

Transnational Elites in the ILO and the EESC:

Do non-governmental actors matter?

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Paper presented at the 10th EUSA Conference, Montreal, Canada, May 17-19 2007

Abstract: This paper is based on a comparative survey of the membership of the European Union's Economic and Social Committee (EESC) and the International Labour Organisation's Governing Body between 1990 and 2007. A number of key individuals served in both institutions as members of either workers' or employers' representatives. To what extent are these transnational actors able to promote the interests of the EU in the ILO or vice versa, through non-governmental channels? This paper is a preliminary step towards answering that question by establishing their existence and comparing them to the existing literature on transnational actors, in particular Keck and Sikkink's advocacy networks and Haas' epistemic communities. The paper concludes that in this case the actors exhibit characteristics of both, and discusses what further research this finding necessitates.

Keywords: European Union, Foreign Policy, United Nations, International Labour Organisation, transnational actors, transnational advocacy networks, epistemic communities, European Economic and Social Committee

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During the 1990s a number of important contributions to International Relations (IR) literature were made investigating the importance of individuals in international politics, not least in the areas of the role of technical knowledge, norm entrepreneurship and the diffusion of values and ideas globally. These centred on two primary sites of action; firstly in international organisations designed to promote cooperative behaviour between states, and secondly in transnational political groups that form networks between states with shared objectives. As Thomas Risse has pointed out, much of this work became overshadowed by the rapid expansion of the global governance literature, yet nonetheless is analytically more rigorous than much of what has been written on globalisation. (Risse, 2002) In this paper two influential contributions by Peter E. Haas and Margaret Keck and Kathyryn Sikkink will be revisited, and their relevance today reconsidered. (Keck and Sikkink, 1998, Haas, 1992)

The case to which they will be applied is the study of the role of a group of key individuals who participate in both the EU's European Economic and Social Committee (EESC) and the International Labour Organisation (ILO) Governing Body (GB). Both institutions will be introduced and discussed in greater detail below, thus as far as introductory remarks go, the crucial point to consider is that both institutions have an established, autonomous role for representatives of trade unions and employers' federations, and that both draw members from nation states. The observed phenomenon upon which this paper is based is that a small group of workers and employers' representatives participate in the EESC and the ILO Governing Body simultaneously, and as such represent a transmission belt between the European Union and a part of the UN system that is not through formal governmental channels, but instead through members of a transnational elite. The purpose of this paper is to explore their role and the wider significance of such a transmission belt for the external relations of the EU. In addition, the paper will use empirical evidence from this case to consider the usefulness of IR transnational literature, and concludes with a series of suggestions for modifying the theories under consideration.

This paper is a work in progress and from the outset it is necessary to acknowledge that interviews with practitioners have not yet been carried out, and for that reason the paper is intended to serve as a mapping exercise for continued research. The paper is divided into 3 sections. The first looks in more detail at the

EESC and the ILO Governing Body, as well as the evidence of the transnational elite working in both institutions. The second section considers the two analytical approaches under consideration, while the third sets out a preliminary framework for critiquing them, based on the case study.

I. The existence of a transnational elite between the EESC and the ILO

i. The EESC and ILO Explained

The European Economic and Social Committee defines its purpose as a ‘bridge between Europe and organised civil society’¹, and was formally established by the 1957 Treaty of Rome. Its membership is divided into three groups: employers, workers and ‘various interests’, which covers a diverse range of civil society organisations.² The heritage of the EESC is clearly demonstrated by the fact that workers and employers federations have traditionally been the most coherently organised parts of society outside of political parties, and thus constitute the foundation of civil society. Each EU member state nominates candidates in each of the three groups to be elected to serve on the EESC for a renewable four-year term. The EESC has consequently grown in parallel to the EU, and currently has 344 members. Along with its size, its influence has also grown with the successive treaty revisions of the Single European Act (1986), the Maastricht Treaty (1992), the Amsterdam Treaty (1997) and the Treaty of Nice (2000). Its influence has been deepened through the increase in the number of issue areas in which consultation is mandatory, as well as being broadened into an organ to give guidance to the European Parliament. Furthermore, around 25 of the 150 opinions issued annually are ‘own-initiative opinions’, which allow the EESC to address any aspect of EU policy. From a cynical perspective the EESC appears to be little more than a token gesture towards greater democratic accountability to the wider European public, tokenistic because it does not fundamentally alter the fact that the majority of decision-making power

¹ EESC website (accessed 18 April 2007)

<http://www.eesc.europa.eu/documents/publications/pdf/booklets/EESC-2007-002-EN.pdf>

² This third group brings together representatives from sectors of economic and social life that are not covered by the first two groups, i.e. ‘farmers’ organisations, small businesses, the crafts sector, the professions, cooperatives and non-profit associations, consumer organisations, environmental organisations, associations representing the family, voluntary associations, persons with disabilities, the scientific and academic community and non-governmental organisations’ EESC (2007) *The EESC: a bridge between Europe and organised civil society*, Brussels, European Economic and Social Committee. 17

remains vested in the Council. From a more positive perspective, the EESC's influence comes through shaping the views of MEPs and directing the European Parliament in its co-legislative role.

