Canada Research Chair in Citizenship and Governance

Is The European Union Starting to Play with LEGO™?

Jane Jenson
Département de science politique
Université de Montréal

jane.jenson@umontreal .ca
www.cccg.umontreal.ca

Prepared for a Seminar organised by Belgian Social Security
8-9 February 2007, Brussels.
http://www.ose.be/seminar080207/

Therefore, as we launch this debate about access and opportunity in Europe, I think it is important to focus on some key issues:

- why one fifth of school children don't reach the basic standards of literacy and numeracy;
- why one in six young people are still leaving school without any qualifications, when we know that fewer and fewer unskilled jobs will be available;
- why there is still a strong correlation between students achieving a place at university and the educational background of their parents. In the knowledge economy we have to ensure higher educational standards for a broad majority;
- why some Member States are so much better than others at integrating second generation migrants, enabling them to achieve more in the education system;
- why access to childcare is so patchy when the evidence is so strong that better childcare leads to higher fertility, more job opportunities for women and greater gender equality;
- why child poverty continues to blight the prospects of a fair start in life for a fifth of Europe's children;
- why work is a strain and stress for too many, and decent family life and traditional support structures are put under too much pressure;
- why so many older people drop out of the labour force too early when in an ageing society we can ill-afford to throw their talents and contributions on the scrap heap.

José Manuel Barroso, 5 December 2006, speaking of *The New Social Reality of Europe*

Social policy thinking has profoundly altered in recent years. Policy communities now assert that economic dynamism depends on modernising their social model. They claim that the social policies of these models must involve investment and a principal goal of any new social architecture is to prevent intergenerational transfer of disadvantage. Social protection constituted the basic notion of post-1945 welfare regimes but pooling resources to protect against consequences of ageing, ill-health, or job loss is no longer considered an adequate response to social risks. Now the idea is to be proactive rather than compensatory in order to address *new social risks*. One result of this shift in ideas is that the definition of the best policy mix often targets children and youth.

More and more countries, and particularly those in the liberal and social democratic traditions of welfare regimes, have developed their versions of investment-oriented, proactive and child-focused thinking to counter new social risks. The European Union, however, has not been a leader in the emergence of this paradigm. It has only recently begun to manifest an interest in playing with LEGO™, as the speech by President Barroso quoted above indicates. He has launched the Commission on a process of "taking stock" of "social realities." The June 2006 Council asked for a report before its meeting in March 2007.

Signs point to the likelihood that this stock taking will include a significant increase in LEGO®-like rhetoric and accompanying proposals for action. To understand the current position of the Union in discussions of modernisation of the social model, this paper does three things. It presents the major characteristics of the LEGO™ paradigm. Then it documents the indicators that the Union is beginning "to play with LEGO™." Finally, it suggests some of the routes by which this approach is entering the policy analysis of the European institutions.

What is the LEGO™ paradigm?

There are sociological, political and ideational reasons for reworking policy analysis and policy in many countries. Increases in life expectancy and falling fertility rates as well as rising rates of women's labour force participation and of female-headed lone-parent families have all undermined assumptions about the best mix of public and private responsibility for social care. Left and centre-left formations have come to understand that protection of hard-won social rights will depend on solving several deep conundrums about financing social programmes in the present and in the future. The lingering influence of neo-liberalism and the commitment to

activation as the way to ensure a modernised social model has brought a redefinition of full employment from its Keynesian meaning of the male half the population to employment of virtually everyone. Because of the longer time perspective that is a key element of the new paradigm and because of a strong orientation toward investing in the future, the situations of children and youth receive much more attention than in classic post-1945 social policy discussions. Childhood experiences of disadvantage are understood to have long-term effects, and preparing the future proactively, including by spending on children and their human capital, is sometimes considered more important than protecting adults against the misfortunes of the present.

The notion of new social risks is often evoked to justify this reorientation (Esping-Andersen *et* al. 2002, pp. 30ff; Bonoli 2005; Jenson 2004; Taylor-Gooby 2004). The new social risks result from income and service gaps in post-industrial labour markets and systems of social protection. Compared to the labour market of the industrial era, there has been a loss of well-paid and traditionally male jobs in production and an increase in low-paid and often precarious service jobs that leave many people among the "working poor." Socially, family transformations mean smaller families and a significant increase in lone-parent families. Such restructuring of labour markets and transformations of family as well as demography create challenges to social care arrangements and income security. For example, women's labour force participation means their reduced availability for full-time caring while lone-parent families can not count on a relatively well-paid male breadwinner. More generally, the polarisation of the post-industrial income structure in many countries has generated an increase in low-income rates among young families, whether lone-parent or couples, and therefore the appearance of what has been termed "child poverty" in many policy circles (for example, UNICEF 2000; 2005; CERC 2004). These patterns are often also concentrated among minority ethnic groups and in cities.

