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The EU and the OECD: combining interests to rescale the state

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abstract: *The OECD is a soft power membership organization that supports policy change in its membership through a variety of means including economic comparisons, policy reviews and benchmarking between its members. As an organization with a primarily economic focus, the OECD has developing its policy range into associated areas including education, through the PISA rankings and through LEED – local economic and employment development. The role of OECD LEED policy has gained in prominence as it has espoused Krugman's new economic policies and the new economic geography (Krugman 1991; 2011) has focussed on the social, sustainable and efficiency arguments of functional economic areas. This has been further enhanced through a drive towards rescaling states to align governance to FEAs rather than traditional administrative boundaries (Ahrend, R. et al 2014). In policy terms this is being encouraged through the better life Index for FEAs launched in 2013 (Brezzi et al 2013), on the 50th anniversary of the OECD and has now been used for similar governance scales by the World Bank (2010).*

The EU has also been enrolled in this policy delivery. It has engaged in development of FEAs policies with the OECD (2013) and implementation of FEA special and economic policies through the revision of the Cohesion Regulation 1303 2013. The president of the OECD, Angel Gurria announced at the EU's regional open week in 2014 that over 50% of OECD member states had now espoused this policy and that alignment between EU state economic and governance boundaries was well underway.

It is a significant policy objective for any international organization to attempt to influence governments to change their sub-state governance systems although there is evidence in the US, Canada, Australia and NZ that this approach is being adopted (Schakel et al 2015; Rompuy 2015; Kortt et al 2015). Within the EU, the close convergence between OECD and EU policies for FEAS and governance reform have been little discussed although can be evidenced though published reports and policy objectives (Dijksra and Poelman. 2012; Charbit, 2011).

The purpose of this paper is to examine further the relationship between the OECD and EU, to identify the key drivers for common working and the relative success of the use of soft power in transforming sub-state government across 28 member states.

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Introduction

The relationship between the European Union (EU) and the Organization for Economic Cooperation (OECD) has not attracted much consideration or comment in the literature on the EU's role in international relations and its relationships with these global institutions and other papers in this conference will be commenting on these. In this paper, the intention is to examine the ways in which the OECD and EU relations work through institutional framing and agenda setting, and then deliver through the methods of policy transfer (Bulmer et al 2007). In the second part of the paper there will be an examination of a specific policy area where the differing objectives of the OECD and EU are in close institutional alignment and where policies and actions can be examined for their mutual reinforcement (Dijkstra and Poelman 2012). The paper concludes with some further thoughts on the underlying nature of the relationships between the EU and the OECD. and how these might fit within the range of international institutional relationships held by the EU.

International Institutional framing

What are the impulses for policy continuity and policy change? The dynamics of change may be related to past experience or history (Howlett and Cashore, 2009) and institutional factors such as the influence exercised by existing players. Specific policies can become resistant and persistent despite efforts to change them (Capano, 2009). Major change will frequently arise from external factors (Sabatier and Jenkins-Smith, 1993; Thelen, 2004) but may also result from events such as financial crises or environmental events. Managing this public mood is a key component in the success of any policy regardless of its scale. The requirements of external change may be harnessed to achieve other policy changes through a process of 'gold plating' (Miller, 2011) or policy free loading whilst policy spillovers may result in unintended consequences (Alter, 2000; Barzelay and Gallego, 2006)

Studies that examine the nature of policy adoption and change are profuse and frequently take a causal factor as a means of explaining either the persistence of policy or why it changes (Zittoun, 2009). Change can be managed as an incremental process (Lindblom, 1959; 1979) characterised as continuous progress through a variety of small steps. Change can also be managed in major steps, using catastrophes or set piece events as their driver (Kuhn, 1983; Hall, 1993). Change can also be managed within a falsifiability framework (Popper, 1944), where there is a constant search for improvement through contestation and once found these changes may be in large or small steps. This supports new public management approaches with their search for efficiency and effectiveness as their driver (Hood, 1998, 2000). Evidence based policy making takes analysis as its impulse for action. Other approaches consider whether change has to be centralist and 'top down' whilst others suggest that more effective change can be delivered through addressing cultures (HMT, 2004; 2005) achieved through behavioural insight (Halpern, 2004; Thaler and Sunstein, 2008; John et al, 2011; Brown, 2012). Changes may also be caused by public opinion or media pressure.

