed during the late 1920s (Joerges 2001: 5). By the late 1980s, the European Commission was therefore still being spoken of as the kernel of a 'European government', an idea actively encouraged by senior EU officials. As Jacques Delors declared, speaking on French television in the run-up to the 1990 EU Inter-Governmental Conference ('IGC'):

> My objective is that before the end of the Millennium [Europe] should have a true federation. [The commission should become] a political executive which can define essential common interest ... responsible before the European Parliament and before the nation-states represented how you will, by the European Council or by a second chamber of national parliaments.[6]

A decade later, Commission President Romano Prodi advanced a similar vision. In a formal address to the European Parliament in 1999, Prodi declared that; 'Here in Brussels, a true European government has been born. I have governmental powers, I have executive

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[6] Cited in Grant (1994: 135).

powers for which there is no other name in the world, whether you like it or not, than government'.[7] This apparent assertion of governmental authority at the European level drew major criticism from a number of Member States, and particularly from the British and French governments which had earlier supported Prodi's candidature. But Prodi was unrepentant.[8] In February 2000 he declared: 'European government is a clear expression I still use, you need time, but step by step, as in the Austrian case, the European Commission takes a political decision and behaves like a growing government.'[9]

The notion that the Commission – together with the other supranational EU institutions - might furnish the European Union with some kind of overarching framework of government, or 'political roof', to use Ernest Gellner's (1983) phrase, was part of a broader debate about the trajectory of the European project. This debate reached a new degree of intensity in May 2000 when Germany's Foreign Minister Joschka Fischer gave a speech in which he reflected candidly on the '*finalité politique'* (or 'political endpoint') of the integration process which, in his view, invariably entailed some form of European statehood (Fischer 2000).

However, after 2000, there was a notable decline in overt talk of the Commission as a future 'European government' – at least in the speeches of senior politicians and EU officials. With the political fallout of the EU's 1999 fraud and corruption scandal, (which precipitated the resignation of the Santer Commission), calls for 'root and branch' institutional reform, and growing pressure to halt the haemorrhaging of its public support, the European Commission embarked a new phase in the history of European integration. Central to this was the emergence of a new discourse of 'European governance'.

The EU's 2001 White Paper on 'European Governance'

This discursive shift and the contradictions it entails are exemplified in the Commission's 2001 White Paper on European Governance and in the proliferation of

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[7] In an interview with the Spanish newspaper *El Pais*, cited in *The Times*, 27 October 1999.
[8] 'But what is the Commission? We are here to take binding decisions as an executive power. If you don't like the term government for this, what other term do you suggest? ... I speak of a European government because we take government decisions.' Romano Prodi cited in *The Times*, 27 October 1999
[9] Romano Prodi, speech cited in The Independent, 4th February 2000.

subsequent official reports in which the word appears with increasing regularity. According to its authors, the rationale for the White Paper was the need to make the EU's policies more effective and its decision-making processes more transparent and 'less top-down' (2001: 4). Europe, it argues, faces a 'real paradox':

> On the one hand, Europeans want them to find solutions to the major problems confronting our societies. On the other hand, people increasingly distrust institutions and politics or are simply not interested in them' (European Commission 2001: 3)**.**

The problem, as the Commission sees it, is that, despite having delivered 'fifty years of stability, peace and economic prosperity', many Europeans 'feel alienated from the Union's work' and 'do not understand who takes the decisions that affect them' (2001: 7). At the same time, the White Paper continues, 'Europeans *expect the Union to take the lead* in seizing the opportunities of globalisation for economic and human development' (2001: 3 – my emphasis). The challenge for the Commission is therefore 'to open up policy-making to make it more inclusive and accountable. A better use of powers should connect the EU more closely to its citizens' (European Commission 2001: 8). The claim that the EU has delivered 50 years of peace and prosperity in Europe[10] is typical of the way the Commission represents itself. According to this discourse, the impetus for giving the EU greater powers comes from below; from ordinary Europeans who, rather than looking to their own elected governments to act on their behalf, now 'expect the Union' to take the lead in dealing with the major problems of our times.

Stepping back from these various truth claims and self-representations, what we see in the Commission's White Paper are two overlapping agendas. The first is a political programme of institutional reform that aims to make EU decision-making more open, participatory and accountable to European citizens; the second, an information and public relations strategy designed to counter growing public indifference towards the EU and boost the legitimacy of its institutions. The problem is that these two very different policy agendas are frequently conflated. Winning over public approval and popularizing the EU thus become the key measures of democratic reform. The result of this process, as Joseph

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[10] The recent wars in Bosnia and Kosovo undermine these claims. Historians of the Cold War usually attribute a far greater role to NATO rather than the EU in guaranteeing the stability of liberal democracy in Europe.