Explicit attention to poverty, to children, families and work-family balance, and to pre-school education as well as elder care is all central to the discussion of new social risks. Many protections against the "old social risks" – such as access to pensions; health care; primary, secondary and post-secondary education for example – addressed in the so-called golden age of the post-1945 welfare state have often been redesigned via privatisation or off-loading to the third sector. In contrast, the new social risks have received some infusion of public funds for services (Taylor-Gooby, 2004: Table 1.1, p. 16). When Francis Castles compared the years from

1990 to 2001 across 21 OECD countries, the overall result he found was: "… although the pace of structural change has not been dramatic, it has been quite consistent, suggesting a developmental tendency of precisely the kind predicted by the 'new social risks' hypothesis" (2005: 420). Across all types of welfare regime, services have gained ground in the expenditure mix. With the exception of the Bismarkian continental cases, the shift was particularly pronounced in the last period for which Castles has data, 1998-2001 (Castles, 2005: 419). As Giuliano Bonoli (2005: 446) puts it:

> In a majority of OECD countries social programmes providing protection against new social risks are still at an embryonic stage, but virtually everywhere these issues are being discussed in public debates. There are big country variations in the extent to which NSR [new social risk] coverage has been developed, with the Nordic countries being at the forefront. However, even in those countries lagging behind in the adaptation of their social protection systems, essentially the conservative welfare states of continental and Southern Europe, some steps in this direction have been taken.

Levels of benefits, policy instruments and overarching goals have all changed, as a new paradigm takes shape. For example, families with young children have been significantly relieved of responsibility for social care as public spending on and provision of child care and elder care has increased and moved in the direction of universality (OECD, 2001; 2006). These new benefits have come in the form of new policy instruments, such as programmes for "early childhood education and care" (ECEC) rather than simply "daycare" or of instruments to provide "payments for care" to the vulnerable elderly and disabled persons that they can manage themselves. Both mark a move away from post-1945 assumptions that families would take responsibility for the cost and provision of social care while the ECEC programming clearly indicates a focus on the future (Jenson, 2004). Another example of change comes from the area of income security. Increasingly, choice of wage supplements to the working poor as the instrument for ensuring some measure of income security makes the state jointly responsible with the market sector for the *earnings* package. The levels and instruments vary, but reliance on supplements to the earnings of the "working poor" reflects an understanding of market failure different from that underpinning policy design of the post-1945 decades. Social knowledge and its statistical techniques are also being redesigned, as analyses focused on inequality and poverty

at certain key junctures of the life course replace cross-sectional measures. Most broadly, notions of equality have been altered, focusing more on opportunities for the future than on the here-and-now and the development of all children (not only those "at-risk") has become the concern of states as well as families (Jenson, 2004). There has been, in other words, a shift in the policy paradigm.

Such signs of convergence around ideas for a social architecture of activation and investment to reduce the effects of new social risks prompt us to identify a common shift toward a *LEGO® paradigm* (Jenson and Saint-Martin, 2006). The principles of this paradigm are captured well in this paragraph:

> Children are our role models. Children are curious, creative and imaginative. … Lifelong creativity, imagination and learning are stimulated by playful activities that encourage "hands-on and minds-on" creation, fun, togetherness and the sharing of ideas. People who are curious, creative and imaginative, i.e. people who have a childlike urge to explore and learn, are best equipped to thrive in a challenging world and be the builders of our common future.[1]

This quote from the corporate web site describing the company's philosophy illustrates at least three key features. First, while LEGO is a toy, involving play, it is also about a life-long commitment to learning in order to work. Indeed, play *is* work because work is – supposedly – creative and playful. Second, this philosophy is future-oriented. Children now are already creating the future.[2] Ensuring future success will depend on what happens to them. Finally, for LEGO, successful play in childhood benefits more than individual children; it enriches our common future. Activity in the present is beneficial for the community as a whole.

This discourse of constant learning, knowledge and human capital acquisition, involvement, and engagement captures a good deal of thinking about the knowledge-based economy of the present as well as the need to invest now to ensure collective advantage in the future. Therefore, the LEGO® name serves our purposes in two ways. It is a metaphor, describing convergence around some basic *building blocks* of an emerging social architecture. It

---

[1] This quotation is from the webpage entitled fundamental beliefs, consulted 26 July 2005. www.lego.com/eng/info/default.asp?page=beliefs

[2] This may seem little more than a banal statement, but controversy over addressing children "in the here and now" or treating them as "adults in becoming" is a lively one. See, for example, Lister (2003) and OECD (2001: 8). For the limits to treating the child as the "model citizen" see Jenson (2001).

is also an ideal-type, capturing the key features of the future-oriented, investment-centred activation strategy currently advocated as a blueprint for welfare state redesign.