The issues that promote public policy change are problematised so that it is possible to set them in terms of alternative solutions but some policy changes are internal and the public narrative of change may be at variance with the underlying institutional drivers. In this case there may be political or administrative objectives which are masked in their public form and application and implementation of EU legislation within the UK is one example of this (Morphet, 2013).

Understanding the provenance of policy and how it sets the agenda is an important component in considering the potential for influence on this process. One approach is to consider who frames policy by setting its context, the rules of engagement and the acceptability of outcomes (Goffman, 1994; Rhinard, 2010). This framing process can also set the priority for an issue to be considered and that this influence over agenda prioritisation can be persistent over time (Baumgartner and Jones, 1993) or be captured by specific interests (Thurber, 2003). Issues can also come to the top of the agenda and be catapulted into a priority position. This may be due to events or public mood. In some case issues emerge as political priorities without much public preparation. On other occasions, a policy window might emerge when it is possible to promote a policy as a free rider on another initiative (Kingdon, 2003). Some policies are promoted by entrepreneurs who attempt to influence the prioritisation of problems to improve the potential role of their solution.

Once a policy agenda has been set, then to be effective it needs to be utilised and incorporated within the policy priorities and repertoire of the institutions and its clients. While legislation is a formal way of reinforcing a policy priority, the practical; application is often developed through guidance and example in order to provide certainly to those implementing and some reassurance to those setting the policy agenda policy delivery will be appropriately interpreted. What differentiates policy transfer from other means of policy copying is that the transfer is meant to be intentional and is hierarchical in its provenance. The concept has been extended by Dolowitz and Marsh (1996) to include both voluntary and coercive forms of behaviour. Whilst the literature on policy transfer focuses on the international scale it is also clear that it occurs between localities, within localities or states and between sectors.

Within an EU context this includes the transfer of a policy objective or specific delivery mode which has some binding qualities. This might include policy priorities or regulatory methods. In some cases, member states can implement European legislation in ways that imply a policy transfer or fixed mode whereas the implementation needed might be more flexible than this might suggest. On other occasions the application can be more specific and seek to replicate what has been delivered elsewhere. Another consideration can be the role of quasi-voluntaristc approaches which emerges from membership of the OECD. Here the organisation is not able to make binding decisions that compel action by the individual state but membership is clearly influential in transferring policy priorities, objectives and constructs through the use of soft power means of influence such as the publication of comparative indicators. Policy transfer can be buttressed by external reporting or benchmarking whether this is applied unwillingly or as a useful exterior mechanism to cover interior change (Hood, 1998). It can also be through soft power methods such as the use of behavioural insight or nudge where personalised or incentivised methods of achieving policy change can be deployed.

The OECD and the EU, like any intergovernmental international organizations, have a strategic influence on the shape of future policy which is larger than and different from the sum of their members. Each of these organizations takes on a personality of its own and becomes an additional member of the decision-making processes and as the coordinator of the organization it will also be in a position to strongly influence if not control the relative importance and application of policy initiatives through agenda setting.

As a member organization, the OECD will be using forms of soft power (Putnam, 1988; Nye, 2004) amongst its members to establish a policy orthodoxy that it will use to encourage compliance in economic behaviours within its members. In comparison, as an organization where its members pool their sovereignty, the EU progresses its agenda and holds it own power through the European Commission (EC) that uses a variety of mechanisms to bring its policy priorities to the fore. This has increasingly used fixed term programmes to deliver its wider objectives (Hooghe 2000) based on five year policy agendas and commitments such as set out in Europe 2020 (CEC, 2009; HMT, 2010), legislative programmes (CEC, 1992), funding (CEC, 2007) and treaty developments. When EU policies are implemented, member states' domestic politics, cultures and institutions all have an influence on their application (Dimitrakopoulis and Kassim 2004; Carbone 2011; McCourt 2011; Goetz and Mayer-Sahling, 2012). The EC also uses other means to progress issues and make decision including the Open Method of Coordination (OMC), the use of administrative space as well as committees of member state officials such as COREPER (Wallace, 2010; Morphet, 2013)