Workers' and employers' representatives fair much better in the International Labour Organisation. The ILO is unique among the United Nations system insofar as it is the only international organisation that grants legislative and executive powers to non-governmental organisations. The ILO is a tripartite organisation in which each national delegation is composed of four voting members, two of whom come from the government, and two come from the national employers federation and trade union federation respectively. The two non-governmental parties represent national interests but are also coordinated transnationally through separate, dedicated secretariats housed inside the ILO, and their independence is protected by the ILO constitution.

The Governing Body (GB) is the ILO executive and 'meets three times a year in Geneva. It takes decisions on action to give effect to ILO policy, prepares the draft programme and budget, which it then submits to the Conference for adoption, and elects the Director-General.' (ILO, 2000) The Governing Body is composed of 56 titular members (28 government members and 14 members from each of the employers' and workers' delegations) who are elected to serve for a three-year renewable term. In addition, there are 18 deputy members from each group who attend meetings and these members are often promoted to full membership after a full serving member steps down. The government seats are allocated according to geographical regions, with eight going to Europe, seven to Asia and to Americas and six to Africa. However, within the 28 government members ten seats are permanently allocated to the states of 'chief industrial importance' (in much the same way as there are permanent members on the UN Security Council) except that in the ILO there are no privileged voting actions comparable to the veto.³

Of concern to us is the allocation of non-governmental seats. Although formally allocated at the discretion of the respective groups, the four EU countries of 'chief industrial importance' (Germany, France, Italy and the UK) are very often

³ The states are Brazil, China, France, Germany, India, Italy, Japan, the Russian Federation, the UK and the USA. Article 7(2) and (3) of the ILO Constitution sets out the procedure for defining them. The provisional membership for 2005-2008 was published at the 2005 ILC ILO (2005) Results of the election to the Governing Body of the International Labour Organisation 2005-08. *ILC 93 Provisional Record 9*. Geneva, International Labour Organisation.

represented in both the workers' and employers' Governing Body members.⁴ Similarly, a seat in each group is given over to a Nordic country, while either the Netherlands or Belgium is often represented, Spain very often has a workers' representative, and a number of seats are allocated to Eastern European states. Thus on balance there usually between five and seven Europeans in each non-governmental group, making between ten and 14 ILO Governing Body members from European employers' and workers' federations. By comparison, there are around 230 workers' and employers' representatives in the EESC. To what extent is there an overlap between the two groups, and if so, what are the implications for the EU and the ILO of these 'double-hatting' elite individuals?

ii. Does 'double-hatting' exist?

To what extent is the existence of 'double-hatting' individuals merely speculation? Two pieces of evidence will be presented showing that this is not speculation but actual practice; the first comes from an interview with a senior trade union representative from the United Kingdom, and the second is a comparison between the records of membership of the EESC and the ILO Governing Body, between 1990 and 2008.

Lord Brett served as the UK workers' representative on the Governing Body from 1993 to 2005, rising during that time to become the most senior workers' member, (GB Vice-Chairman) and was President of the annual International Labour Conference in 2003. The 2003 conference was also the first year the President of the EESC was invited to address the conference plenary (while by contrast a European Commissioner had addressed the plenary since 1970). The President of the EESC during this period, Roger Briesch, had served on the ILO Governing Body as a French deputy member between 1993 and 1995. Lord Brett clarified how this came about:

[Briesch] was Chairman of the EESC. He was on the Governing Body of the ILO for three years in the 1990s as the French representative. (...) When I became chairman of the Governing Body, he invited me to the Economic and Social Committee in Brussels to talk to the Committee and in turn, I ensured he was invited to come and speak to the ILC. And the

⁴ Since 1990 Germany and the UK have had regular members in both groups, while France and Italy have either had two regular members, or one regular and one deputy member.

idea was to have a much better understanding between the EESC, and in particular the workers' group inside there, with the workers' group in the ILO.⁵

Thus two individuals who had served on the ILO Governing Body together in the 1990s a decade later were in positions of greater influence and set about institutionalising relations between the two bodies. In the following years the ILO annual conference (ILC) was addressed again by Briesch in 2004, and also in 2005 and 2006 by the incoming EESC President Anne Marie Sigmund. What is significant is that she was from the 'other interests' group and has no former experience of the ILO. The elite networking that began as a *qui pro quo* arrangement has become a formal, institutionalised link between the EESC and the ILO.