Before moving through the next sections, several caveats need to be flagged. First, to say that ideas about a LEGO® paradigm are circulating widely does not mean either that they have become hegemonic or that they will. There is no inevitability to this process; political action will determine the future. Second, describing this tendency does not mean embracing and endorsing it. This is not an ideal or normatively preferable social order. Third, when the architects of post-1945 welfare regimes embraced an equality discourse, they did not all provide equality. Similarly not all LEGOists provide adequate protection against new social risks.

The LEGO™ paradigm is a general one, much as Keynesianism served as a general paradigm in the decades after 1945. However, just as the earlier one, it is translated into policy in various ways in different jurisdictions.[3] The liberal welfare regimes have been in the lead on some dimensions while on others it is the social democratic regimes that have been policy innovators (Esping-Andersen *et al*., 2003; Jenson, 2007). The social investment emphasis was present in the analyses of Organisation of Economic Cooperation and Development (OECD) by the mid-1990s and in "third way" Britain by the late 1990s (Saint-Martin, 2000). The European Union has been significantly slower to move toward the three dimensions of the paradigm. In recent years, however, there are increasing signs of adaptation and adoption of many of the ideas by the Union.

The European Union picks up LEGO™

In order to say that a paradigm shift has occurred, much more than the discourse of policy communities must change. Such a shift involves changes at three levels of public policy. As Peter A. Hall states: "…we can think of policymaking as a process that usually involves three central variables: the overarching goals that guide policy in a particular field, the techniques or policy instruments used to attain those goals, and the precise settings of these instruments" (Hall, 1993: 278). Recalibration of settings is a first-order change, while new instruments and settings bring second-order change and new goals involve third-order change. We will see in this section

[3] Peter A. Hall's (1989) useful book describes the variety of ways that the general paradigm of Keynesianism was "domesticated" differently in a wide range of countries.

the ways in which the policy goals as well as instruments and their settings promoted by the European Union have altered as it has aligned itself with the emerging LEGO™ paradigm. Each dimension of the paradigm will be examined separately.

Security depends on learning

In policy circles sensitive to the challenge of new social risks, individuals' security no longer depends on protection from the negative income effects of labour and other markets in times of family or individual challenges, such as unemployment, childbirth, old age, or family breakdown. Security has been redefined, to become the capacity to confront challenges and adapt successfully (Jenson and Saint-Martin, 2006: 435 and passim). Adaptation comes in particular via life-long learning that leads to acquisition of new or up-dated skills as well as early childhood learning. In particular, reliance on acquired human capital is proposed as a response to the changes associated with de-industrialisation, the growth of services and, particularly, the emergence of a knowledge-based economy. It is touted as the way to ensure continued connection to a rapidly changing labour market and to ensure sufficient earning capacity.

Following the lead of the OECD as well as the Nordic countries, the European Union has made commitments to activation and to "making work pay" the cornerstone of a sustainable European social model. As early as 1993 the White Paper on Employment, Growth and Competitiveness claimed that the new model of European society called for less passive and more active forms of solidarity, to be achieved not only through greater flexibility in employment conditions but also active labour market policies to encourage mobility and life-long education (Ross, 2002: 73). These instruments were reinforced by the 1997 commitment to a European Employment Strategy (EES). By 2003, the promotion of life-long learning had become one of three overarching and inter-related objectives that were transversal to the priorities of that strategy (Mosher and Trubek, 2002: 71-72). The same themes were present in the 10-year Lisbon strategy for growth and jobs launched in 2000. It started from the position that (European Council, March 2000, art. 25):[4]

> Europe's education and training systems need to adapt both to the demands of the knowledge society and to the need for an improved level and quality of employment. They will have to offer learning and training opportunities tailored to target groups at different stages of their lives: young people, unemployed adults and those in employment who are at risk of seeing their skills overtaken by rapid change.

Improving life-long learning for these target groups was also necessary (art. 28).

The changes and social learning involved in the implementation of the EES through the 1990s and first years of this decade were limited to adjustments in instruments and settings, that

[4] All references to European Council Presidency Conclusions are to the versions available on http://europa.eu/european_council/conclusions/index_en.htm

is first and second-order change (Mosher and Trubek, 2002: 79).[5] The EES and the Lisbon analysis of the economic problems facing Europe were still anchored within the terms of the European social model as understood during the Delors presidency. When investment was mentioned, the commitment was to "modernising the European social model by investing in people" (art. 5; 25).