Much of the discussion about international institutional policy making is about its provenance and impulse through debates about agenda setting (Pollack, 1997; Kingdon, 2003; Hoffman and Ventresca, 1999; Daviter, 2007). In the EU, it is assumed that agendas are made from 'above' through the Council of Ministers or 'below' from working groups of experts and in both instances the Commission has some advantage in the framing of the issues (Princen and Rhinard, 2006). There are also wider externalised influences on the EU agenda such as formal agreements by the WTO or informal pressure through OECD country reports (Mahon and McBride, 2009; Ozga and Lingard, 2007). In addition to the Commission's internal influence through its power of initiation it is argued that it has a leading role in framing these external agendas and together they enable the Commission to shape the EU agenda (Rhinard, 2010). The EU derives many of its competences from its role in negotiating trade agreements on behalf of EU member states in the World Trade Organisation (WTO) and its predecessor GATT (Woolcock, 2010; Dur and Elsig, 2011).

The EU and the OECD- a growing alignment?

The OECD, as a membership organization does not have the same relationships with its members as the EU where sovereignty is shared through treaties. The EU had varying responsibilities for a range of primarily but not exclusively domestic policy arenas which are primarily anchored in economic and social cohesion objectives. These overarching objectives were extended to include territorial cohesion in the Lisbon Treaty (2007). Although little discussed or understood, (Mirwaldt et al 2009; Barca, 2009) there is a clear alignment between the notion of territorial and spatiality of policy and decision making and subsidiarity as expressed through decentralisation (*territorialisme* in French). The EU has international standing because of its combined population and economic role. It is also an international organisation and has a role in negotiating on behalf of the EU with the WTO. It attends meetings of the G8 and G20, the OECD and UN. The EU's role in global bodies can be seen to enhance its role externally.

The EU undertakes its work through a variety of means including policies and cyclical programmes which are funded both by member states' own resources and redistributive contributions through the EC (Ladrech, 2010). In the UK, for example, there has been a primary focus on the EU's role in the application and provision of structural funds for economically lagging regions, as part of its social and economic cohesion objectives. However, there has been little acknowledgement or understanding of the range of ways that decisions are made and how these can influence and, in some cases, bind member state policies without the need for specific legislation. These may be policies to achieve convergence to meet the application of Treaty principles or in response to global institutional policy agendas including economic conditions (e.g. the IMF) or environmental priorities (e.g. the UN).

At the points when new Treaties are adopted then member states will need to examine their own institutional frameworks and set pathways towards convergence towards any new treaty obligations. Following the Single European Act (1986) there was progress towards the single market and economic integration. Following TfEU (Maastricht 1992) there was progress on subsidiarity, reform of the structural funds and the establishment of pan-EU infrastructure networks for example. Since the Lisbon Treaty 2007, some key decisions, such as the appointment of an external high representative were implemented quickly. Others such as the new principle of territorial cohesion and the completion of subsidiarity have been applied through substate governance reforms in each member state. These reforms have included more devolved powers to local authorities in the UK and in France, the establishment of a ministry of territorial equity.

These policy changes that relate to Treaty compliance are not specifically identified through EU legislation and are delivered as part of domestic rather than EU policy agendas. In the UK, they may appear as 'orphan' policies (Morphet, 2013), that have no specific political mandate through manifestos or policy speeches but nevertheless can shape and member state institutions in a fundamental way. The implementation of these treaty commitments vary significantly from those undertaken through policy processes for specific EU policy areas, which result in the application of common legislation across all member states. These state actions to achieve treaty convergence are frequently depoliticised and submerged.

However, it is also the case that adoption and application of Treaty principles are fundamental to achieving the core objectives of the EU in comparison with legislative development and adoption that may be short term or change to meet external circumstances or global regulatory environments. EU treaties and their obligations are fundamental to the powers and role of the EC and this are very salient in the policy shaping strategies of the EC (Rhinard, 2010). These treaty principles are also enshrined in the formation of any specific policies and legislation and shape the way in which the member states deliver on these and the degree of influence held by the EC in enforcing their application.