Weiler (1999) has so cogently demonstrated, is the EU's frequent descent into 'bread and circus' politics of the most populist kind that seek to symbolically transform the disparate *peoples* of Europe into a unified European *people*. Despite its claims to the contrary, the European Commission continues to invest substantial resources in populist actions, euphemistically termed 'information actions' and 'public diplomacy', aimed at capturing the interest of 'young Europeans', such as its 'Captain Euro' comic-book superhero website[11] and its decision in 2007 to sponsor the Eurovision Song Contest (Shore 2000, 2006a). However, while the EU often claims that it would like to 'reach out' and engage societal actors in its policy-making processes, there are two major flaws in the arguments advanced in the White Paper.

1. The first is that the structure and composition of the EU is not designed to 'reach out' to a large and differentiated public (Sbragia 2002). While the Commission claims that it wants to engage more openly and democratically with public opinion, this was never something that it was actually set up to do. As Pascal Lamy observed over a decade ago, arrogance, elitism and disdain for the views of ordinary people were embodied in the very fabric of the European Community:

   > Europe was built in a St. Simonian way from the beginning, this was Monnet's approach. The people weren't ready to agree to integration, so you had to get on without telling them too much about what was happening. Now St. Simonianism is finished. It can't work when you have to face democratic opinion' (Lamy, cited in Ross 1995: 194).

2. Second, while the goal of democratising the EU and drawing citizens more closely into the decision-making process are essential for legitimizing the EU and its institutions, the Commission's approach to this – and to the wider issue of public approval - has been to re-cast these problems as technical matters to be solved through information and communication policy: i.e. public indifference thus becomes a problem to be rectified through the use of PR and marketing techniques or information campaigns designed to 'educate' the public about how much the EU is doing for them (Shore 2006a). The presumption has always been that opposition to the EU arises primarily

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[11] See http://www.captaineuro.com/goodies.htm. For a critical analysis of the Captain Euro project and other populist EU actions aimed at forging European citizens, see Shore 2004.

from 'fear' and 'ignorance'. Rarely is it acknowledged by EU politicians or officials that the growing public opposition to the EU and its initiatives might possibly stem from reasoned principle or from the legitimate frustration of rational and informed actors who are disenchanted with the EU and its project (Haller 2008).

This characteristic elitist approach to public opinion was vividly illustrated in a recent speech by the German Ambassador to New Zealand (Zimmerman 2006). Speaking in Auckland on the eve of Germany's Presidency of the EU, he acknowledged that the rejection of the EU Constitutional Treaty by the French and Dutch electorates had been a 'set back' to the integration process. The reason why France and the Netherlands had rejected the Treaty, he said, was because of 'fear of the unknown and aversion to change'. In the case of France, it was also due to the government's failure to actively promote the Treaty, while in the Netherlands it had become a referendum on the government rather than on the Constitutional Treaty. In short, the French and Dutch voters who rejected the Treaty had not really voted against the Treaty at all; theirs was simply a 'second-order referendum' or protest vote fuelled ignorance, prejudice, or some other base motive. This dismissal of lay opinion recalls the much-criticised 'Health Belief Model' still commonly used by medical researchers and by those policy makers confronted with the challenge of changing people's risky health practices. In both these cases the tacit assumption held by policy professionals is that ordinary lay people are incapable of making valid rational assessments about their own circumstances and that their behaviour is fuelled by erroneous belief (which needs to be corrected) rather that rational knowledge (Good 1994: 41-43).[12]

This rationality underlies the thinking of a large number of senior EU officials and politicians, as I discovered while carrying out ethnographic research among European Union elites in Brussels. As the head of the European Commission's Statistical Office ('Eurostat') put it to me one day during a fieldwork interview, 'the *Eurobarometer* statistics confirm that euroscepticism is highest among less-educated people'. In other words, public opposition to the EU and its policies, as he and other senior policy-makers saw it, was simply a communications problem to be resolved through better and more targeted

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[12] I would like to thank Julie Park of the University of Auckland for drawing to my attention this interesting parallel.

information. These arguments, as I repeatedly observed, were part of the dominant discourse of European integration shared by EU policy elites (Shore 2000).

