

EU and OECD policy advice and changes in German family policy: Can reforms be attributed to participation in learning processes?

By

Tord Skogedal Lindén
Department of Comparative Politics, University of Bergen
Place of work: Stein Rokkan Centre for Social Studies, Nygårdsgaten 5, N-5015 Bergen
Phone: + 47 55 58 38 74
Fax: + 47 55 58 97 11
tord.linden@rokk.uib.no

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How to read the paper:

This paper is intended as topical development in a PhD-project on the influence on international organisations on national social policy. As the conference has a workshop format, I allow myself to present a paper which is still far from finished.

It is too long and must be changed in several aspects. At the same time it should be extended, e.g. by including new units. UK recommendations and reforms will be included in the next version. Unfortunately I have not been able to make all the necessary changes in time for the conference. Later it should be used as (part of) a chapter in my dissertation.

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There have been many studies in the last years of the effect of recommendations of international organisations on domestic social policy, e.g. the WHO on health policy, World Bank on pensions, OECD on labour market or EU on general social policy. The impact on family policy has barely been addressed by this literature. In this paper I address this lack based on a careful reading of EU, OECD and German governmental policy documents. I argue that although the EU Treaties do not provide for competence in this field and the OECD has traditionally not emphasized family policy, the idea of family policy as economically productive has resulted in some recommendations and targets which seems to have had influence on domestic reforms in Germany. This leads to a call for further research of possible supranational family policy influence.

Introduction²

Can recent German family policy reforms be attributed to ideational influence of the European Union and Organisation for Economic Co-operation and Development (OECD) through participation in learning processes initiated by these organisations? The research question guiding this essay is as follows: What kind of policies regarding the family is promoted by the EU and the OECD and how do they relate to recent developments in German family policy? In this paper I make a first step in answering such questions based on official documents which illustrate possible effects of international family policy advice.

Most scholars would argue that European social policy in general is not much developed and the EU has no family policy in the sense of a coherent set of objectives for government activity in this policy area, but several policies that affect the situation of families. Family policies are cross-sectoral policies and there exists several traces of family policy in other EU social policy fields. One implication of this is that when searching for EU influence on the area, the search cannot be restricted to what is named family policies, but must include other fields of social policy. Regarding the second organisation studied in this paper, the OECD, the

¹ A previous version of this paper was submitted as a take-home paper for the ESPAnet Summer School "European Comparative Social Policy" 14-19 August, 2006, at the Centre for Comparative Welfare Studies, Aalborg University, Denmark. Thanks to Caroline de la Porte for helpful comments on that paper. I also received helpful comments on a version presented at the doctoral colloquium of the department of Comparative Politics at Solstrand, December 13. – 14. 2006.

² The present paper contributes to a research project and PhD-dissertation on the social policy influence of international organisations carried out at the Rokkan Centre in Bergen, Norway. More about the project at [www.rokkan.uib.no/projects/?/\\$present&id=198](http://www.rokkan.uib.no/projects/?/$present&id=198).

picture is somewhat different. This organisation issues direct policy recommendations in this field.

I understand *family policy* as a *public policy consisting of benefits and services aimed at parents with children*. This includes both individual rights regulated by law, e.g. paid parental leave, and services which in most countries are not enacted into law, e.g. provision of child care facilities. Family policy is defined and carried out in very different ways across the European Union as its Member States understand different measures under this heading. Family policy can be very transfer heavy like in Germany, where the state gives cash benefits like child benefit priority. Family policy can also focus strongly on benefits in kind like the provision of public child care in Sweden. The degree to which states regulate family issues in law is also varying a lot. The EU can only address family policy through soft law because there is no Treaty basis for the provision of directives or benefits in cash or kind. As a result, as we will see, the EU family policy is given a certain direction and is addressed mainly through fields like employment.

Several sources will be used to inform the research question. EU family policy proposals will be searched for in the European Council recommendations on the EES (European Employment Strategy) as well as in the Employment Guidelines. Recommendations are probably the most efficient instrument of EU social policy since they are individually tailored and often reiterate a policy problem within a particular country. Directives are not considered since this paper takes issue with voluntary adaptation within the framework of learning processes of the Open Method of Coordination (OMC), but EU Council and Commission Joint Reports on social inclusion will be studied as they also express views on family policies. Through its Babies and Bosses series, which is comparative studies of work and family reconciliation policies in selected countries, the OECD presents its view on national family policy. Its Economic Survey analyzes economic challenges and policy options of member states and is also studied. In addition, working papers and reports will be examined. Common for all sources is that they contain ideas about what ought to be done and are not part of legislation connected with any sanctions.

The bill on parental leave (*Elterngeld*), the law on extension of day care as well as National Action Plans (NAPs) and National Reform Programmes (NRPs), serve as the German counterpart to these recommendations and policy suggestions. These reforms have moved

Germany towards a family policy usually associated with Scandinavian countries. The empirical focus is thus on the reform content of German child-care policies. Finally, party programmes will be briefly consulted to check whether the new bill differs from earlier party preferences.

According to de la Porte and Pochet, there has been no empirical tests on the extent of the European Commission's influence as a norm entrepreneur so far (2004: 72). Some later studies (e.g. Zeitlin, Pochet and Magnusson 2005) may have made up for this empirical lack, but to my knowledge no study has investigated the effect within family policy. Actually, the family is pivotal for social welfare but until recently it has not been considered economically important (O'Connor 2004: 193). There have been many studies in the last years of the effect of recommendations of international organisations on domestic social policy, e.g. the WHO (Kaasch 2006), World Bank (Orenstein 2006), OECD (Armingeon and Beyeler 2004) or EU (Falkner et al. 2005). The impact on family policy has barely been addressed by this literature. This is probably because researchers first in the last years have taken an interest in family policies, mainly due to its newly realized importance for overall economy, and because it has been too early as international organisations have been less willing or interested in issuing advice in this field.

