

To what extent has  
the eu become a  
social regime?



## Introduction

This paper will examine the extent to which the EU has become a social policy regime. The paper will first provide a historical background and development of the EU, identifying key treaties and agreements, where the EU derives its power and exploring the accession criteria. It will also identify EU's normative position on political stability and human rights, and explore how the accession criterion has formed a conduit for cultural imperialism. Further, the paper will explore the extent to which it imposes its legislation. In addition, the paper will shed insights on some of the dilemmas that emerge with the social making process which appear to have been a hindrance in social policy making at the EU level.

## Power of the EU

Before exploring further, it is worthwhile discussing the power of the EU. The question to be addressed is: where does the EU derive its power? The power of the EU lies at the heart of an agreement decided by member states. France and Germany are the two member states which exerted significant influence and played a central role in the formation of the EU. Member states renounced much of their power in favour of the union which gave the union the capacity to enact legislation at the EU level (Ciclet 2013). With currently 28 member states including countries from central and Eastern Europe, the EU has grown even stronger in power.

The union was established through a series of binding treaties with the aim of ensuring economic progress and promoting peace across the continent of Europe. The union is governed by several key institutions such as the

European Commission, European Council, the Council of Ministers, and the European Parliament. Other institutions include the European Central Bank, Court of Justice, and Court of Auditors (Caruso 2007). The Union is organized around all these institutions which play a great role.

### Accession criteria

Certain requirements, however, must be met for countries to become member states. Countries seeking to join the EU as member states must meet certain requirements set out in Article 49 and must conform to the principles laid out in Article 6 (1) of European Union treaty (Clansen 2006). The Copenhagen criteria established in 1993 require countries to meet three criteria in order become member state.

Political criteria: this criterion require countries to have stable institutions and to maintain their commitment to the rule of law, guarantee democracy and respect to human rights

Economic criteria: - this criterion require countries to have a functioning market economy and to be able to cope with market forces

Acquis - The third criterion require countries to have the institutional capacity to implement acquis and accept obligations of membership including compliance to the union's political and economic decisions (Clansen 2006).

### How the EU works?

The member states of the union work together to set policy and promote collective interests (Archic 2013). They have pooled their sovereignty and ensured harmonization on a multitude of socio-economic policies. Integration

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has been done in various fields including trade, agriculture, environment and education. Whereas the EU members have shown their commitment towards working with each other through harmonization of laws, decision-making has been a difficult process.

The recent economic downturn that saw massive job losses across Europe raised concerns about the role played by the EU in ensuring economic growth. Since part of the core responsibilities of the union was to ensure economic growth and development, many viewed the union as a failed experiment, having failed its most important test. The EU imposed severe austerity measures to member countries that had the largest debts by increasing taxes and making drastic cuts to reduce government debts. Contrary to the predictions of improved growth, such austerity measures led to greater economic downturn as countries forced into austerity measures experienced steep downturns in their economies (Lee 2013).

To what extent has the European Union become a social policy 'regime'?

EU social policy appears to have undergone three major growth spurts with the first one evident in the early 1970s when member state governments established a social action programme. The aim of the action program was to improve living conditions, increase employment prospects and involvement of social partners in economic and social decisions at the EU level (Daly 2007). However, this program only left a lasting imprint on areas of work safety and equality in market opportunities. Towards the end of the first period, it became evident how hard it was to have an effective social policy at the EU level.

The periods of 1980s and 1990s saw yet another growth spurt in EU social policy. This period was also dominated with labour market issues just like the first growth spurt; but, social policy was conceived differently. There was an imperative need to socially regulate the labour market. This led to the Maastricht Treaty and a related 'action programme' (Daly 2007). The treaty led to improvement of working conditions, addressed the issue of social exclusion (those excluded from labour market), promoted equal treatment and ensured intervention in agenda setting through collective bargaining. However, critics viewed this as a catalogue of underachievement given its non-binding character and that fact that the social charter shifted citizen rights to worker's rights.

## **Lisbon I**

The third growth spurt came with the signing of the treaty of Lisbon which laid out an ambitious and inclusive agenda that would see the EU become the most competitive knowledge-based economy (Zeitlin 2010). The Lisbon strategy was to ensure sustainable economic growth, greater social cohesion and better employment prospects. In addition to these three core objectives, environmental sustainability was added to the Lisbon strategy in 2001 as the fourth objective. And a new approach to governance at the EU level, the Open Method of Coordination (OMC), was developed.

However, Lisbon I came under heavy criticism owing to the multiplication of objectives and its lack of strategic focus. In particular, the OMC was criticized for its failure as a governance instrument, having failed to deliver member state commitment to the implementation of agreed reforms (European Commission 2005). To some extent, these criticisms were justified especially

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the failure of the OMC as a means for achieving greater convergence towards the Lisbon targets (Borras&Jacobsson 2004).