It is in this wider context of the EU's concerns about its own legitimacy that the Commission White Paper on Governance needs to be understood. While the White Paper emphasises the need to simplify regulatory acts, increase accountability of European executive bodies to elected assemblies and open up EU decision-making procedures to allow citizens to participate, all of this is subsumed under the broader aim of 'bringing the institutions closer to the citizens' and connecting the EU with its would-be public (European Commission 2001:8; 2004:3). Moreover, while the White Paper talks about the problems of participation and democracy, the solutions it proposes are couched primarily in terms of strategies for enhancing 'efficiency', 'effectiveness', 'coherence', and 'better regulation and delivery' – all of which are deemed central to the EU's five principles of 'good governance'.[13]

Governance Defined: Conflicting Meanings

The EU is not alone in embracing the concept of governance or 'good governance' as part of a wider attempt to re-think the spaces to be governed. In its conventional sense, governance refers variously to the activity or process of '*governing*', to the manner or system by which a society is governed, and to those charged with the duty of exercising authority (see Rhodes 1997). The Latin origins of the word suggest the notion of 'steering'. As an archaic term, it was used in C16th England to refer to the rule of a king or, as in the case of the Book of Common Prayer (1662), to the divine order of God. The *Oxford English Dictionary*, drawing mainly on examples from the C14th – C16th, gives four main definitions:

1. setting a county or an estate in good order; being under the control of a person or abstract agency (Fortune, Virtue, Love)
2. the authority, office or permission to govern (e.g. the command of a ship)

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3. the manner in which an institution (e.g. the Court, a hospital) is governed, the system of regulations, rules of practice, discipline

4. The conduct of life or business, virtuous behaviour, demeanor, wise self-command

A noticeable aspect of all these definitions is the highly charged and positive set of meanings associated with governance (Virtue, 'wisdom', 'good order' etc.). Like 'community', it would appear that 'governance' is a political shibboleth replete with only positive associations. After the 17th Century 'governance' seems to have fallen out of use when *governing* became a more exclusive concern of '*government*' and the state.

However, since the 1990s 'governance' has re-emerged as a major keyword, 'buzzword' (Joerges 2001: 2) and 'catch-all term' (Smouts 1998: 81) in the social sciences as well as among international agencies such as the UN and World Bank, with at least two distinct meanings. As Joe Painter (2006) sums it up:

> One refers to the nature of organizations. Governance is defined as the involvement of a wide range of institutions and actors in the production of policy outcomes, including non-governmental organizations, quangos, private companies, pressure groups and social movement as well as those state institutions traditionally regarded as formally part of the government. Here 'governance' is a broader category than 'government', with government being one component of governance among many. To some extent this definition is a belated recognition that the coordination of complex social systems and the steering of societal development have never been the responsibilities of the state alone, but have always involved interaction between a range of state and non-state actors.
> The second use refers to the nature of the relationships between organizations. Here governance refers to a particular form of coordination. In contrast with the top-down control in coordination through hierarchy and the individualized relationship in coordination through markets, governance involves coordination through networks and partnerships. Governance refers to 'the self-organization of inter-organizational relations' […] or to 'self-organizing, interorganizational networks' […]. Writers adopting this usage commonly refer to a shift in the nature of coordination in contemporary societies from government ('hierarchy') to governance.

Rod Rhodes identifies six separate uses of the term 'governance' which, depending on the context, may refer to the idea of 'the minimal state', 'corporate governance', 'new public

management', 'good governance', a 'socio-cybernetic system', or 'self-organising networks' (Rhodes 1996:653; 1997: 46-7). What is interesting about these uses is that they are all closely associated with the characteristic features of neoliberalism - which include the 'hollowing out of the state', privatization of public services, deregulation and liberalization, flexibility of labour markets, expansion of the private sector, the promotion of new doctrines of 'good governance', and the spread of New Public Management (NPM) techniques and practices. What unites the various methods and managerial styles that together constitute NPM is the common assumption that the reform of pubic services should aim to introduce a greater market orientation as this will deliver more efficient and effective government. As the UK government summed it up, the doctrines of NPM thus involve:

> a focus on management, performance appraisal and efficiency; the use of agencies which deal with each other on a user-pay basis; the use of quasi-markets and contracting out to foster competition; cost-cutting; and a style of management which emphasises, among other things, output targets, limited term contracts, monetary incentives and freedom to manage (House of Lords 1998).[14]

Rhodes highlights four other features of governance that are salient to this debate: The first is 'interdependence between organizations'. Governance, he notes, is broader than government, and covers both state and non-state actors. Changing the boundaries of the state means that the boundaries between public, private and voluntary sectors become more shifting and opaque. The second is continuing interactions between network members, caused by the need to exchange resources and negotiate shared purposes. The third is 'game-like interactions' that are rooted in trust and regulated by rules of the game negotiated and agreed upon by network participants. The fourth and final feature of governance is its significant degree of autonomy from the state. In a system of governance, networks are not necessarily accountable to the state; they are self-organizing. Although the state does not occupy a sovereign position, it can indirectly and imperfectly steer networks (Rhodes, 1997: 53). Hence, we are back to our maritime metaphors of governance as

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[14] Article 104 of the 'Select Committee on Public Service Report: Part 4 – The Civil Service Today'. (http://www.parliament.the-stationery-office.co.uk/pa/ld199798/ldselect/ldpubsrv/055/psrep11.htm).