Family policies are cross-sectoral and thereby say much about the welfare state as a whole (Clasen 2005). It is a field characterised by much change, continuous development of new arrangements and has gained steadily more importance in elections and everyday politics (Dienel 2002). At the same time it is a fairly new policy field, making it less institutionalised than more traditional areas like pensions, meaning for instance that there is no lobby, unions and few other veto players in this area. This should make it particular interesting in a study occupied with the impact of ideas on social policies. Also, the traditional family as a unit is changing (lone parents, women's employment, dual income families).

This paper addresses one explanatory approach in particular; focusing on the importance of ideas and political factors as opposed to a constraints- or path dependency-based approach. Policy ideas are "specific policy alternatives as well as the organized principles and causal beliefs in which these proposals are embedded" (Béland 2005: 2). Analytically, this approach seems interesting since family policy is a "new", less saturated field and thus less likely to be understood by exclusively focussing on economic constraints or predetermined paths.

I put forward the following three hypotheses: First, since the EU has no family policy in the sense of a coherent set of objectives for government activity in this policy area, but rather several policies that affect the situation of families, the influence on Germany is probably not very evident. This holds also for the OECD even though its family policy is more coherent. Secondly, since the German parental leave reform described below is extension more than retrenchment; improving the situation of most citizens (Tagesspiegel 2006), the German government will most likely claim credit for this reform more than make other bodies responsible for the changes. Lastly, and according to Rose (1991), confronted with an unsuccessful policy, politicians will search for alternatives in politically close environments. German Christian democrats will thus consult conservative sources. In social terms the EU and OECD are considered restrictive and rather conservative in giving economy priority over social policy and not intervening much in family affairs. My third hypothesis says therefore that a reason for the introduction of *Elterngeld*, which is not what one would expect from a Christian democratic led coalition government, could be that the EU and OECD claim that such arrangements will have general economic advantages.

The paper evolves in four steps: First, the theoretical framework of the paper is discussed. Secondly, EU and OECD recommendations and proposals are depicted. Next, German family policy and recent reform activities are presented. Then, in section four, the two are compared and it is discussed whether these reforms can be attributed to German participation in EU and OECD learning processes. The paper closes with methodological comments and speculation about further research.

1. Theoretical framework: Ideational influence

For almost a decade, the EU has addressed social policy through the OMC. The OECD can also only influence social policy through voluntary adoption of its recommendations and is applying OMC similar-methods (Bisopoulos 2003: 157). Pestieau defines the Open Method of Coordination as the “process whereby common goals are laid down and progress is measured against jointly agreed indicators, while best practise is identified and compared” (2006: 162). The method was adopted as part of the Lisbon strategy which links economy, employment and social policy.

This new mode of governance is supposed to “launch policy-learning processes by ‘naming and shaming’ bad-performing governments and by exchanging examples of best practice” (Nauerz 2004: 1). It is meant to provide member states with necessary knowledge to reform their social protection schemes and puts emphasis on learning (de la Porte, Pochet and Room 2001: 292). How can learning take place and lead to change by influencing policy making?³

Voluntary procedures like the Open Method of Coordination is a way of bringing together national representatives and identifying promising policies, “best practise”, goals and indicators for such goals as well as a loose review of member states’ progress over time. The OMC process-generated reports, conferences and formulation of policy ideas, as they are used by the EU and OECD in developing social policy, are policy instruments which could be studied to see whether learning can account for domestic welfare reforms. This would allow us to study the role of ideas in a specific development and circumstance (Rueschemeyer 2006: 249). Learning presupposes dialogue and dialogues must be traceable (e.g. preparatory documents or governmental documents) if learning shall be ascribed a convincing effect. Thus an analysis of the effects of learning processes should study documents related to such processes (section two and four). First, however, I will present two attempts by scholars to identify mechanisms which can shed light on how and why learning happens, focusing on the OMC in the EU.

Zeitlin (2005) discusses four different mechanisms. Peer pressure through naming and shaming is one. This mechanism presupposes national sensitivity to policy advice, domestic visibility and media coverage, prerequisites which are often not present. Socialisation and discursive diffusion is a second mechanism, resulting in an incorporation of EU concepts in domestic debate. Still, “speaking the same language” does not rule out disagreement and differences in actual policies. The leverage effect, a third mechanism, emphasises the strategic use of the OMC process by national governments “to advance their own domestic political agenda, promote desired reforms, and overcome entrenched veto positions“ (2005: 480). The last mechanism mentioned by Zeitlin is mutual learning and happens through increased awareness and self-assessment. Although only this last mechanism refers explicitly to learning, they all deal with learning in some way. Zeitlin ends his discussion by saying that the mechanisms may be combined and probably work together at the same time (2005: 482).

³ For a discussion of actors involved in the OMC - process, see de la Porte and Pochet (2005).

Büchs (2006) seems to pick up this thread when discussing the effect of the European Employment Strategy and identify three mechanisms shedding light on how the OMC may influence member states. Soft pressure is the first mechanism and is so similar to what Zeitlin refers to as peer pressure that it needs not be repeated. The participation mechanism stresses how actors meet and form networks which make decisions based on the participants input which again increases the likelihood that these decisions will be implemented. This has certain similarities with the arguments found in the literature on policy network and epistemic communities on the role of knowledge, expertise and expert committees (Thatcher 1998, Verdun 1999). Deliberation is the final mechanism and perhaps the one which most strongly emphasises learning: “(...) argument-based deliberation is thought to lead to a voluntary adjustment of preferences and ideas of the participating domestic policy-makers, and thus to “policy learning”” (2006: 43). Domestic policy-makers adopt the problems, solutions and argumentation from each other which result in domestic reforms.