Another important illustration of the role of key individuals is to look at the rapporteur of important EESC opinions relating to the ILO. In 1995 the EESC drafted an own-initiative opinion on *Relations between the EU and the International Labour Organization (ILO)*,⁶ which responded to a 1994 European Commission communication on the same subject. The Commission document was in turn a response to the 1993 European Court of Justice Opinion (2/91) clarifying the legal competence between the EC and the member states concerning the ratification of ILO Convention 170 (Concerning the use of chemicals at work). The Commission (EC, 1994b) communication advocated member states direct their correspondences with the ILO via Brussels, in order to make the EU position consistent. This raised suspicions among both trade union and employers' representatives who feared their privileged positions at the national level were being undermined by greater government centralisation. The EESC opinion weighed in heavily in the defence of tripartism, arguing that the EU should not threaten the privileges currently enjoyed by workers' and employers' representatives at the national level. The rapporteur of the committee producing the opinion was Ms Engelen-Kefer, a German EESC workers' group member and a regular member of the ILO GB since 1993.

There is always a good relationship between the EESC and the [ILO] workers' group because we had a number of personalities who were involved in both. [...] [W]e had the personalities that could cross-fertilise ideas as required, which constitutes the institutional bond.⁷

⁵ Interview, London, July 2004.

⁶ Official Journal C 102 , 24/04/1995 P. 0007

⁷ Interview, London, July 2004.

Similarly we find the same pattern when looking at another important EESC report, the 2003 opinion on the ILO's World Commission on the Social Dimension of Globalisation (WCSDG). This time the rapporteur was another member of the workers' group, Mr Tom Etty from the Netherlands. Lord Brett described Etty's importance as follows:

Well, you take this World Commission Report of last February [2004]. (...) Etty was proposed on behalf of the workers' group to be the mediator on the World Commission Report, which they've agreed to easily. He then gets appointed Rapporteur. He then decides who will speak to the Committee and in what capacity and where will be the hearings. He will go along and I will go along and explain what the World Commission Report is all about, and so we hope to get a strong opinion, saying 'yes, this is a critical report and the important thing is to make sure that it's recommendations are implemented', and that will hopefully go on to the Parliament and they will make a strong opinion before next year, when the G8 have to decide what to do with the report. The Presidency next year of the G8 is the Brits, who are also President of the EU during the second half of next year, so the idea is to gain the initiative put maximum pressure on the G8 to start the process of implementing the recommendations.⁸

Tom Etty was elected on the ILO Governing Body for the period 2005-2008, and remains an influential figure in the EESC. The opinion on the WCSDG report was highly favourable and the European Parliament also passed a strongly supportive resolution in favour. This example not only illustrates again how ILO issues are being handled in the EESC by ILO-friendly individuals, but also how there is a strategic use of the EESC as part of the European Union's institutional architecture to influence policies elsewhere in the system.

These three examples of ILO-EESC linkages are not unique. Table 1 (see end of paper) lists the overlapping membership in full. In the survey between 1990 and 2007, six individuals were identified as having served on both committees, four workers and two employers. For much of the period two ILO GB members also served on the EESC, although in the final period this rose to three, (although two of them stood from the EESC in the period 2006-2010). The individuals mentioned above (Hornung-Draus, Engelen-Kefer and Etty) are the longest standing EESC members and the former two have also served a number of terms on the ILO GB. Table 2 details the exact length of time each individual spent where.