'steering' and stewardship as opposed to 'rowing' - and the idea of governing-at-a-distance.[15]

Given the above characterization, it is easy to see why the narrative of governance, with its seductive images of decentralization, subsidiarity and voluntary action, would appeal to EU policy-makers and why many believe it offers a better paradigm for understanding how the EU works. 'Organizational inter-dependence', 'game-like interactions rooted in trust', and 'autonomous networks' are all noted features of the EU's complex system of government.

The 'Governance Turn' and its Significance for the EU

Over the past two decades, a vast body of literature has emerged, particularly within political science, International Relations and Organizational Studies, as scholars have tried to wrestle with the problem of theorizing the EU's evolving political system. This has resulted in a plethora of abstract models and obtuse theoretical formulae that purport to capture the unique character of the EU.[16] During the 1980s, conventional wisdom held that the EU was 'less than a federation [but] more than a regime' (Wallace 1983), in other words, a hybrid entity that embodied both intergovernmental *and* supranational elements.[17] Since then, various formulae have been proposed, the most popular being 'multi-level governance', a phrase first coined in an influential article by Gary Marks, Liesbet Hooghe and Kermit Blank (1996).

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[15] 'Governing-at-a-distance' is often seen as a defining characteristic of neoliberal governmentality. However, as Walters and Haahr (2005b: 118) argues, 'even the most centralized welfare state still sought to govern "at a distance", finding ways to improve economic and social life through public programmes, but equally by shaping the ways in which all manner of private and non-state actors – from the family to the firm - would govern themeslves'.

[16] See Shore 2006b for an analysis of the different theoretical labels and discursive formulations in use to explain the EU's complex political system.

[17] The key debate then was where the European Community stood on the shifting continuum between integovernmentalism and supranationalism. As Keohane and Hoffman put it: 'To what extent has the sovereignty wrested from individual Member States been acquired by identifiable Community institutions, and to what extent lost in what often appears as a vortex of competing forces – or perhaps even a "black hole" from which coherent authority can never emerge?' (Keohane and Hoffman 1996: 290). The Monnet Method of 'functional spillover, or what Ernst Haas called the 'expansive logic of sector integration', had clearly given the integration process a dynamic of its own, one that was progressively enlarging the competences and powers of the Community. But where this process is leading has always been a matter of contestation. Since the 1980s, attempts by political scientists to theorize the Europolity have grown increasingly more complex and sophisticated, but not necessarily clearer.

For these authors, multi-level governance is contrasted with more traditional and hierarchical 'state-centric' regimes of authority. In a system of multi-level governance authority is dispersed 'over a complex, flexible and fluid patchwork of overlapping jurisdictions', summarized by the acronym FOCJ (functional, overlapping and competing jurisdictions) (Grant 2003). Jurisdictions involve actors and institutions operating on different territorial scales (local, regional, national, supranational) and across borders, and tend to be 'task specific' rather than multi-task. These emergent networks of governance have been compared to a 'new medievalism'; or polycentric forms of what has been termed 'governance without government' (Rosenau & Czempiel 1992; Rhodes 1996).

The Concept of Governance in Official EU Discourse

While the European Commission acknowledges that governance is a 'very versatile' concept in the social sciences, it treats its definition as unproblematic. Governance, it argues, represents a more inclusive, pluralistic, consensual and less hierarchical allocation of authority.[18] The concept is endowed with an almost magic aura of authenticity and spontaneity. To quote the Commission: 'The term "governance" arises from the need for an all-embracing concept capable of conveying diverse meanings not covered by the traditional term "government"'.[19] Later in the same document it states that: 'Governance corresponds to the so-called post-modern form of economic and political organizations'.

At this point it is useful to distinguish between governance as an empirical (i.e. descriptive) term, and governance as a normative category. The European Commission's use of the term clearly reflects the latter.

> The European Commission established its own concept of governance in the <u>White Paper on European Governance</u>, in which the term 'European governance' refers to the rules, processes and behaviour that affect the way in which powers are exercised at European level, particularly as regards openness, participation, accountability, effectiveness and coherence.[20]

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[18] This echoes Rosenau's distinction between governance and government: 'government refers to "activities backed by formal authority" whereas governance refers to "activities backed by shared goals"' (Rosenau 1992, cited in Rhodes 1996: 657).