The OECD's purpose is to promote economic policy and cooperation and was founded in 1948 to implement the US Marshall Plan for reconstruction (Bache et al 2011) and has its headquarters in Paris. As a soft power organization (Nye, 2004), it cannot enforce its agreed policies and priorities through its members but it does have a range of methods and tools through which it can promote its own economic orthodoxy, sets agendas and frames encourage policy delivery to reinforce these views including research, policy papers, sector reviews, country reviews and benchmarking. As Barnett and Finnmore (1999) have stated, international organizations can 'act as conveyor belts for the transmission if norms and models of ‘good’ ‘political behaviour’’ ’ (712-3). Some of these activities such as PISA, which provides a biannual education research ranking, have a profound effect on government policies of its members (Rifkin, 2004). The OECD also influences the expectation of market and institutional investors through establishing an annual framework and assessing each member against this through specific country and sector reports can influence markets views of the potential investment in OECD member states.

Whilst focussing on economic policy, the OECD had a wide and inclusive definition of what is incorporated into its role. This includes specific issues such as energy, agriculture and other specific markets. However it also focuses on public governance and state apparatus that has an affect on the likely success of different economic policies for trade, internal economies and the well being of individuals. This interest includes not only the practices of central state policy-making but also the effectiveness of sub-state governance organization and its influence on local and national GDP.

The EU and OECD are both organizations with an economic core purpose, concerned with effecting change in the practices of their members including the use of the methods of policy transfer (Dolowitz and Marsh 1996) between their members. The OECD effects these transfers through methods of soft power (Nye 2004) in comparison with the EU which has at least five means of reaching decisions and then acting upon them (Wallace, 2010; Morphet 2013) and whilst policy transfer is an important approach, it has also legal and institutional means to reinforce this (Bulmer et al 2007).

The EU’s relationship with the OECD is binary in that member states are individual members but the EU also has its own relationships with the OECD. This duality offers potential for the OECD to be an influence over individual member states as well as working with the EC on specific policy initiatives. It is also useful to consider how far the EU and OECD policy regimes differ in their operation and relative power balances within and between their internal institutions (Wallace et al, 2010). The differences between the OECD and EU could be a mutual strength and allow for differential policy approaches to be performed separately but have integrated in objectives and outcomes. This can also allow for larger scale OECD economic policy agendas to be implemented through the EU, acting in a compliant way whilst also serving EU objectives. Wallace (2010) argues that in its early days, the EU utilised the OECD policy development approach that was based on consultation in order to reach coordinated policy between all EU member states but moved away from this as it became an end in itself replacing it with the Open Method of Coordination (OMC).

Whilst the EU is important as a means of shaping member states policy this is also the case of the OECD. In the UK, for example, with its post 1979 neo-liberal focus on efficient welfarism, the use of performance management that has been a dominant feature of British public policy since 1997 (Harrison, 2002; Cutler and Waine, 2002; Newman, 2001; Hood, 2002) has also been influenced by OECD benchmarking practices (OECD, 1996; van Thiel and Leeuw, 2002; Pollitt and Bouckaert, 2000; Liddle, 2014). This comparative approach based on external evaluation of performance and outcome has spread into Europe although not as new public management. Rather it has been influential in the role of OECD country reviews and the development of the Open Method of Coordination (OMC) that has been developed as a soft governance method within the EU since 1999 (CEC, 2000; Heritier, 2001; Radaelli, 2003; Haahr, 2004).

EU and OECD common agendas for sub-state governance reforms

Whilst the role of treaty change has been noted as one of the key methods of shaping the EC's policy agendas, Rhinard (2010) has also identified the role of external negotiation and representation in framing internal policy agendas. Whilst these institutional agendas can be freighted in policy transfer and fashion (Morphet, 2013) it is also the case that international institutions can undertake complementary or mutually reinforcing roles where they have common surpra policy agendas. The relationship between the EU and OECD, formed of binary membership makes it a potential fit for policy cooperation and reinforcement where policies are in alignment. This may work through a 'good cop/bad cop approach', where one institution is promoting action and seeks reinforcement from the other. The second approach is where comparative benchmarking demonstrates gaps in policy delivery again allowing for policy interventions or reinforcement to be used between these institutions. A third approach can be through policy framing and temporality where policy agendas emerge and can be delivery timeframes (Goetz and Mayer-Sahling, 2012). A further way will be through a common and allied approach to dealing with systemic economic shocks such as oil prices, market failure or sovereign debt.