A way of summarizing what policy learning is all about is through the works of Dolowitz (2000) and Dolowitz and Marsh (1996, 2000). This work and concept of policy transfers focus on the process of how ideas from one system are used in another system. Dolowitz defines policy transfer as: “the occurrence of, and processes involved in, the development of programmes, policies, institutions, etc. within one political and/or social system which are based upon the ideas, institutions, programmes and policies emanating from other political and/or social systems“ (2000: 3). To issue reports and hold conferences, like we see examples of within family policy related areas at EU and OECD – level, are by Dolowitz (2000: 36) regarded as instruments of voluntary policy transfer. These instruments, perhaps better referred to as a *dissemination strategy* consisting of programmes, publications, meetings, conferences, websites and cooperation with other organisations including the formulation of policy ideas more generally, have the potential of influencing member states. According to Dostal (2004: 440), the EU and OECD provide “a controlled environment for the creation, development and dissemination of political discourse”. It is possible to study the policy process in more detail, i.e. “the genesis of policy” (Thatcher 1998: 393), but that is beyond the scope of this paper. Here I focus on the possible correspondence between ideas expressed at EU and OECD level and the content of policy decisions in German family policy (Beyeler 2004: 8).

2. Family policy advice from international organisations

Recommendations and proposals in the non-existing EU family policy

The OMC and the international organisations' policy advice object of discussion in this paper are considered to have potential to change the ideas and discourses among national actors (de la Porte and Pochet 2004: 73). To trace the effect of the organisations in changing national family policy through ideas and discourse a natural start is to identify the kind of policies they promote. Regarding the EU, these policies must be searched for in different fields of social protection since there is no named EU family policy. Direct recommendations can only be found in the field of employment where the Council has issued recommendations based on proposals by the Commission once a year since 1999 (de la Porte and Pochet 2004: 72, 76).⁴

I start with the EES and before commenting on the recommendations for Germany it is useful to have a look at the actual employment guidelines. Number 18 is especially interesting, stating that member states should promote a lifecycle approach to work through measures like "better reconciliation of work and private life and the provision of accessible and affordable childcare facilities and care for other dependants" (Council of the European Union 2005: 4). In the framework of the EES there exist some clear objectives. One of the targets and benchmarks member states are asked to ensure is : „the provision of 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" (Council of the European Union 2005: 7).

In the Council Decision on guidelines for Member States' employment policies for the year 2002 the importance of reconciling work and family life is strongly underlined and in order to strengthen equal opportunities Member States and the social partners should:

- design, implement and promote family-friendly policies, including affordable, accessible and high-quality care services for children and other dependants, as well as parental and other leave schemes,
- consider setting a national target, in accordance with their national situation, for increasing the availability of care services for children and other dependants,
- give specific attention to women, and men, considering a return to the paid workforce after an absence and, to that end, they will examine the means of gradually eliminating the obstacles to such return" (Council of the European Union 2002a: 10).

⁴ Through correspondence with the information office of the DG Employment I learned that here are no recommendations for the years 2005 and 2006. Unfortunately they were not able to deliver the Council recommendations for 1999 and the proposals for recommendations of the Commission for the years 1999 and 2002. These documents have therefore not been analyzed.

The specific employment recommendations for Germany are rather consistent over time with only minor changes in wording. In the period 2001 - 2004 the country has been advised to consider the following family policy related measures:

“review possible tax disincentives to female participation in the labour market; increase childcare facilities, especially in the Western Länder, and improve the correspondence between school schedules and working hours; encourage social partners to take their responsibility to considerably reduce the gender pay gap” (Council of the European Union 2004).

As said above, employment is the only field where it exist recommendations.⁵ Still, the EU expresses distinct opinions on family policy related issues in other fields too. The OMC on social inclusion created four objectives and two of these have importance for family related issues. Within the first objective; *To facilitate participation in employment and access by all to resources, rights, goods and services*, member states are asked to develop “policies to promote the reconciliation of work and family life, including the issue of child- and dependent care” (Council of the European Union 2002b: 10). Within the second objective; *To prevent the risks of exclusion*, member states are asked “to implement action to preserve family solidarity in all its forms” (Council of the European Union 2002b: 12). It must be said that after the streamlining and merging of the OMCs on social inclusion, pensions and health, these objectives have been replaced by more overarching objectives with less substantial content.

Within the OMC on social inclusion the Council and Commission issue Joint Reports which “assess progress made in the implementation of the OMC, set key priorities and identify good practice and innovative approaches of common interest to the Member States” (EU website on social inclusion at http://ec.europa.eu/employment_social/social_inclusion/jrep_en.htm). There exist four such reports. The first two (2002, 2004) are on social inclusion alone, the last two (2005, 2006) on both social protection and social inclusion since the OMC process has been streamlined. Reading these reports reveal several EU proposals and opinions, which however, to a large extent must be considered a sort of summary of what individuals member

⁵ The Council recommendations are based on proposals from the Commission. When comparing the proposals with the actual recommendations that are issued, there are some differences. For instance, the need to evaluate the impact of the tax and benefit system on women’s employment was stressed by the Commission in 2000, but not included until the next year. This is an indication of how the process is working: recommendations are object of discussion and negotiations take place before a recommendation is issued (Büchs and Friedrich 2005: 254). In other words, the final recommendation is not a pure “EU expert advice” but rather the result of cooperation and negotiation with national officials. According to Zeitlin (2005: 478) this is not uncommon for Germany. This should be kept in mind when investigating “EU influence” on national social policy.

states consider important since these reports are based on National Action Plans (NAPs). And these NAPs are also difficult to interpret since they are often “understood as mere report on the policies that are pursued anyway and not as a document for policy planning or real consultation” (Büchs 2006: 230).

One conspicuous opinion which is expressed over and over again in the Joint Reports is the multidimensional nature of poverty and exclusion and thus how a multidimensional approach of a wide range of policy fields is needed to cope with this challenge (CEC 2004b: 39). It goes without saying that family policy is one of the fields that can help tackle social exclusion problems.

In the 2004 Joint Report, “the Member States are urged to give particular attention (...) to six key policy priorities, among them *Developing a focus on eliminating poverty and social exclusion among children* (CEC 2004b: 8). The same report also identifies seven examples of good practice in relation to child protection and protection of families from social exclusion. One example from Austria is the Child Care Allowance: “This replaces the parental leave benefit system, creating a new universal family benefit, extending the circle of beneficiaries to housewives/ househusbands, students, part-time employees, etc.” (CEC 2004b: 145).