[19] CEC 2006 'What is Governance?' http://ec.europa.eu/governance/index_en.htm accessed 17-07-2006.

[20] CEC 2006 'What is Governance?' http://ec.europa.eu/governance/index_en.htm accessed 17-07-2006.

In other words, the Commission's definition of 'European governance' is coterminous with its definition (or principles) of '*good governance'*. In a later document, the Commission gives a more detailed definition:

> The term 'governance' describes the process whereby elements in society (institutions and civil society) wield power and authority and influence and enact policies and decisions concerning public life and economic and social development. At the heart of the concept of governance is the construction of effective, accountable and legitimate governing arrangements within the diverse institutional setting of the public, private and voluntary sectors' (European Commission 2002).[21]

Governance for the Commission thus has only positive connotations; like the 16th Century meanings cited earlier, it is associated with 'coherence', 'accountability', 'effectiveness' and 'better policy-making' – these being the modern equivalents of 'wisdom', 'virtue' and setting a country in good order.

It is clear from the above that the European Commission has been deeply influenced by academics, particularly by the work of Marks and Hooghe and Rod Rhodes (it even cites Rhodes on its 'governance' website).[22] However, the Commission's is highly selective in its interpretation of these works and fails to mention the key weaknesses of the governance paradigm that these authors highlight. For example, in their celebrated article, Marks, Hoogue and Blank concluded that the EU system of multi-level governance 'privileges those interests with technical expertise' and is 'unlikely to be a stable equilibrium' as there is 'little consensus on the goals of integration' (Marks et al 1998: 292). Similarly, while Rhodes illustrates how governance de-centres decision-making and 'empowers citizens' (see also Rosenau & Czempiel 1992), it is also linked to the 'hollowing out' of the state (understood in the sense of fragmentation and disempowerment), and the spread of the managerialist techniques associated with New Public Management. He concludes that the self-organizing networks that governance creates are a 'challenge to governability because the networks become autonomous and resist central guidance' (Rhodes 1996: 667).

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[21] European Commission 2002 'Governance – Introduction', European Union Opinion and Governance, http://www.euractiv.com/en/governance/governance-introduction/article-11750 [accessed 17-07-2006].
[22] European Commission 2007, 'Governance in the European Union. A White Paper', European Commission: Brussels, http://ec.europa.eu/governance/index_en.htm [Last accessed 29-06-2009].

Governance and the Future of European Democracy

The European Commission has chosen to ignore these warnings about governance. Instead, its definition of 'governance' gives the concept a highly positive spin and robs it of its complexity and social science meanings. At the same time as EU experts and policy professionals were drafting the White Paper on Governance, the Commission also published a Green Paper entitled *The Future of Parliamentary Democracy* which claims that globalization heralds the end of representative democracy as we know it (Burns et al 2000). The argument presented by the authors of this Green Paper goes something like this: first, they argue that the 'new era of governance' is one characterized by the increasing 'diffusion of authority and decision-making into specialized policy sectors', a 'dispersed sovereignty' that is 'layered, segmented, diffused, and increasingly non-territorial' (Burns et al 2000: 3). This diffusion and growing specialization of policy is matched by the 'increasing scientification of politics', particularly the use of experts, which has undermined the role of parliaments as representatives of the *demos*. The key actors in what they term this emergent system of 'organic democracy' are thus no longer parliaments or their electorates but governments, international institutions and networks, transnational organizations and specialized interest groups in civil society - what the authors term 'organizational citizens' (Burns et al 2000: 2). The role of the *demos* is to legitimize this new regime of governance. Having accepted the loss of their monopoly position on decision-making and in representing society, parliaments should assume the role of 'meta-sovereigns'. The authors of the green paper conclude that policy making should be contracted out (or 'chartered') to specialized policy-making groups so that parliaments can focus on the wider role of defining and enforcing the 'general standards and procedures' of governance (Burns et al 2000: 4). As Luciano Volante, President of the Italian Chamber of Deputies, summed it up:

> Parliaments must not waste their energies on micro legislation. Instead, they must establish fundamental guidelines for running, controlling and legitimizing the many centres of regulatory production in light of the fundamental principles of democratic legality (cited in Burns et al 2000: 9)

The contrast between what the authors of the green paper term 'Conventional Democracy' and the new 'Organic Democracy' (and 'organic governance') is indicative of the technocratic, functionalist and essentially Durkheimian assumptions underlying the European Commission's vision of the future.23 According to this logic, under the new system of 'organic governance' political decision-making is to be replaced with expertise and science and the logic of New Public Management. Democratic accountability is no longer to the 'public' but to a plurality of 'publics' - including organizations, municipalities, firms, and NGOs - who are defined as the key 'stakeholders' in this new polity. What is conspicuously missing in this polycentric regulatory regime of governance is the political concept of a demos, understood in the sense of a 'body-politic' and self-recognizing political community that is able to represent itself. The problem with the EU's vision, as politicians and political scientists have often pointed out, is that democracy without a demos is a contradiction in terms, or worse, a recipe for authoritarianism and elite rule (Herrero de Miñón 1996).