The need for new instruments, such as lifelong learning, and recalibration of the settings of others, such as equal opportunities, in order to foster higher employment rates (another recalibration) was acknowledged but the paradigm remained unchanged, which explains in part why so much analytic attention to after-Lisbon focused on governance (the open method of coordination) rather than the policy content.

By the time of the midterm review of the Lisbon strategy in 2004, however, the interpretation of the problem had changed significantly. Both the conclusions of the June 2005 European Council and the Communication from the Commission (European Commission, 2005a) that preceded and helped shaped the discussion relied on two key terms that had been virtually absent from the Lisbon documents – youth and human capital.[6] The Communication from the Barroso Commission entitled *A new start for the Lisbon strategy* set out the terms of a *European youth initiative* which included emphases on employment, education and training. Whereas youth had been one target among several in the original Lisbon strategy, during the midterm review the needs and situation of young people were front and centre. The youth initiative, and indeed the communication as whole, was framed in terms of human capital; expanding and improving investment in human capital became one of the *Integrated Guidelines for Growth and Jobs* that was a major outcome of the midterm review (European Council, 2005a: Annex II; Rodriques in Diamond, 2006: 51).[7]

By 2005 the notions of the LEGO™ paradigm had begun, then, to circulate much more widely within the European institutions. In 2006, moreover, the framing of learning took a huge

[5] In their assessment of the EES Mosher and Trubek (2002: 76ff) employ the same categories drawn from Hall (1993) as are discussed here.

[6] The concept of human capital was mentioned only once in the Conclusions of the 2000 European Council, and only twice in the book published after the Portuguese Presidency (Rodriques, 2002) while young people were similarly absent from the academic and political conclusions.

[7] The 2004 Kok Report, that shaped much of the midterm discussion, relied extensively on the concept of human capital, as did the 2003 Kok Report on employment creation (High Level Group, 2004; Task Force, 2003).

leap in the direction of the LEGO™ paradigm, as DG EAC began to focus on investment in early childhood education and care, thereby extending life-long learning backwards in the life-course. The investment-focused thinking of the communication on *Efficiency and equity in European education and training systems* led to the recommendation to concentrate spending in the early years. As the Communication put it in September 2006, "pre-primary education has the highest rates of return of the whole lifelong learning continuum, especially for the most disadvantaged, and the results of this investment build up over time (European Commission, 2006: 3).

This position was a clear innovation in Euroanalysis, having been absent from the contributions of the Education, Youth and Culture to the midterm review (where early education was mentioned only as a factor for social cohesion and citizenship) and previous expert reports from the DG as well as the two Kok reports which had emphasised only investment in human capital. The October 2006 paper from the Bureau of European Policy Advisors (BEPA – a DG that reports directly to the President of the Commission and acts under his authority) went even further, adopting classic LEGO™ formulations: "To speed up the ***modernisation of our social model(s)*** we have to think in terms of social investments. Investing in children and youth is a way to recast social protection and modernise social policies which fail to take into account the risks associated to changing family patterns and the needs of the labour market" (BEPA, 2006: 2 bold in original).

We see, in other words, that as the Commission increasingly defined its goals for "modernisation" of the social model in terms of maximising human capital investments, the instruments identified as the means to achieve successful investment also altered. Spending on ECEC in the early years displaced spending on remedial adult education and children in general began to receive more attention.

Orientation to the future

In the LEGO™ paradigm, social policy is future-oriented precisely because it is investment oriented and stresses human capital, which is developed during childhood and adolescence so as to be used later. Investments imply a particular notion of time; they generate dividends in the future, whereas consumption (labelled an expense by accountants) occurs in the present (Jenson and Saint-Martin, 2003: 83). This time perspective discourages "passive expenditures" whose effects are only realised in the present and they encourage a focus on

childhood because the returns on investment are supposedly better. This quote from the Conseil d'emploi, des revenus et de la cohésion sociale (CERC), whose president is Jacques Delors, is only one of many in the genre: "Or, il ne peut y avoir, tant du point de vue de la solidarité que de l'efficacité, meilleur investissement dans l'avenir que celui permettant à chaque jeune Français d'être doté des moyens de son épanouissement personnel et de sa participation active au progrès de la société" (CERC, 2004: 22).

For at least a decade there has been a future orientation to the Union's thinking about modernising the social model; as the now classic quote from the Lisbon strategy puts it, the strategic goal of the Union is "to become the most competitive and dynamic knowledge-based economy" and with a time horizon of a decade. The difference between that formulation and one in terms of LEGO™ involves a shift in instruments and settings to reach that goal.