⁸ Interview, London, July 2004.

iii. Conceptualising the ILO-EESC transnational elite

So far we have established that there are credible grounds for pursuing the investigation of the links between key individuals participating in both the EESC and the ILO Governing Body. Not only was personal testimony from Lord Brett considered, but further research illustrated how the network has extended over a considerable period of time and while not previously adopting the formalised nature seen in the EESC President addresses the annual International Labour Conference (ILC), these key players ensured they gained positions of influence as rapporteurs for EESC opinions. If in doubt about the significance of the rapporteur's role, Desmond Dinan wrote of Altiero Spinnelli's instrumental role in the EP committee on institutional affairs, that he 'served not as chairman but in the crucial capacity of rapporteur.' (Dinan, 1999, 99)

There are a number of questions to be considered based on the brief analysis of the case study. The first is how should workers' and employers' representatives be classified and conceptualised? Their role in the ILO is explicitly non-governmental, although they are an essential component of the national representation of each state member of the ILO. Their executive and legislative powers make them integral to the institution, and thus not distinct from the governance structure of industrial relations in the world economy. The role of workers and employers in the EESC is similar, insofar as they are present in the committee explicitly because of their status as organised components of civil society. Here too they are non-governmental, but once again they are institutionally embedded in the governance structure of the EU, albeit to a far lesser degree in terms of decision-making power than in the ILO. At the broadest level both workers and employers could be described as being non-governmental, institutionalised actors within a specific governance structure. However, when turning to the existing literature (as presented below) we find that there is only limited congruence between this case and models presented.

For example, Keck and Sikkink's Transnational Advocacy Networks (TANs) capture the transnational component, and the sophisticated links between both groups circulate information corresponding to Keck and Sikkink's definition of a network. (Keck and Sikkink, 1998) However, the 'advocacy' dimension is more difficult to see, since both parties could be argued to demonstrate behaviour consistent with the

pursuit of interests rather than purely ideas and values. Similarly, when comparing this case to Peter Haas' epistemic community work, we see that while both parties have technical knowledge concerning the working of specific fields of employment, and that trying to make policy without their insight would most likely be less successful, they do not represent the scientific neutrality to national interests that one finds in, say, environmental issues. (Haas, 1992) How useful is the existing literature to understanding the unique role played by workers and employers in the ILO and the EESC?

The second question to consider is how do the 'double-hatting' individuals interact with the two institutions? What roles do they play and what do they seek to gain? As discussed above, both the EESC and the ILO are bound by the statutes to include representation from workers' and employers' organisation. This point reiterates the ambiguous relationship between the individuals as representatives of their constituencies (i.e. UK trade unions) and integral parts of either the European Union or ILO institutional structure. What responsibilities and loyalties do they have to each institution, and to what extent do their non-governmental credentials survive this encroachment? The same issue is raised when considering whose interests each individual is supposed to represent. In both the EESC and the ILO the individual is a national representative in an international forum, be it European or global. Simultaneously there are expectations that intra-group solidarity will ensure that all workers' representatives share some common values in both the EESC and the ILO (generally along the lines of greater regulation of employment rights), and so too with employers' groups (along the lines of less regulation). Central to our analysis will be understanding to what extent institutional loyalty crosses from the EESC to the ILO and vice versa. The evidence presented above from Lord Brett suggested ILO Governing Body members seek to promote the ILO's work in the EESC and in the EU in general. This constitutes a third identity imposed on the individual from the institutional structure. Does this 'ILO identity' compromise their loyalties to their other constituencies (for example putting the promotion of the ILO above the interests of German workers)? Is there an 'EU identity' that sees these individuals promoting EU interests in the ILO? To the extent that these exist, they constitute the 'transmission belts' between the EU and the ILO that circumvent member state governments.

Thirdly, what is the relationship between agency and structure in this case study? If we are going to focus on the role played by individuals that are strategically located at the intersection of two institutional, we are going to have to accept that agency has a role to play in the outcomes of both the EESC and the ILO. If this were not the case, then the individuals concerned would be of no significant interest in explaining the policy outcomes observed. Nonetheless, structures are enabling features of the case study, since as noted above, both Brett and Briesch were in positions of power in the ILO (President of the annual conference) and the EESC (President) respectively. Of central concern in this paper is the relationship between individuals and institutions and can be divided into four related areas. How have specific individuals taken advantage of the influence accredited to the positions that they hold? How have they made use of their network of contacts through transnational elites to further their influence? Can the aims and objectives of their actions be regarded as ‘milieu’ goals that are of general benefit to the widest range of constituents (or are they ‘possessive’, self-serving goals?) Finally, how has a network of individuals between institutions helped or hindered formal relations between states belonging to both the EU and the ILO?

II. Theories of Transnational Actors (TNA)

i. Revisiting TNAs in the 1990s

As Thomas Risse has pointed out, ‘the 1990s saw a revival of theorizing about transnational actors, a trend that was further enhanced by the debate on “globalization”’. (Risse, 2002, 258) The significant difference between this debate and earlier ones was that the focus has shifted to looking at how transnational actors (TNA) could shape state behaviour, rather than challenge the state as the central actor in the international system, and also that it opened up again the debate about the role of agency and its relation to structure. Risse lists five significant contributions to the literature on TNAs in the 1990s, but due to constraints on space only two will be considered in detail in this paper.