Governance, Governmentality and the Open Method of Coordination

At the same time as the EU has embraced the concept of 'governance' as its new organizing principle, particularly in policy areas that are the competence of the Member States, it has also promoted the 'Open Method of Coordination' (OMC). This method, which was originally created as part of the EU's employment policy, was subsequently defined as a 'key instrument' of the Lisbon Strategy (2000) which aimed to make the European Union the most competitive economy in the world and reach full employment by 2010. As the Commission describes it, OMC provides a 'new framework for cooperation between the Member States, whose national policies can thus be directed towards certain common objectives'. This is to be achieved primarily through the use of fixing guidelines, timetables and targets; benchmarking, establishing qualitative indicators for measuring 'best practice', and other such techniques. This is what the Commission calls '"soft law"

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23 I refer here to Emile Durkheim's major work [1893] (1984), *The Division of Labour in Society* and his functionalist thesis that a new type of 'organic solidarity' based on an institutional inter-dependence (as opposed to the 'mechanic solidarity' of pre-industrial society), would bring about order and stability in the emerging chaotic industrial society.

measures which are binding on the Member States in varying degrees but which never take the form of directives, regulations or decisions' (European Commission 2007). In fact, there are not one but several different kinds of OMC depending on the policy context and particular techniques that are mobilized in order to 'harmonize' or 'fine-tune' the policies and practices of the individual Member States. The key element in each of these, however, is the emphasis not on direct regulation or intervention from above, but rather on indirect methods of benchmarking, peer review, self-evaluation and so on – all of which is to take place under the surveillance of the European Commission.

It is not my aim in this paper to set out an extensive critique of the EU's Open Method of Coordination; that has been done elsewhere (see Haahr 2004; Walters and Haahr 2005a; 2005b). Rather, what I want to do is highlight the conceptual similarities between the OMC and the idea of 'European governance' that I described earlier. Indeed, the OMC is an exemplary case of multi-level governance and 'governance without government'. But it also entails the creation of a new political order based not so much on the traditional hierarchical, top-down, state-centric model of control, but rather on the more diffuse techniques of disciplinary power in which lines of authority are more obscure and where binding norms are achieved through non-enforceable peer-evaluation and voluntary self-regulation. Seen in this light, both the OMC and European governance share many of the hallmarks of 'governmentality' - the term used by Foucault to describe the 'rationality' or 'art' of government that both characterizes and sustains the political regimes of modern liberalism. As Foucault (1991) defined it, 'governmentality' refers not only to a 'type of power' based on a range of different knowledges ('*savoirs*') and governmental apparatuses that extend the field of government into new areas of population control, but also to:

> The ensemble formed by the institutions, procedures, analyses and reflections, the calculations and tactics that allow the exercise of this very specific albeit complex form of power, which has as its target populations, as its principal form of knowledge political economy, and as its essential technical means apparatuses of security (Foucault 1991: 102).

As Foucault argued, the new rationality of government associated with eighteenth-century liberalism hinged upon the question of 'how to introduce the principle of economy into political practice' and into the government of individuals 'in their relation with things'. The

key effect of this new rationality was to massively extend the scope of government into the realms of everyday life including the health, welfare, happiness customs, fertility and habits of the population. This new regime of power, or 'bio-power', represents not so much the domination of society by an all-pervasive state so much as the increasing 'governmentalization' of the state and of society. The novelty of Foucault's concept of governmentality is that it expands the definition of state power and shifts the focus on a much wider set of ideas and relationships – and bodies of knowledge - that are integral to the way political regimes are established. As Rose and Miller (1992: 175) observe, the exercise of power in modern societies requires a 'complex body of knowledge and 'know-how' about government, the means of its exercise and the nature of those over whom it was to be exercised'. They continue:

> Central to the possibility of modern government are the associations formed between entities constituted as 'political' and the projects, plans and practices of those authorities - economic, legal, spiritual, medical, technical - who endeavour to administer the lives of others in the light of conceptions of what is good, healthy, normal, virtuous, efficient or profitable. Knowledge is thus central to these activities of government and to the very formation of its objects, for government is a domain of cognition, calculation, experimentation and evaluation (Rose and Miller 1992: 175).