Increasingly this future orientation has taken on a distinct LEGO™ colouration via more and more attention going to opportunities for children to ensure their future. The notion that child poverty mortgages the future (a key element of the LEGO™ paradigm) is relatively new one within Eurospeak. The basic idea, present in liberal welfare regimes and international organisations since the mid-1990s, is that a childhood of disadvantage significantly increases the risk of failure in the future. Lone-parent families and working poverty are, then, a "new social risk" not only (and perhaps less) for reasons of social justice in the present than because they represent greater chances of inequalities and – particularly – social problems such as school failure, encounters with the criminal justice system, low income and so on, in the future.

Present in a very limited way in some of the research documents associated with the Lisbon Council in 2000 (only Esping-Andersen in Rodriques, 2002), this focus made significant headway during the Belgian presidency of fall 2001 and subsequently. The focus on child poverty comes from two policy communities – one concerned with the sustainability of the European social model and one focused on social inclusion. They are intersecting but distinct, giving rise to analyses such as those in Esping-Andersen *et al*., *Why we need a new welfare state* (2002) and those represented recently by Marlier, Atkinson, Cantillon and Nolan, *The EU and social inclusion. Facing the Challenges* (2006). The positions of the first are well known, its goals recently summarised this way: *Vers un Etat-providence centré sur l'enfance. Notre système*

social parvient de moins en moins à assurer l'égalité des chances[8]. The second has been of somewhat longer gestation, but received a boost during the Luxembourg Presidency in spring 2005, when the major research report on social inclusion called for "mainstreaming children."

The future was also front and centre in the recommendations for spending on ECEC in the 2006 Communication, *Efficiency and equity in European education and training systems.* The document includes a dramatic graph of the rates of return, with the curve being spectacularly high for pre-primary education, especially for children from disadvantaged backgrounds, and tailing off for spending on adult education. The latter, of course, is where the accent on life-long learning had previously always been found. Similarly the BEPA paper made this classic Legoist claim: "Early investments are crucial for all aspects of human capital formation. … Investing early in youth education and care is much more efficient than repairing later …" (BEPA, 2006: ii).

We see in this – albeit limited – selection of quotations that there is an increasing tendency to make achievement of the Union's future goals dependent on instruments and settings that themselves are designed for pay-offs in the future.

We all benefit from playing play with LEGO™

As the last statement makes clear, public policy focused on the future and investments is meant to meet not only the needs of the individuals but also the collectivity. Supposedly it will permit a more efficient use of resources, because investment now is less costly than remediation later. In addition, however, the mounting attention to European demography brings with it efforts to identify successful responses to the new social risks. By 2005 and the Green Paper on intergenerational solidarity, better organisation of childcare (parental as well as non-parental) was a key mechanism for avoiding major risk: "Never in history has there been economic growth without population growth. … if appropriate mechanisms existed to allow couples to have the number of children they want, the fertility rate could rise overall…." (European Commission, 2005b: 5). The worry is that falling or low fertility rates may cause economic growth to falter, government budgets may be stretched to pay for pensions and health services, and there may be too few adults of working age to provide care and support for the elderly. In this way, the future

[8] Gøsta Esping-Andersen, « Je continue ma lutte », *Le Monde*, 8 November 2006. He has been advancing the argument since the 1990s, in the OECD and various European institutions including as a member of the Group of Societal Policy Analysis in the BEPA.

of European society is explicitly linked to the capacity to address the new social risks, and particularly those linked to the basic relationship of any welfare regime – the methods for reconciling work and family responsibilities. Social care, especially child care but also care for the dependent elderly, has become an even larger concern for the Union.

Attention to child care is, of course, not new in and of itself. In the 1980s and 1990s the Commission participated in a wide-spread tendency to see access to reliable and affordable child care as a central plank in any agenda for equal opportunities between women and men (Ross, 2001). While the experts that promoted the development of child care always set the issue in an educational frame, it is only recently that such a frame, with its notion of win-win for individuals and society, has come to the fore in mainstream policy thinking (OECD 2001 for example). For society, the benefits are in the present to be sure – higher employment rates: "… experience shows that Member States having comprehensive policies to reconcile work and family life for both men and women show higher fertility rates as well as higher labour market participation of women" (European Commission, 2005c: 3). But the benefits are also realised in the future, because ECEC provides the foundation for more human capital (that is better qualified future workers) and higher fertility rates (that is more future contributors to pension and other social programmes).

On this dimension of the LEGO™ paradigm, most of the change has involved the identification of a new goal – a sustainable fertility rate. Thus, the future of European society is supposedly assured by allowing adults to have the number of children they want. Access to good services is supposedly the instrument to achieve this goal.[9] This demographic focus is not new. It was a definite sub-theme in discussions, for example, when Jacques Delors was President of the European Commission, but then it took a definite second-place to an equality agenda of facilitating employment and the reconciliation of family and work life.[10] In recent years, the "problem" of demographic sustainability attracts much more attention. And here as well LEGOist terms are finding their place. Even the social dialogue process, one that emerged from the classic institutions of the European social model, has introduced the theme of "quality child care," the vocabulary of those who focus on ECEC as a foundation for child development and

[9] For a soemwhat sceptical discussion of these claims see Jenson (2006).