There is a strong focus on employability in the social inclusion field and reconciliation of family and work life is one of the key instruments to achieve this. However, there are no clear statements about developing a certain kind of family policy, e.g. a certain kind of parental leave scheme, but it is said clearly that reconciliation policies are needed:

“In order to raise employment rates, especially among women, all member States highlight the importance of making it possible to combine working – or studying – with parenting. However, availability and use of childcare facilities should not be seen only as a means to help reconciliation, but also as an important means of fostering early learning opportunities for all children, in particular for children from more disadvantaged backgrounds. Member States generally fail to highlight this issue. Various approaches can be identified, namely the extension of child care facilities, the provision of financial support for families with young children, the creation of a family friendly working environment, the increase in flexible or part-time working patterns, reviewing the parental leave and maternity schemes and, finally, raising awareness of employers about the importance of creating a family-friendly working environment” (CEC 2004b: 52).

Pensions are another field where the OMC has been applied. Like in reports on employment and social inclusion The Joint Commission/Council report on adequate and sustainable pensions identify expansion of care facilities for children and other dependants and measures that improve the reconciliation of work and family life as a way of securing welfare systems

(CEC 2003b). Also, people should gain pension credits for periods of childcare or care for elderly relatives (CEC 2003b: 88). However, the report is critical towards measures which keep women out of work for longer periods:

”A number of countries with less developed nursery childcare facilities offer fairly generous support to women who take extended career breaks to care for their children in their first two to three years. Naturally, such policies may primarily reflect priorities in family policy. Yet, with a view to the impact on employment rates and the difficulties for many women of returning to the labour market after a long absence, the question arises whether it would not be better to use these resources to invest in an expansion of childcare services to speed up the return of women after parental leave” (CEC 2003b: 45).

Different policies have different side effects. General well-being of families, increase of fertility rates, gender equity, prevention of child poverty, increase of women’s employment rates or the overall sustainability of the welfare state are all different aims that could be the reason why a policy is promoted. Regarding parental leave the EU emphasizes the aim of securing women’s employment rate rather than e.g. general well-being of families. Since the OMC on pensions is so weakly integrated and developed I will not search further for family policies in this field and confine myself to the quote above as an illustration of the multidimensional character of family policies.

Another possible source of influence is the report *A new Welfare Architecture for Europe*, a report ordered by the Belgian EU Presidency in 2001 and written by Esping-Andersen and other experts. Esping-Andersen et al. incorporated much of this report in *Why we need a New Welfare State* which was published in 2002. The family is given a central role in this book. Esping-Andersen speaks about the importance of institutional, public support (affordable child care, paid maternity and parental leave, provision for work absence when children are ill), but stresses that this is not sufficient to increase female employment rates because women still need jobs which allow them to combine careers and motherhood (2002: 94). Increasing female participation rates is considered important since it seems to effect birth rates positively, will reduce the difficulties of financing the welfare state, constitutes an (often highly educated and skilled) untapped productive factor and is favourable to social inclusion and avoiding poverty.

The latest development at EU level of organising conferences on family policy should be mentioned.⁶ Since 2004, when the first EU conference on family policy ever took place in Ireland, Germany (2004), Austria (2006) and Finland (2006) have organised similar

⁶ For a critical assessment of these conferences see Lindén 2006.

conferences. These conferences could be seen as the start of a process where the Union takes more responsibility for a so far neglected area. If these conferences become annual events with stronger exchange of information, monitoring and negotiating then it could gradually ensure the EU some competence in the area. The conferences ask for a more firm approach to family policy, underscore that action at the European level is required, that more child- and family-friendly policies are needed and welcome exchange of best practice. Whether it is realistic that the EU Commission engages in a regular exchange of information on family policy, perhaps as the result of spill over, is difficult to say and beyond the scope of this paper to discuss. The point here is simply that conferences at least underlines that the EU takes an interest in family matters and urges its members to do so to.

In sum, what this review of the proposals, guidelines and actual recommendations at EU level illustrates is that the EU encourages its member states to develop family friendly policies. There is a discourse on reconciliation of work and family life which seems to dominate all documents and processes at EU level, emphasizing in particular the importance of child care and parental leave schemes. The focus is on how such policies will increase employability, is favourable to economic growth and sustainability of the welfare state and less or not at all on the need of families. Still, this discourse is so strongly integrated at the EU level that it merits a closer inspection of possible influence on national policies. I turn to this in section 4 after presenting OECD policy recommendations and the latest developments within German family policy.

Before closing this section one comment is at place: The EU has a long way to go before one could say that it has a distinct family policy and it is far from certain that it will develop such a policy. Compared with national family policy it is still very limited. The following quote from Leibfried sums up the modest nature of EU social policy: “There is no European welfare law granting individual entitlements vis-à-vis Brussels; there are no direct taxes or contributions, and no funding of a ‘social budget’ to back such entitlements; and there is no Brussels welfare bureaucracy to speak of” (2005: 244).

Family policy in the OECD

Through its Babies and Bosses series, which is comparative studies of work and family reconciliation policies in selected countries, the OECD presents its view on national family

policy.⁷ As in the EU, the focus is very much set on social policy as a productive factor, meaning that social protection and economic performance are compatible and mutually supporting (Noaksson and Jacobsson 2003: 62). In contradiction to the EU though, the term family policy is used much more explicitly and OECD gives direct policy recommendations in this field. The reasons for this different approach will not be dwelled on here. One explanation, however, could be the one pointed at by Noaksson and Jacobsson (2003), namely that the EU is policy driven whereas the OECD is more expert driven and that the type of organisation influences the kind of recommendations. In other words, the OECD is freer to provide advice based on what it thinks is effective and proper policies while the EU faces more constraints by the necessary political and social considerations it must take.

The OECD recommendations are not equal to every country, but rather specific, something which probably give them more influence. They are presented as a list of policy recommendations on issues like tax/benefit, childcare policies, employment and workplace practices. Most recommendations are about creating incentives to increase work effort while some deal with family friendly work places and sufficient childcare, few about parental leave or equal sharing of work between couples (OECD 2002, 2003, 2004, 2005). Whereas the EU only issue recommendations in the field of employment and does not go in depth on reconciliation policies, the OECD give systematic analysis of family policies of selected countries resulting in clear policy recommendations.