Modern government, they conclude, is intrinsically linked to the activities of experts and their attempts to administer the diversity of human conduct 'through countless, often competing, local tactics of education, persuasion, inducement, management, incitement, motivation and encouragement.'

These observations about neoliberal governmentality are particularly germane to understanding the expansion of the EU as a political regime. The Open Method of Coordination extends the scope of European governance into a range of new policy areas (including social protection, social inclusion, education, youth and training) that were previously the exclusive jurisdiction of national governments. While it is presented as a technological and political neutral approach, the OMC thus becomes a key instrument for 'Europeanizing' these and other domestic policy agendas. As a mode of governing complex societies, the OMC does not seek to centralize or impose hierarchy over these domains;

what it emphasises instead is a new style of advanced liberal governance based on coordination, peer review, networks, and heterarchy (Walters and Haahr 2005b: 134).

However, the effect of these so-called 'soft-policy' options such as 'benchmarking' and 'target setting' is to make Europe and its population 'visible' to the calculative practices of EU officials and administrators. By rendering them visible (or 'legible', to use James C. Scott's (1998) term) they become 'measurable' and 'knowable'; i.e., amenable bodies to be worked on. More importantly, as several authors have pointed out (Rosamond 2002; Haahr 2004; Dale 2004), the OMC and its measurements - like Eurobarometer opinion polls and Euro-statistics - provide a mechanism by which Member States become involved in a game of competitive self-improvement. But on a wider canvass, they also help to create the conditions of possibility for imagining the EU as a natural and meaningful entity, thereby contributing to the idea of 'Europe' as a policy space to be regulated and intervened upon (or 'steered') according to the dictates of the Lisbon or other summit objectives. The Open Method of Coordination thus helps to reinforce the idea of Europe as a shared territory and population united under the EU's political and administrative apparatus. As Roger Dale (2004) observes, it also provides EU policy-makers with a common vocabulary and a powerful legitimizing discourse for expanding European governance into new 'unoccupied fields'.

Conclusion: European Governance or Advanced Liberal Governmentality?

The questions raised at the outset were how do we explain the 'governance turn' within the EU, what does European governance mean, and why has the EU so enthusiastically embraced and promoted this concept? As I have argued, the rise of the new discourse of 'governance' as an alternative to supposedly more hierarchical notion of 'government' extends far beyond the EU and, as a descriptive term, is increasingly used to convey the complexity of modern political systems – like that of the European Union - in which power is spread across multiple sites and policy-making is the result of negotiation and interaction between numerous different national and supranational actors and institutions. Hence, the popularity of the term 'multi-level governance' as a label to describe the EU's evolving political regime. But the success of the concept of governance

also resides in its ambiguity. Governance is a particularly suggestive and seductive political shibboleth that holds different meanings for different people. Like a 'floating signifier', it can be inflected to mean whatever its interpreters want it to mean. The European Commission has thus created its own highly normative definition of governance, one that promotes a singularly uncritical and EU-centric view of that regime. 'European governance' is construed as a more open and pluralist political arrangement in which the decision-making powers of national governments are de-centred and displaced by a plethora of multi-level organizations, NGOs, civil society institutions, and public and private interests. By its very nature, this arrangement is deemed to be more 'inclusive', more representative of all the various EU stakeholders, and therefore more 'accountable' and 'democratic'. Central to this belief is the idea that modern statecraft is about 'steering' rather than the traditional high modernist model of command and control. However, there is nothing intrinsically inclusive or participatory about steering as opposed to other, more traditional conceptions of representative government. Indeed, as Goodin, Rein and Moran have noted, 'steering' can also have a decidedly less democratic face:

> It echoes the ambitions of princes, a world of centralized scrutiny and monitoring prefigured in Bentham's (1787) Panopticon. The earliest images of the steering state, in Plato's *Republic*, are indeed avowedly authoritarian; and the greatest 'helmsman' of the modern era was also one of its most brutal autocrats, Mao Zedong (Goodin, Rein and Moran 2006: 15).

A key problem with the Commission's enthusiastic embrace of the new governance paradigm is that it seems to have ignored all the negative aspects and implications of the governance turn. These include, in particular, the loss of accountability, the absence of a demos and the elision of governance with the techniques and practices of neoliberal governmentality. In the regime of polycentric governance imagined by the EU and its experts, not only is the *demos* absent, but like Kafka's Castle, there is also no one in charge who can ever be held responsible. However, as the EU's own Committee of Independent Experts (CIE) pointed out in their report on 'Allegations Regarding Fraud, Mismanagement and Nepotism in the European Commission', 'The temptation to deprive the concept of responsibility of all substance is a dangerous one. That concept is the ultimate manifestation of democracy (CIE 1999: 144).