[10] On demography and child care in the Delors years see Ross (2001: 188-89).

not simply "daycare" as a service for working parents. Thus, the document for a *First-stage consultation of European social partners on reconciliation of professional, private and family life* (SEC [2006] 1245) is framed much more in terms of the need for quality care than was the spring 2002 Barcelona European Council, the meeting establishing explicit targets for service levels ("to provide childcare by 2010 to at least 90% of children between 3 years old and the mandatory school age and at least 33% of children under 3 years of age" – art. 32. The Council neglected to mention anything about the quality of child care, and this despite producing a document that stressed the "quality" of everything else European (jobs, health care, environment, and so on).[11]

Who is selling LEGO™?

In the literature on policy-making in the EU, two standard positions on the mechanisms for policy formulation exist. One is that, to use the words of Mazey and Richardson (1996: 41), "the Commission constitutes a kind of *bourse*, acting as a market for policy ideas and innovation within the EU policy process." It is heavily involved at the formulation stage of policy-making. The second position is that policy choices are generated by lobbying in opportunity structures that are, in contrast to most national policy settings, unstable and under-institutionalised (Mazey and Richardson, 1996: 42). Because, however, much of this literature originates in American-style pluralist theory, it also focuses on interest groups and lobbying networks, with the mechanisms for influence being pressure and balance of forces. This paper shares the first position but finds little evidence of the lobbying networks. Other mechanisms must therefore be identified.

The starting point of this paper was that the European Union has been slower than many countries to begin to adopt the discourse and practice of LEGO™ and the shift toward a new paradigm is quite recent as well as more partial than complete. Nonetheless, there are multiple signs that some institutions are promoting third-order change, with concomitant suggestions for

[11] This narrow focus and absence of concern about quality provoked criticism, including during the major conference on child care organised in fall 2004 by the Dutch presidency. See for example the comments by Peter Moss (2004), who in the 1990s headed the Expert Network on Child Care.

adjustments in instruments and settings.[12] It is therefore worth inquiring how such modifications in policy analysis are entering the policy work of the Commission and other institutions.

A first answer to this question comes from the way the Union itself analyses current challenges. For several years the Union has shared with Member States and other policy communities (indeed often innovated in) a focus on new social risks: low rates of employment, particularly among categories of the population such as women and young people; demographic stagnation and ageing; need for social inclusion especially of those threatened by poverty; stubborn inequality, especially gender inequality. This was a facilitating condition for movement toward a new paradigm. However, while the challenges identified were often the same as those named elsewhere, the solutions proposed tended to be framed in other than LEGO® terms, focusing instead on learning by adults, promoting equality in the here-and-now, fighting female or family poverty, and so on. While the Union may, therefore, have had a policy base for "hearing" about LEGO™ solutions because they addressed challenges already familiar, acceptance of LEGO™-like solutions came more slowly. Thus, it is still necessary to document the routes by which the ideas entered and were received now rather than before.

One factor that helps to account for their adoption is the increasingly frequent use of LEGOist terms by external policy analysts who are frequently consulted by the Commission. If in 2000 Esping-Andersen was a sole voice for a focus on children and young families in the expert work down for the Portuguese presidency, by 2006 other recognised policy experts had fallen into line.[13] For example, in a key document prepared for the 2005 British Presidency, Maurizio Ferrera's first policy proposal to European leaders was for an " a specific *focus on children*" (in Diamond *et al*, 2006: 30).[14] In the same document, Joachim Palme vaunted the Nordic model because of its "family policy for children" (in Diamond *et al*., 2006: 40), a

[12] These remain changes in analysis and suggestions for instruments and settings because the EU has limited competence in the area of social policy.

[13] He wrote at the time of the need for a "social investment bias" in any reform programme as well as his understanding that he was in involved in a process in which "the Portuguese presidency favours a debate on *Gesalt* over technicalities" (Rodriques, 2002: 77ff.; 75). In this context, consideration of *Gesalt* is clearly a synonym for discussion of third-order change.