The OECD differs from the EU in yet another, although similar aspect: The OECD gives clear definitions of “Family friendly policies” and ”Reconciliation-policies”. The definition of “family friendly policies” underlines that it is not family policies as such which is proposed here but rather policies that intend to increase labour market participation and thus have some family policy implications:

”Family-friendly policies are defined as those employment-oriented social policies that facilitate the reconciliation of work and family life by fostering adequacy of family resources and child development,

⁷ Every 12 – 18 months OECD also publishes Economic Survey on individual countries. Reading the German Economic Survey summaries partly confirms Kildal and Kuhnle’s investigation of Danish and Norwegian surveys in the period 1990-2000. They conclude that there are no recommendations or comments on family support policies (2006: 12). In the German 2006 edition more financial support for child care is welcomed to reduce labour force participation obstacles (OECD 2006: 7) and in 2004 Germany is advised to move from benefits in cash to benefits in kind, again in order to increase labour supply (OECD 2004: 5). However, in 2001, 2000, 1999 and 1998 there is no family support recommendations. It could be read as a sign that issues from the Babies and Bosses series gradually are integrated in the more authoritative Economic Surveys.

favour the parental choice about work and care, and promote gender equality in employment opportunities” (OECD 2004: 10).

Reconciliation-policies are defined as: ”All those measures which extend both family (income, services and time for parenting) and parental labour market attachment” (OECD 2004: 10). Regarding the recommendations, the OECD seems to identify similar problems as the EU does. Within childcare, children under three years and older children after school must be given more attention (2004: 90).

Since the OECD has specific and coherent recommendations which can easily be identified in a particular chapter of the Babies and bosses reports I will now present its suggestions for the UK as an example. Germany is not treated by the series and thus cannot be directly compared. The OECD’s Babies and Bosses report (2005) gives the following policy recommendations to improve the balance of work and family in the United Kingdom:

1. Provide better access to childcare, especially for low income families
2. Extend nursery school services and other sources of care to reduce the cost of work
3. Assure labour market reintegration of sole parents to prevent benefit dependency and poverty by compulsory activation measures beyond the Work-Focussed Interview
4. Use Working Tax Credit to encourage help parents who have to reduce working hours
5. Help firms develop family friendly workplaces
6. Accept greater flexibility in taking leave payments, e.g. by allowing combinations of part-time working and entitlements and make the maternity leave parental leave to enable fathers to share in the use of entitlements
7. For employees who extend maternity leave to 12 months, increase the notice period to approximately two months.

Although Germany is yet not given any systematic treatment in any report I would still argue that the OECD presents views on this country’s policy. When representatives from the OECD take part in international conferences and meetings they present overall recommendations very much in line with the recommendations above. A recent example of this is provided in the OECD - presentation at an international conference at Ministerial Level in Bratislava this year (Durand 2006). In this presentation it is suggested to reduce possible disincentives to work in tax-benefit systems, to offer low-cost, high-quality child care services, provide

relative short parental leaves with job guarantees and more family friendly workplaces.⁸ It is explicitly said that there is no universal solution but that such elements are crucial.

In addition to this, the OECD also publishes a working paper series which could be considered to contain general policy advice. Although it is said that these reports do not necessarily reflect the views of the OECD, they are conducted on request from the OECD to be used in internal policy development.⁹ They seem to reach similar conclusions as the recommendations in the Babies and bosses series. These studies of the effect of different family policies like childcare and leave schemes (see e.g. d'Addio and d'Ercole 2005, Immervoll and Barber 2005, Sleafos 2003) focus strongly on obstacles to childbearing and fertility rates as well as possible solutions and thus at least indirectly identify "good policies". Some papers are the result of collaboration between the EU and OECD (Immervoll and Barber 2005). These working papers show that the OECD undertakes studies of the effect of different family policies like childcare and leave schemes and thus identify "good policies".

Yet another OECD source underlying this kind of recommendations is the report with the revealing title *How Active Social Policy Can Benefit Us All* which is emphasizing activity and self responsibility over public benefits (OECD 2005: 6). This report identifies three key objectives, whereof the first is especially interesting in a family policy perspective: Giving children the best possible start in life (2005: 12). I will not repeat the policy suggestions to reach this goal. As they are so similar to what has been described above it suffices to say that to invest in children, increase maternal employment and reconcile work and family life together with reducing the costs of childrearing are key words in this strategy.

In sum, the OECD issues country specific recommendations through its Babies and Bosses series and more general recommendations through other publications and conferences. The language is more direct than in the EU, the recommendations more clear and specific. The same discourse on reconciliation of work and family life, however, is present.

3. Conservative Family Policy and Recent German Reforms

⁸ Presentation available at <http://www.oecd.org/dataoecd/29/26/36939331.pdf>

⁹ Overview of Working Papers:

http://www.oecd.org/findDocument/0,2350,en_2649_34819_1_119684_1_1_37419,00.html

Germany is a representative of what Esping-Andersen (1990) refers to as a conservative or corporatist welfare regime where preservation of status is the main aim and where rights thus are attached to class and status. The principle of subsidiarity ensures that family and church are important producers of welfare while the state is less active. Several researchers claim that this regime categorisation is less accurate for family policy than for other fields of social policy and thus new typologies have been developed.

Lewis and Ostner (1995) present an alternative categorization of welfare regimes based on the gender division of work and the strength of the male breadwinner/family wage model. In their typology Germany and Britain are strong male breadwinner countries. In these countries women are dependent wives with regard to social entitlements: Women rely on their husbands and the level of female labour market participation is low. The Scandinavian countries represent the opposite as weak male breadwinner countries. Here women are treated as workers more than wives and mothers and the level of female labour market participation is high. Moderate male breadwinner countries like France and Belgium treat women as both wives and workers. Sigrid Leitner (2003: 357), who develops yet another typology, claims that welfare states like Germany (called explicit familialistic in her categorization) have neither public nor private provision of services and leaves it all to the family. Also, parental leave periods are long, parental benefits low, incentives for shared parenting few and the financial dependence of women high (2003: 370). Regardless of which kind of classification scheme one uses, Germany is considered a country where men work, women stay home to take care of the children and the use of public child care is less common than in Scandinavia. Against this background the recent German reforms involves major changes (Ostner 2006). Here I will describe the reform proposal by the government to enable a comparison with the EU and OECD suggestions and recommendations depicted in section 2.