A further problem is that EU policy elites typically conflate the idea of governance with the norms of New Public Management. 'Good governance' is thus defined in the Commission White Paper and elsewhere, in primarily economic terms such as 'efficiency', 'effectiveness', 'better policy-making', 'better regulation' and so on. It is in this context that Foucault's work on governmentality has particular salience for understanding the nature and character of the EU's evolving political system. The EU model of European governance, with its emphasis informal instruments of regulation and self-regulation, and what it terms 'organic democracy' based on the rule of experts and the application of New Public Management techniques and principles, echoes many of the themes of advanced liberal governmentality.

It has often been remarked that liberal political rationality seeks to govern *through* freedom, i.e. creating, working through, and utilizing the capacities and agency of its political subjects (Rose 1999). However, as a number of critical scholars have demonstrated, liberal rationalities are not necessarily incompatible with authoritarian practices of rule (Cruikshank 1999; Rose 1999; Dean 2002). This might explain how the Commission can elevate of the concept of 'governance' to a central organizing principle within the European Union and champion the Open Method of Coordination as a more inclusive and democratic way of governing, whilst simultaneously proposing a new (and strikingly un-democratic) role for parliaments in which policy-making becomes the privilege of non-elected experts, technocrats and 'organizational citizens'.

Smouts concluded her genealogical survey of the term 'governance' with the warning that '"global governance" could well conceal under its idealist and consensual attire, the most devious type of economic liberalism' (1998: 88). Might 'European governance' conceal a similar agenda? As Joerges' (2002: 5) demonstrates, the idea of European economic order so clearly reflected in the Single European Market programme was made possible by certain currents within German *ordo*-liberalism. Neo-liberalism may not be the only rationality of government at work within the EU, but it is increasingly the dominant one and is more and more being aligned with *illiberal* modes of governing. Mitchell Dean develops these arguments a step further to show how liberal forms of order are often

dependent upon 'conservative and even authoritarian practices and rationalities', or what he terms 'authoritarian liberalism' (Dean 2002: 57; 2007: 17). In his words:

> The 'dirty secret' of many contemporary liberal government discourses of globalization, moral obligation, the new paternalism, social inclusion – and many of those political discourses that seek to mobilize them across the political spectrum – is that a story of the diminution or end of national state sovereignty is aligned with the deployment of sovereign and coercive powers over the lives of a substantial majority of the world's inhabitants. (Dean 2002:57)

Dean's comments could equally be applied to the EU which has made a virtue of attempt to erode and replace national state sovereignty with a new and larger political order.

The re-emergence of the once-obsolete concept of governance, its application to the European context and the invention of the 'Open Method of Coordination' as a new mode of steering reflect a very different form of governmentality to that embodied in the Monnet Method and the more centralized and Keynesian Schuman Plan. In the new EU rationality of government Europe is being re-imagined as a 'network of knowledge and expertise' (Barry and Walters 1993: 319): that is, as a new kind of hybrid polity or regulatory regime which is neither reducible to the state or to the market. While I concur with Barry and Walters that European governance often serves as 'a marker for managerialist, technocratic rule', I do not share their optimistic assumption that 'far from being a functionalist subversion of democracy or merely a new form of elitism, [European governance] can become a territory for thinking and practicing new forms of democracy' (Barry and Walters 1993: 320). Despite its rhetoric of wider participation and democratic inclusiveness, the EU's discourse on European governance promotes a technocratic model of steering and managing that *does* subvert Parliamentary democracy and advance a new form of elitism.[24] The system of parliamentary democracy that emerged in post-War Europe also combined liberal and illiberal forms of power, but these regimes at least enjoyed a degree of cultural legitimacy and popular consent and offered their publics some measure of electoral accountability. Parliamentary democracy, as Churchill famously remarked, 'is the worst form of government, except for all those other forms that have been tried from time to time.' The danger with the evolving regime of EU governmentality is that it is profoundly

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[24] See, for instance, the German „governance debate", (Scharpf 1997; Kohler-Koch 2000).

de-politicizing; under the 'anti-politics machine' that goes under the name of 'European governance' accountability is becoming progressively blurred, decision making is rendered increasingly obtuse and remote, and the citizens of Europe - in whose name the EU claims to speak – are becoming ever-more voiceless.

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