[14] Maurizio Ferrera is a member of Barroso's BEPA Group of Societal Policy Analysis. In 2000 his report to the Portuguese Presidency in preparation of the Lisbon Council provided a classic analysis of whether globalisation threatened European welfare regimes. Neither care nor children as objects worthy of policy analysis were mentioned (Ferrera *et al.*, 2000).

somewhat unusual way of presenting that welfare regime.[15] The OECD's work on ECEC lauds the "growing consensus – based on research from a wide range of countries covering demographics, social change and cost-benefit analyses – that governments must invest in and regulate early childhood education and care." The organisation's first and path-breaking study was released in 2000, with numerous reports following in the next half decade.[16]

The identification of "child poverty" at EU level – as a challenge, a driver of analytic modernisation via development of new statistical techniques, and a problem to be addressed in and of itself – provides a good example of the ways in which experts and policy communities interact. For example, in France the CERC carried the notion of "child poverty" into French discussions long dominated by other ways of classifying social problems. The Conseil was only created in April 2000 and its important reports on levels of child poverty (some translating the work of British experts) and then the need for better statistical measures appeared in 2004 and 2005.[17] Its work on developing new indicators of poverty and child poverty was in dialogue with that of experts from UNICEF's Innocenti Research Centre[18] and experts designing social inclusion indicators at EU-level as part of the open method of coordination.

This latter research area has also been marked by a significant shift towards "child poverty." Initial work on indicators of social inclusion began immediately after Lisbon, with the goal being to have a set of indicators approved at the Laeken Council meeting in 2001. The first work for the Belgian Presidency focused very little on LEGO® themes, although calling for "significant investments" in data collection (Cantillon *et al*., 2002). By the time of the 2005 Luxembourg Presidency not only the "child poverty risk" but the future of "children" had become a focus in and of themselves (Marlier *et al*., 2006; Atkinson *et al*., 2005). Measurement of these objects was justified, among other things, by the fact that the Joint Reports on Social

[15] The papers in this publication were released just prior to the informal summit at Hampton Court in October 2005. In speaking to the European Parliament on the eve of the meeting, Tony Blair quoted from it, claiming it helped set the agenda for the review of a "social model for Europe." See http://www.number-10.gov.uk/output/Page8384.asp, consulted 8 January 2007.

[16] See http://www.oecd.org/document/61/0,2340,en_2649_34511_37426685_1_1_1_1,00.html

[17] See http://www.cerc.gouv.fr/sitedoc/indexsitedoc.html

[18] John Micklewright, ex-Director of the Innocenti Centre who worked on its innovative comparison of the "child poverty League Tables" (UNICEF 2000; 2005), is a frequent co-author and close colleague of Tony Atkinson, who has been a leader in the development of new indicators for the social inclusion process as well as "children mainstreaming." See Cantillon *et al*. (2002) and Marlier *et al*. (2006) for example.

Inclusion (and especially that of the UK) had begun identifying child poverty as a challenge and that the June 2005 Council Conclusions named "children in poverty" a target group (art. 36) (Atkinson, *et al*., 2005: 143 and passim).

Thus, the process can be described as a process of interactive coalition-building around ideas: one in which experts within policy communities are invited to address policy makers (in writing and at conferences), seize opportunities for their research agenda, are heard and encouraged to continue, justify their work by appealing to policy makers' in their own words, thereby magnifying the resonance, and so on.

Other examples of this process could be provided. Nonetheless, the work of experts – even that from think tanks supported by governments, European presidencies or international organisations - never automatically translate into policy directions, of course. Even such interactive processes can continue for a relatively long while without any significant effect on broader policy analysis. The susceptibility of policy communities to certain policy themes is also a function of the balance of forces at the macro level (intergovernmental politics) and internally in the Commission. In the case of the LEGO™ paradigm, there are several signs that significant elements were "up-loaded" from the UK, disseminating New Labour's analyses of the proper responses to the new social risks, including the focus on child poverty and investing in children, into the heart of European institutions.[19]

Such a transfer of policy-framing from a Member State to the Commission is not uncommon.[20] In this case, two factors help to account for its success. One is the decision of the Labour Party leader to reduce his government's Euro-scepticism and actively to engage with and shape the future of Europe (Pollack, 2001: 281).[21] One of the first manifestations of the social policy dimensions of this shift was Tony Blair's attendance at the meeting of European social democratic parties in 1997, just weeks after his electoral victory. There he "lectured the other

[19] On the history of these positions in British policy see Dobrowolsky and Jenson (2005).

[20] There is a literature that treats "up-loading" of policy models from Member States, for the most part focusing on specific policy decisions (for example Geddes and Guiraudon, 2004 on EU anti-discrimination policy, Howell, 2004 on financial services, Padgett, 2003 on the power sector).