In 2007 German family policy will see substantial changes (Bundesregierung 2006a, 2006b). The black-red coalition has decided to introduce a parental leave allowance in a new form. This parental leave, called *Elterngeld*, is supposed to replace earlier *Erziehungsgeld*, a parental upbringing allowance, with a 14 months long benefit granting parents 67 percent of net salary (minimum 300, maximum 1800 € per month). Under the earlier *Erziehungsgeld* it has been possible to take three years leave with a means tested upper benefit level limit of 300 Euro a month, meaning that the benefit was not coupled to previous earnings.

Clearly inspired by Scandinavian experiences, two months of the new leave are reserved the partner who does not stay at home for the rest of the period. Should he or she choose not to make use of this right, the Parental benefit will be reduced accordingly. This is an incentive to make both parents take responsibility for their children (lone parents will get 14 months). Tax incentives are also high on the agenda and it could seem like families will get more generous tax deductions, perhaps by changing the much disputed *Ehegattensplitting* into a *Familiensplitting* instead. The former benefits one-earner- over dual income families. Even though this is currently being discussed it is not part of the prepared reform-package.

The *Tagesbetreuungsbausbaugesetz* (law on the extension of day care) has already been in force since 1.1.2005 and is supposed to increase care facilities places available, particularly for smaller children. According to the website of the Ministry of Family Affairs, this law will result in 230 000 new places. The law will also provide better qualified personal as one measure is education of staff, which interestingly will be partly financed by the European Social Funds.

In the discussion of how much of the coming *Elterngeld* and other reforms which can be explained by participation in EU and OECD learning processes, one should have a look at what has been the traditional policy of the parties in government. To do this I turn to party programmes. If international organisations are to be attributed an important influence then the parties must have a) changed their mind b) on the basis of EU/OECD discourse. I will make this paragraph short, but it is crucial for the argument of this paper that it can be shown how at least one of the coalition partners has changed view.

The coalition that gained power in Germany in the autumn of 2005 was a red-black coalition consisting of the social democratic SPD, the conservative CDU and its Bavarian sister party CSU. In the party programme from 2005, the CDU and CSU emphasize the importance of tax exemptions and child care institutions to enable parents to reconcile work and family life. There is no reference to the later *Elterngeld*-initiative.

The programme of the SPD paints a different picture. Here *Elterngeld* is described and there is also a focus on building more child care institutions where children under three are given priority (SPD 2005: 46). Particularly interesting is the argumentation: These measures are meant to avoid poverty among families as well as making parents go back to work earlier. Not

explicitly, but indirectly said, these measures should also result in more births. The Social Democrats and the Greens proposed a reform in 2004 which would have introduced an earnings-related, *Elterngeld*-similar programme but it was then rejected by the Christian Democrats (Hausding 2006).

In other words, the party programme of the SPD is much closer to both German family policy of today and the proposals of the EU. Since the SPD did lead the country in the last two periods the latter point is perhaps not so surprising. Through this period the party may have learned how to incorporate EU discourse into their programme or, alternatively, used the opportunity to influence the EU. One other possible reason for this is that since the social democrats had been in power for almost 8 years they may have become influenced by the EU. Going back to the SPD party programme of 2002 I find a similar focus on child care, all day schools and tax incentives as in 2005 (SPD 2002: 47, 48), but *Elterngeld* is not mentioned.

It is at least beyond any doubt that today's policy of the German government and its CDU-Family Minister Ursula von der Leyen is different from the traditional German family policy – especially for the Christian democrats. The reforms described above will move Germany from a strong family-centred welfare regime which mainly compensates the costs of parenting towards a weaker family-centred welfare regime where child care services and parental leave systems are guaranteed by the state. The transfer heavy housewife model where the family is seen as the primary provider of social services is no longer the ideal and the scepticism to state interference in private matters is severely reduced. Ilona Ostner, German specialist in the field of family policy, has called for a study of the reasons behind the change in family policy position within the German political parties (2006: 193). Sigrid Leitner, another field expert, calls for research on countries moving between different regime types (2003: 373). I analyse this in the next section from the perspective of supranational policy advice.

4. EU and OECD discourse and German argumentation

How do these reforms relate to the EU and OECD discourse on reconciliation of work and family life? As I have shown, the EU is very direct in its view on child care facilities and this

is where it is most specific. Both the country specific recommendation for Germany and the Joint Reports on Social Inclusion by the Council and Commission emphasize the need for more places. The German government's aim of increasing care facilities is supposed to be reached within 2010, which is the same year as the EU says, so here there is correspondence between aims and also measure since this aim can only be reached through building new facilities. As said above, the OECD expresses similar opinions as the EU on child care so Germany here acts in concordance with this organisation's advice as well.

The EU calls upon its member states to review their parental leave schemes and look at how they hamper women in returning to work. There is no proposed solution and thus I cannot judge whether the German response corresponds to an EU measure, but I can confirm that the German reform is justified partly by reference to this EU identified problem which the OECD also include in their reports. This could thus be a result of learning.

How does the German government argue for their bill on *Elterngeld*? The bill starts out by claiming that the current *Erziehungsgeld* (childrearing benefit) is not working according to its intentions. Too few fathers take time off to care for their children, too many mothers stay out of work for a long period and nor does the fertility rate seem to be positively influenced. The reason why the *Elterngeld*-programme should be introduced is then, not surprisingly, that it will address these problems. The government expects that more men will stay home to care for their children, that women will return to work earlier than today and, though not explicitly said in the bill, more children will be borne.