The understanding of the ways in which policy coordination can work is a useful basis for cross-utilisation of implementation techniques for both organizations. There is some evidence that the OECD and the EU have worked together in the achievement if specific economic agendas. Schneider (2001) argues that there was a joint approach between the two institutions to reform the German telecoms market whilst and also on the environmental management of waste (Armstrong and Bulmer, 1998).

In this paper, the ways in which the OECD and EU have both adopted common approaches to the reframing of substate governance administration is considered. The economic agenda for reframing the issues of sub-state organization followed Krugman's reframing of the focus of national governments on the destinations of trade. Within the context of the 1992 UN Rio Earth summit, Krugman identified that trade within nations was as important as trade between nations. This was also found to be particularly important within what has been defined as functional economic areas (FEAs). The subsequent new economic geography has been associated by some critics as a fuzzy manifestation of neo-liberalism (Brenner) but it has been accepted as an economic orthodoxy by the OECD and has been given a central role in the criteria of its policy agenda subsequently. This has been manifest through country reviews, service reviews, country and place reviews together with research programmes on issues such as local economic development and fiscal federalism. The research and policy advice provided by the OECD included that in good governance and also the economic costs of failing to work together. The president of the OECD, Angel Gurria announced in 2014 at an EU open week for all sub-state administrations that now over 50% of OECD members had adopted a policy that is progressing rebounding of substate governance in alignment with economic rather than historic land ownership and topographic boundaries.

Whilst this policy has been in development, it has had temporal resonance with the EC's agenda of reducing the power of intergovernmentalism, member state government and attempting to reframe the internal power relations within the EU through substate governance initiatives. This has been formally included though the extension of subsidiarity in the TfEU in 1992 and completed in the Lisbon Treaty in 2007. In 1992 this was given an outward and visible institutional manifestation through the establishment of the Committee of the Regions (Morphet, 1994) which has remained outside the formal decision making processes in the period to 2010 although it has now been given a formal role in Lisbon Treaty for assessing subsidiarity in practice across the EU's territory and taking cases through the EU's institutional machinery if it finds that subsidiarity is not being upheld.

The EC had also undertaken other policies and initiatives that have supported the enhanced role of substate governance. In the period 1992-2009, the policy has primarily been delivered through creating and supporting mega regions across the EU's geography and supporting these through organizational recognition, financial support and access to policy debates. This was undertaken through the publication of Europe 2000 and Europe 2000+ that identified both the policy agenda for these areas and their specific geogrpahies. The EC also introduced other means of fostering cross-border working between local and regional authorities though the INTERREG programme. In addition, through an informal ministerial council a spatial development plan for the EU's territory was prepared (1999). It took this informal form as the UK government disputed the EC's powers in relation to spatial policy including planning although land use regulation as a key element of the single European market. However in order to combat this uncertainty, the EC sought powers to include the spatiality in the Lisbon Treaty as one it its basic principles and this was the addition as territorial cohesion.

During the period 1992-2007, the EC worked with the primary and larger units of substate governance in the EU - that is primarily regions. Some member states such as Italy, France and Denmark had reformed their sub-state governance structures in order to be able to take the best opportunities for these reforms. However in other countries such as the UK, the regional scales had no role in the constitution unlike federal or reformed structures. The UK civil service was also concerned about this means of crafting positive 'grandparent ' relationships between local government and the EC and particularly in England created quasi sub-state organizations the Government Offices for the Regions and Regional Assemblies that were nevertheless managed by the centre (Bulmer and Burch 2009; Morphet, 2013). As the EC programme of increasing direct funding to sub-state scales of administrations increased this was channelled through theses quasi-devolved organization despite mounting criticism from the EC about these practices. However once the EC tool the powers for territorial cohesion, then the UK government was required to move on this issue and move rapidly to devolve powers within the state particularly in England that was so far behind even the rest of the UK.