[21] Just prior to New Labour's electoral victory, Helen Wallace (1996: 61) wrote: "There is a sharp contrast between the declared ambitions of the Prime Minister to place Britain 'at the heart of Europe' and the British government's startling isolation from its counterparts elsewhere in the EC. … The management of policy is dominated by the tones and discourse of 'high Gaullism' – in its odd British variant …."

socialist leaders on the need for reform, telling them that, like the British Labor Party, European socialists must 'modernise or die.' ... 'Our task,' he argued, 'is not to go on fighting old battles but to show that there is a third way, a way of marrying together an open competitive and successful economy with a just, decent and humane society'" (Pollack, 2001: 276-77). The talk of modernisation has of course taken hold, such that during the second British Presidency under Tony Blair's Labour Party, it had reached the status of being obvious; the Communication prepared by the Commission in advance of the October 2005 Hampton Court summit started with the uncontested assertion "Europe must reform and modernise its policies to preserve its values. Modernisation is essential to continue keep Europe's historically high levels of prosperity, social cohesion, environmental protection and quality of life" (European Commission, 2005d: 3). That Blairist positions would take hold can not be taken for granted, however. In the early years, close observers were sceptical. For example, "the prospect of Blair selling his domestic wares to the rest of Europe unmodified is not great in the short-term. The values and interests of many of his peers are resistant to his Clintonesque or neo-Thatcherite references" (Featherstone, 1999: 12).[22]

A second factor that must be counted, then, is British success in shaping the form and content of the Barroso Commission, whose President announced before he took office in fall 2004 that "… we must put growth centre stage. We must make use of the mid-term review of the Lisbon strategy to add fresh momentum to the process of reform that will lead to stronger competitiveness and create employment. This is why the mid-term review of Lisbon is one of the first tasks on my Commission's 'to do' list."[23] The current President, a former centre-right prime minister, has the strong support of Blair and his nomination was described as a defeat for the French and Germans whose candidate did not make the cut. Blair's long-time advisor and collaborator Peter Mandelson was also named to the Commission in the key trade post and was identified as a member of a sort of inner cabinet, the "senior team of 'reform-minded commissioners' [selected by Barroso] to push through the changes known as the 'Lisbon agenda'."[24] Commentators

[22] These themes have been widely criticised for putting liberal values ahead of social democratic ones, often by the experts involved in the consultation process within European institutions (for example, Esping-Andersen *et al*., 2002: 5ff.).

[23] http://ec.europa.eu/commission_barroso/president/speeches/speech_20041111_en.pdf

[24] See *The Guardian* 13 August 2004. The candidate supported by France and Germany was Guy Verhofstadt, the Belgian Prime Minister heading a liberal-socialist coalition.

described them as like-minded on the need for reform in the direction of greater economic liberalism. The nomination of what was widely viewed as a thoroughly liberal if not right-wing group of Commissioners was contested by the Parliament, thereby postponing the date on which the Commissioners and the President took office.[25]

Because the workings of the Commission obviously involve a complicated balancing act, my claim is not that uploading happens simply because of political affinities. It is rather that there will be greater susceptibility to "hearing" analysis that which comes from supporters and their allies. When the promoters of the position are also working in the Commission the likelihood of such sharing rises.[26]

It would, however, be a mistake to see the emergence of LEGO-like positions as simply the result of British influence in Brussels. The child-centred reform agenda was developed as well, as noted above, by experts and international organisations under the influence of the Nordic model. The structure of the argument put forward by Esping-Andersen, Palme, Ferrera and others, as noted above, does not begin from the residualist focus on poverty that has shaped the British analysis since well before New Labour. It begins, rather, from the more egalitarian perspective of the Nordic countries but with a shift in time horizons from present to future and a greater focus on the needs of children than the situation of adults than in the post-1945 years (as both the Palme quote above and Esping-Andersen in *Le Monde* exemplify). As European institutions scanned for concrete "modernisation" strategies, such analysis would resonate as well and help mobilise a larger coalition. And indeed, the emerging focus on investing in the future, via quality ECEC as well as lifelong learning shares more with long-standing Nordic policy formulations than it does with those of New Labour, whose child care strategy has been built in large part by strengthening informal care and giving parents the choice of providing their own care (Dobrowolsky and Jenson, 2005: ??).

There is, then, mounting evidence that the EU is starting to play with LEGO®. Key institutions for "thinking" the future, such as BEPA, are involved in working it through.

---

[25] Even the EU documentation had trouble finding much positive to say about Barroso's social policy history, describing him simply as "known for having got Portugal out of its 'excessive deficit' problems." http://europa.eu/newsletter/archives2004/issue38/index_en.htm

[26] For example, having Mandelson at the heart of the Barroso "inner cabinet" gave a stronger voice to British approaches to the links between the economy and politics than when Chris Patten, a Tory and an opponent to – at least – Blair's position on external relations, was the leading British commissioner.

Nonetheless, there are points of resistance. Those institutions that are the bastions of classic analyses of employment policy, for example, show much less interest than the less influential DGs such as education and culture. Therefore, it is still too early to know for sure the shape that the building blocks for a new social architecture will take.