At the website of the *Bundesministerium für Familie, Senioren, Frauen und Jugend* there is a page¹⁰ presenting information on the bill. Under the heading „Ziele des Elterngeldes und soziale Gerechtigkeit“ (approximately aims of the parental payment and social justice) there is a section with questions and answers. Here the aims and reasons behind the bill become very clear as they are stated point by point. Reading these arguments is like reading direct answers to the challenges identified in EU documents: *Elterngeld* in other countries has resulted in higher birth rates combined with higher female participation rates, *Elterngeld* is a good way of avoiding poverty for instance among lone parents, *Elterngeld* is good for the society as it leads to shorter leaves and thus increases tax-incomes and contributions to welfare

¹⁰ <http://www.bmfsfj.de/Politikbereiche/familie,did=76746.html>

programmes, and *Elterngeld* is good for business and industry by making skilled workers available. All in all, one could say that the main aim of the bill is to improve the conditions for reconciliation of work and family life.

As stated in the 2004 Joint Report on social inclusion, all NAPs acknowledge the importance for families of managing the balance between work and family life (2004b: 36). Three measures that could be useful to achieve this are mentioned: a) extension of child care facilities, b) provision of financial support for families with young children, c) flexible or part-time working arrangement and a review of parental leave and maternity schemes (2004b: 46, 53). The German bill explicitly says that a new law on parental leave is only one of three important parts within family policy. Equally important are child care institutions and a family friendly working life. This is also similar to views expressed in EU and OECD documents.

The bill is remarkably free of references to any source to legitimate the expected outcomes. The most specific reference is to „international experiences“ and countries like Sweden allegedly showing that *Elterngeld*-similar arrangements result in higher fertility rates and more active men in child caring. There is no particular mention of the EU, OECD, national research centres or other sources which could have strengthened the argument. As the former government, of which the SPD is still in power, ordered a special report on family policies which was finished in August 2005 (Siebter Familienbericht), one could expect to find references to this report, but there are none. There are several potential reasons for this. That the government is unaware of such sources must be considered highly unlikely. More probable, through this reform the government expects to gain popularity and thus do not credit other sources. Also, the reference to Sweden instead of the EU could be explained by the fact that Sweden is a pioneer and has a very generous parental leave scheme. This is known among researchers and probably also among journalists, other opinion formers and large parts of the public. Yet another plausible explanation is exchange of ideas between political (social democratic) parties. Bilateral relations between such actors could account for just as much as the EU or OECD, perhaps even more, and should be investigated.

Another potential source which can shed light on the latest reform initiatives in Germany are the German NAPs and NRPs. The NAPs and NRPs present the individual member state's actions so far as well as future plans regarding respectively objectives and guidelines. Thus, one may find arguments for the new parental leave scheme here and if one should expect to

find references to EU influence then this should be the most likely source. Since the bill on parental payment was initiated by the SPD and made an issue in the election campaign of 2005, that is before the current coalition government was formed, I restrict the search to the NAPs and NRPs of 2005 and 2006. Unfortunately, the German NRP from 2006 is not yet available so only three reports will be studied.

Which information about problems and solutions is considered relevant and legitimate by German policy-makers in these reports? On what grounds are decisions made? The German NRP and NAP (or more accurately the Implementation Report on National Action Plans on Social Inclusion 2003-2005) from 2005 are very similar in their argumentation within family related issues. The themes covered are child care and all day schools, reconciliation of work and family life, poverty and female employment rates. Both documents report that 230 000 new care places for children under three years will be provided in the western Länder by 2010 (NAP 2005: 26, NRP 2005: 8). In this respect, Germany has developed a national target, but based solely on number of places. According to the NRP, this will double the available places but, as stated by Richardt (2004), since it does not give any percentages of coverage, it is difficult to relate it to the aim set by the European Council. Both reports also refer to the setting up and expanding of all day schools, though mainly due to education aims more than reconciliation arguments (NAP 2005: 8, NRP 2005: 8), although it is also considered a reconciliation means (NRP 2005: 52). Like in EU or OECD documents, the focus on reconciliation of work and family life is legitimised by reference to the economic issues and increasing birth rates (NAP 2005: 5, NRP 2005: 50-51). A clear statement of this is the following quote: “Family friendliness is a substantial positive growth factor” (NRP 2005: 50).¹¹ This supports my third hypothesis, saying that the expected economic effects of new family policies more than the policy in its own rights can explain why they are proposed.

In the NAP 2006 day care for children under three is again emphasized and according to the report coverage was around 11 % in 2004 (2006: 13-14). Since then 5000 new places have been opened, but what the coverage is now we are not told and there is no discussion directly connected with the EU goal of 33 percent.¹² However, in order to prevent social inclusion of children from disadvantaged homes, the government is prepared to take actions to achieve the goal of offering children under three years child care: “If it can be seen by 2008 that the

¹¹ “Familienfreundlichkeit ist ein wesentlicher positiver Wachstums-faktor”, my translation.

¹² According to a new study the coverage today is even worse; less than 10 percent (Bien et al 2006).

expansion goal will not be achieved by 10% of local authorities by October 2010, the existing legal entitlement to a place for children over the age of three is to be expanded to all children over the age of 2” (2006: 19).

There are several references to the new *Elterngeld*-scheme as a way to improve the work-life balance and increase the female employment rate (2006: 7) and this reform is justified by reference to the OMC on social inclusion. The new *Elterngeld*-scheme is presented as an instrument for preventing social inclusion and to reach the goals set in the OMC (the Objectives (d) and (e) Ensuring Participation in Society and Strengthening Social Integration):

”To reduce the risks of the social exclusion of families and to strengthen opportunities and fair participation for families, the Federal Government is setting new priorities in its family policy.” (2006: 23).

“(…), the employment rate of women in Germany has risen continuously in recent years and the Lisbon Strategy target of at least 60% by 2010 has almost been reached. A further increase in women’s participation in paid employment decisively depends on better ways of combining families and careers. The Federal Government wants to improve the general conditions for women to take part in paid employment to secure their livelihoods. The planned further expansion of institutional childcare and day care and the planned introduction of parental benefit and better consideration of childcare costs will all help with this” (2006: 33).