On the other hand, it can be argued that the OMC should have been considered a success in fields such as social and employment policy given that it has so far been able to link the social and economic aspects of integration. Further, it was too early to judge its impact in other field areas such as innovation and enterprise promotion given that the method had not yet been fully implemented (Lelie&Vanhercke 2013). Nonetheless, the OMC was seen as a weak instrument of governance and highlighted as one of the failures of the Lisbon strategy.

## **LisbonII**

Given the failures with the first strategy, another strategy (Lisbon II) was relaunched in 2005 with the focus on better governance and social protection and inclusion. The main objective of the Lisbon II strategy was to ensure the fusion of European Employment Guidelines and Broad Economic Policy Guidelines to a one integral guideline for growth and jobs (Zeitlin2010). On the social side of the Lisbon II strategy, the focus was on streamlining OMC on social protection and inclusion. The aim was to provide a framework that would ensure that the economic and social aspects mutually reinforce each other. The two were supposed to have a reciprocal relationship whereby the streamlined OMC on social inclusion and protection would feed in ' to growth and employment objectives, while at the same time, the integrated Guidelines for Growth and Jobs advance social cohesiongoals(Zeitlin 2010).

However, the above integration proved problematic as it allowed member states to set their own priorities thereby reducing employment policy coordination and monitoring at the EU level. Further, the practical effectiveness of the reciprocal relationship between the social, economic and employment dimensions was limited by the lack of specific institutional mechanisms for overseeing the mutually reinforcing feedback.

### **LisbonIII**

Given the weakness of the Lisbon II strategy, yet another Lisbon Strategy III was developed in 2008 which focused on strengthening the social dimensions. In the spring of 2007, the EC resolved that each member state's social objectives had to be incorporated in the agenda. This resulted in a public debate with two countervailing positions: one focusing on better implementation of national reforms and another advocating for the incorporation of social objectives into the integrated guidelines (Zeitlin2010, p. 4). The EC finally resolved to strengthen the social dimension by calling for a closer interaction and monitoring of 'feeding in/feeding out'.

The power of the EU has however shifted since the 2009 Lisbon treaty from the political level to the administrative level and even to hands of the bureaucrats(Euranet 2013). A good example of this can be seen in the area of Common Security and Defense Policy (CSDP). Whereas there has been an impressive institutional innovation at the EU level, member state's reluctance to provide adequate capability has been a major hindrance to the delivery of CSDP (Sweeney 2013). It should be noted that member states have decisive control over key institutional bodies and this control is at the expense of strategic clarity which limits the potential of the EU to achieve its

policy targets. As pointed out by Mattelaer (2010), institutional innovation even exceeds that of the NATO and the UN which have ensured high level of oversight. However, the effectiveness of this development has been compromised by bureaucratization of the policy area which in turn hinders output legitimacy.

### EU's normative position on political stability and human rights

Understanding the EU's normative position in relation to political instability and human rights is also important in this analysis. EU's normative position on human rights is sketched out in the Maastricht Treaty of 1992 which enshrined common values such as the human rights protection, rule of law and democracy as its priority areas. Countries seeking to join the union must uphold these basic values. The union also emphasize on the importance of good governance, and advocates for social and political reforms. Protecting human rights and ensuring rule of law are part of its core objectives which the union sees as a means of strengthening international order (Hoslag2012)

Central to EU's normative position five core values: rule of law, democracy, peace, liberty and respect for human rights. The union is founded on these core values which are enshrined in the EU legislation and its actions are guided by these principles which it seeks to advance both internally and externally. Promotion of these principles is evident with the EU's strong influence on the decision to abolish death penalty in a number of states including Turkey, Ukraine, and Poland. And given that other international powers such as China and the US have not abolished death penalty, it is can



be made that the EU's has in its normative power promoted human rights (Tilley 2012).

Several treaties have been signed that allows the EU to effectively monitor compliance of member states with human rights. For example, the Nice Treaty was revised to allow interventions in cases of serious violation of human rights but this mechanism collapsed. After the Nice Treaty, the Network of Experts on Fundamental Rights was established and later replaced by the Fundamental Rights Agency.

Even with these new developments, the EU's monitoring capacity was limited by member states restrictions. A prime example can be seen with the arbitrary expulsion of Roma EU citizens from France. Whereas the EU had criticized the move, France ignored these criticisms. Due to pressure from member states to ensure that the rights of Roma EU citizens were protected, France had to change its laws EU (Tilley 2012). However, the legislative changes did not necessarily address the fundamental discrimination that led to the expulsion of Roma EU citizens from France and subsequently may not prevent a reoccurrence of this expulsion.