However despite this change in powers and the growing relationships between sub state administrations and the EC, the power of the arguments coupled with the emergence of the policy orthodoxy for alignment between economic and administrative boundaries, opened by Krugman, meant that there some policy realignment was required within the EU. The existing policies for subsidiarity and some of the transport and environmental policies reinforced the arguments for FEAs. In addition to the alignment of administrative boundaries there was also an emerging view that once aligned these new FEAS would not be effective if they consisted on multiple governance alliances within them. As the OECD found in Chicago over 700 organizations were responsible for the city's transport provision. This pointed not only to a realignment of boundaries but also strong and unified political leadership within these boundaries. This could be noted with governance agendas and a city mayors' network was developed. Part of the rebounding of FEAs included the suburban and some cases rural hinterland, whilst rural areas could also be FEAs on their own right. This pointed not only to a city agenda of Functional Urban Areas, a term used by some but the recognition that an FEA could be urban or rural.

In order to develop a common policy between the OECD and the EU, an assessment of the way in which the OECD city definition could be applied within the EU. In the resulting report (Dijkstra and Poelman 2012), a harmonised definition between the EU and OECD was adopted. This was accompanied by a detailed methodology that was then applied across the whole of the EU. This lent support to the OECD's policy agenda but also established a platform for the subsequent Cohesion Regulation 1303/2013. it also provided the EC with some policy backing with which to argue their case for the blending of scalecraft and statecraft in redefining the preferred spatial governance scale.

The transition from focussing on regions as the sub-state governance scale of choice was a difficult one for the EC. Strong regions might regard stronger unified governance within urban and rural areas as competition and this tension remains unresolved. However, when bringing forward legislation for the Cohesion programme 20014-2020, the EC framed Regulation 1303/2013 in ways that reinforced both the FEA roles in strategic economic planning through Integrated Territorial Investment (ITI) programmes but also found a way to provide a clearer role for smaller local authorities that could also be active recipients within the new policy framework using the mechanism of CLLD. It has also bound them together through the application of the principles of Multi Level Governance (MLG) and horizontal and vertical integration. This bound EU member states into the new scale and statecraft, potentially reducing any reluctance about rebounding their substate administrations. It also meant that the application of subsidiarity the EU legislative framework became stronger.

Whilst the EU is a major participant, the OECD also has a wider number of members and the rescaling orthodoxy also needed to communicated there. This has been achieved through the methods identified above – country reporters, policy reviews and research. The OECD also set up a better life index in 2011 to reinforce benchmarking between the FEAs within its members. This means that even if an OECD member has not adopted these reforms of sub state governance, it would be required to report the performance of FEAs against all the others defined within OECD membership. Whilst benchmarking within the EU is difficult, not least given the variance between the economic and social conditions in all 28 member states, comparisons undertaken by an external body such as the OECD can drive compliance and also allow the EC to introduce policies and actions to meet the shortfalls and reduce performance gaps where these have been identified through this benchmarking process.

Discussion

The OECD’s agenda to redefine the boundaries of the whole of the sub-state state governance of its members is a considerable enterprise and one that needed major engagement from its members to be successful. Whilst the transfer form regions as the governance scale of choice in the EU to FEAs might have been specifically challenging to the EC, it has been able to se longer term economic and internal poetical benefits to these boundary reforms that might provide an economic edge over other countries whilst promoting the application of subsidiarity. For the OECD, the adoption of such an approach across 28 of its members, reinforced through the intermediary organization of the EU had aided the success of its own policy agenda.

What is also of interest in the way in which this policy has been delivered in the EU. As rebounding sub-state administrative areas has been undertaken within the legal context of subsidiarity this has been a complex agenda to deliver both though member states and then between sub-state governance particularly local authorities. Further the insertion of a strong governance model through an elected mayor or single structure between these authorities to create the governance that matches the FEA has been a further challenge. This requirement for a quasi-bottom up approach across the EU, incentivised though government funding and further devolution of powers from the member state has proved to be a largely successful formula. It has been further developed through the active recognition of the need for governance scales too work together rather pull apart through competition using the principles of multi level governance and vertical and horizontal integration which were also included with the EC's regulation. Other OECD members including Australia and the US *(*Schakel 2015; Rompuy 2015; Kortt et al 2015) have also been able to use this approach of 'bottom up' incentivisation to create new FEAs although the use of the extra EU tools of MLG and integration have been les apparent.

Whilst this is an OECD policy agenda the means of policy transfer have been derived from the political and institutional requirements of the EU. This double lock between the organizations has created a mutual dependency for success of a policy that may have taken much longer to implement were this not the case.

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