According to Büchs and Friedrich, “in the NAPs, policies and policy changes are mainly presented as responses to the requirements of the EES, not as outcome of debates and struggles among domestic policy forces“ (2005: 262). The NAP and NRP from 2005 partly contradicts this. These reports mostly do not refer to EU recommendations or proposals as reasons for their action. However, this is hardly needed when EU processes are the point of departure and the whole intention of the reports is to present progress so far and measures that will be introduced. Still, there are some explicit references to EU goals when it comes to women’s employment and child care institutions (NAP 2005: 15). The NAP from 2006, however, is presenting family policy reforms as responses to the EU OMC/inclusion.

Umbach’s (2004) analysis of German activity in the framework of the EES supports my claim that Germany has introduced several family related issues within the area of employment. Among the initiatives she lists are the increase and improvement of child care allowance and parental leave as well as the legal right to a kindergarten place for children over three years from 1999 (2004: 108). This is part of the NAP of 1999, but Umbach stresses what Büchs (2006) also says, namely that the NAP is no “policy driving document” and described policies

are not developed especially for the OMC – process (2004: 122). Umbach concludes that the reforms probably would have taken place anyway, but that the EU level might have provided extra incentives (2004: 122).

Reforms as the result of EU and OECD policy advice?

Then, can shifts in the policy thinking of Germany be (partially) attributed to their participation in learning processes in international organisations like the EU or OECD? The clearest indication of this would be direct references to EU/OECD recommendations and proposals and statements that said explicitly that the reforms are meant as direct answers to this (de la Porte and Pochet 2002: 48). Not surprisingly, such statements and references are scarce. This does not prove that there has been no influence from international organisations. On the contrary, since the analysis above has shown that there is a rather strong correspondence between what is expressed at the international level and how the German governments argue for their reforms, we do face a strong indication of some influence. The lack of specific references to the EU or OECD as a place of inspiration is in agreement with my second hypothesis and could be explained by the terms credit claiming and blame avoidance (Weaver 1986). Governments are likely to take the honour for matters the public welcome and deny responsibility for less popular actions: “Governments, particularly member states of the EU, may have political reasons for over/understating OMC impact e.g. blame avoidance/credit claiming, self-presentation as good Europeans or defenders of national interest against Brussels” (Zeitlin 2004). Similarly, OMC-policies might be disguised to be national acceptable (Jacobsen and Schmid 2002: 89). In other words, the fact that there are few explicit references does not prove anything.

The question of causality is difficult to answer. Correlation and causality are two different things and the former is not sufficient to prove a relationship between proposals and actual policies. The best I can do here is to compare the two different objects and study how key actors argue. Sometimes the best one can achieve is a description of what happened, at least as the first step. Further research can elaborate on this by including new countries and conducting interviews with key actors at national and EU/OECD level to allow for a stronger causal analysis.

Another strategy which can make the analysis more trustworthy is to specify a model for how recommendations can influence national policy, that is to “discuss possible mechanisms that can generate this relationship” (Bergman and Lundberg 2006: S49) and try to provide convincing arguments for linking the two variables (See Checkel 2005). References to other studies which can demonstrate similar relationships would also strengthen the findings. This has been done only partly in section 2. Section 4 have illustrated that similar policies could be interpreted as the result of learning through OMC processes - generated reports, conferences and policy ideas or as a combination of the mechanisms described earlier; deliberation, participation in EU – level discussions, soft pressure through policy advice, but to understand which mechanisms are at work more knowledge of the policy processes is needed. The linkages between ideas, reform processes (negotiation among various actors involved) and outcome could be discussed for instance by analysing how OMC employment or a report by an independent expert enters the domestic policy process and to trace that process. Besides finding a general correspondence between the EU/OECD and national policy, I have to get to know what has been happening in the national context and find out whether the EU has played a role in pushing this forward. So far I have not provided a final answer and I hope to elaborate on this in future versions of this paper.

A research design comparing the degree of similarity between EU and OECD proposals and national action faces other difficulties too. The question of uploading is one (cf. Börzel in Zeitlin 2005). Member states might try to turn their own policies, preferences and proposals into the aim of the EU/OECD objectives and guidelines. This would mean that there is little external advice at all since it in large parts originates with the member state itself and then it would make less sense to study the impact of international organisations. If member states make their already established policies the subject of future objectives instead of developing common EU objectives, then it is possible that the effect of the supranational level is overrated. This could represent a big problem for interpretation when relying strongly on official texts (Barbier 2004: 11, 14, 15).

These comments on methodological challenges connected to the paper’s approach show that I cannot fully answer the question of whether shifts in the policy thinking of Germany should be attributed to their participation in learning processes in international organisations like the EU or OECD. And, since causality in social sciences never is uni-causal and deterministic but rather multi-causal and probabilistic a paper focusing only on the explanatory potential of ideational influence cannot provide a full explanation for reforms. To trace ideas, however, is

more than causal analysis. It is interesting per se to see how different actors use concepts, argue and justify policies.

Concerning the findings of the paper it seems like my hypotheses are supported by the analysis. The influence on German policy is not quite clear, something which, in accordance with the first hypothesis, can be explained by the lack of a distinct EU family policy. But perhaps EU family policies have some influence precisely because they are less politicised and only addressed indirectly through employment, social inclusion and other fields of social policy? Secondly, the German government claims credit for this reform probably because the parental leave reform is rather popular in the public. Lastly, it seems plausible to argue that one of the main reasons behind the *Elterngeld* - reform, which is not traditional Christian democratic family policy, is, as argued by the EU and OECD, the overall economic advantages it is expected to bring about. As such, it may be an instance of how ideas can create interests and override earlier interests as opposed to how ideas merely justify interests that were already present (Hochschild 2006). Family policy is a less institutionalised field open to new ideas and as the German reform proposal entails a multiplicity of justifications almost everybody could find an interpretation with which he would agree, be it politicians from the SPD, CDU or CSU.¹³

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¹³ I owe this suggestion to a discussion with Sigrid Leitner, who, however, should not be held responsible for the way it is used here.

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