EU criticized of double standards

The EU has come under criticism for its poor standards with regard to the protection of human rights. Despite this commitment to human rights protection, there have been concerns that the EU might be having double standards in the promotion of these values. For example, the way the EU treats people from Islamic origin has raised concerns at the Human Rights Council (Toghill 2011). Muslim integration remains a key concern of the <https://assignbuster.com/to-what-extent-has-the-eu-become-a-social-regime/>

European immigration and integration policies. Some countries such as France have imposed a ban on face-covering headwear and others such as Switzerland has banned the construction of mosque minarets. Whereas the September 11 attacks shaped world news and heightened Islamic-Western tensions, this does not imply that the Muslims should be treated differently from the others. The ban on burkas and niqabs and the ban on wearing of headscarves in public have put the EU on spotlight

. Another example can also be seen with Turkey's accession to the EU. The EU has remained noncommittal with regard to the accession of Turkey. Despite the country exhibiting compliance with many of the requested reforms, talks seem to have stalled due to the cultural difference, particularly its Islamic status. Since the recent downturn, Turkey's financial market has exhibited a strong growth and is currently at 7.3% making it the 17th fastest growing nation (Toghill 2011).

It thus seems that Turkish accession would strengthen the Union's power especially given eminent threat from the US and China in terms of growth. Turkey's accession would be of benefit to the EU. But the union still remains reluctant to accept Turkey as one of its member states. This is a clear indication of a lack of representation with the EU. The EU appears to have representation deficiencies in governance and it seems to have double standards in its commitment to promotion of human rights.

Despite the fact that Turkey has made efforts to conform to EU's official standards, there appears to be no effort made by the union over Turkey's candidacy. It is clear that the Copenhagen criterion does not represent the

whole picture. Even if all political and economic obstacles are lifted and Turkey is deemed to fully conform to this criterion, Turkish membership will still be a controversial issue as it involves the potential accession of a Muslim country (Toghill2011).

Accession criteria a conduit for cultural imperialism.

This notwithstanding, the accession criteria can be seen as a conduit for cultural imperialism. Whilst the EU's core objective is to foster peace, ensure political stability and economic progress across Europe, its norms are really cultural imperialism in disguise (Phillips 2013). Given its normative power, the EU may choose to decide on behalf of member states which are not part of the European Community, some form of cultural imperialism. A good example of this can be seen with the French difficulty with Euro Disney. Whilst there was a wider acceptance of theme park in the Euro Disneyland, there was a cultural clash. It appears as if there was some kind of cultural imperialism (Yue 2009).

Since Disneyland was found to be one of the top three spots for European tourists who traveled to the US, it was made more "Americanized" (Yue 2009). Several errors were made with the Disneyland operations which had implications on the French culture. For example, the Disney policy failed to recognize alcohol as a regular beverage yet in French culture, it was considered to be a regular beverage. This alienated the French who decried the threat of 'cultural imperialism'. After much consideration, the policies were changed and alcohol was allowed in the Euro Disneyland.

Another example can be seen with EU's stance on maintenance of moratorium on whaling. Just recently, the EU environment ministers came to a common agreement that the maintenance of the moratorium should be upheld (Phillip 2013). Other countries such as Denmark and Nordic are opposed to this move and are instead arguing that it is the right of indigenous communities to do commercial whaling in the Faroe Islands. The EU member states have now taken a united front at an annual meeting of International Whaling Commission and are using all their political, economic, cultural and social powers to ensure that this decision is implemented worldwide. Denmark is calling the move as some form of 'cultural imperialism'. The move by the EU to decide on behalf of other member states not party to the EU constitutes cultural imperialism.

## Conclusion

EU social policy has indeed drawn heavy criticism in the public due to its perceived lack of substance. It has been dismissed on many accounts due to its slight impact on member state policy. However, it should be noted that making a case for studying EU social policy is not easy and literature is often remarkably divided. On the one hand, there is an imperative need to develop social policy at the EU level. On the other hand, the EU social policy is seen as lacking substance, having only the slightest impact on member state policy. Further, different authors have come to different conclusions about the efficacy of the EU social policy.

It is clear from above that the EU has to a large extent become a social policy regime. Having undergone three major growth spurts in its social

policy with failures, it is clearly evident how hard it has been to have an effective social policy at the EU level. There is also the shifting power from the political level to the hands of bureaucrats and the impact that bureaucratization of the policy area has had on output legitimacy. The EU has also been found to have double standards in its advocacy of political stability and human rights promotion as evident with Turkey's accession and the ban of scarves in France. In addition, its accession criteria have been found to be a conduit for cultural imperialism.

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