Risse identifies James Rosseau’s *Turbulence in World Politics* as the first major work to look in detail at the role of individuals in world politics against the backdrop of the end of the Cold War and the undermining of systemic theories to

explain events. (Risse, 2002, 258, Rosenau, 1990) Another was Risse's own edited volume of 1995, *Bringing Transnational Relations Back In*. His central research question is 'under what domestic and international circumstances do transnational coalitions and actors who attempt to change policy outcomes in a specific issue-area succeed or fail to achieve their goals?' (Risse-Kappen, 1995, 5) Risse sets out to consider if domestic or international variables are the more useful to explain the differing levels of success of transnational networks, and whether 'different domestic structures determine the variation in the policy impact of transnational actors'. (Risse-Kappen, 1995, 25) After looking at a number of case studies and a typology of six types of state, his main conclusion is that TNAs are in all circumstances less relevant when states are weak both domestically and internationally. (Risse-Kappen, 1995, 22-23, 311)

The third was Wolfgang Reinicke's *Global Public Policy: Governing without Government?* In it he argues that globalisation is promoting economic integration and political fragmentation at the same time, and through this 'territoriality becomes unbundled'. (Reinicke, 1998, 64) Reinicke frames his ideas in terms of 'internal' and 'external' sovereignty, and the degree to which a state is able to operate effectively on both levels in the age of globalisation. A threat to internal sovereignty challenges 'the ability of a government to formulate, implement and manage public policy', while a threat to external sovereignty challenges the ability of a state to maintain its borders within the international system. (Reinicke, 1998, 57-8) Three possible solutions are posited; 'defensive intervention' by building barriers to the outside world, 'offensive intervention' leading to a 'race to the bottom' for competitive advantage, or 'global public policy'. (Reinicke, 1998, 8) Reinicke advocates the third option and devotes the length of the monograph defending his position. Both the ILO and the EU represent efforts to promote global public policy, and 'the formation of transgovernmental networks is a necessary condition for global governance to succeed'. (Reinicke, 1998, 219) Thus Reinicke's argument is especially pertinent to the general theme of ILO and EU cooperation, and supportive of the claim that transnational networks ultimately reinforce the role of the state in the international system rather than undermine it, albeit in an adapted governance structure.

ii. *Transnational Advocacy Networks (TANs)*

Margaret Keck and Kathryn Sikkink developed their work on Transnational Advocacy Networks (TANs) based on non-governmental organisations (NGOs) working transnationally in a number of specific policy areas. They developed a framework of analysis that has the potential to be highly relevant to the case looked at in this paper. Of the three central components of their model, the workers' and employers' representatives tick two out of three boxes. Firstly, they are clearly *transnational* because they are national 'branches' of a broader organisational structure stretching between states but separate from state authorities. Likewise, both the workers' and employers' groups resemble the *networks* defined by Keck and Sikkink as 'forms of organisation characterised by voluntary, reciprocal and horizontal patterns of communication and exchange'. (Keck and Sikkink, 1998, 8)⁹ Potentially more problematic is whether workers' and employers' representatives can be seen as *advocates*. TANs are 'networks of activists, distinguishable largely by the centrality of principled ideas or values in motivating their formation', and 'they often involve individuals advocating policy changes that cannot be easily linked to a rationalist understanding of their "interests"'. (Keck and Sikkink, 1998, 1,9) Normative values play an important role in identifying TANs and their advocacy is described as 'plead[ing] the causes of others or defend[ing] a cause or proposition.' (Keck and Sikkink, 1998, 8) The question we arrive at is do workers' and employers' really count as advocates as Keck and Sikkink would define them, or are they more accurately described as being motivated by rational interests?

Keck and Sikkink give additional examples of what they expect TANs to do, and taking guidance from these statements does suggest that workers' and employers' groups can be accurately described as transnational advocacy networks. Transnational advocacy networks 'promote norm implementation, by pressuring target actors to adopt new policies, and by monitoring compliance with international standards', and 'their goal is to change the behaviour of states and international organisations.' (Keck and Sikkink, 1998, 3, 2) These activities are entirely consistent with the EESC in trying to influence the European Parliament through its own-initiative opinions, and through that

⁹ It could be argued that this definition of a network does not fit either a trade union or an employers' federation because they have a hierarchical internal structure and include paid employees working for the 'network'. However, two counter arguments are persuasive. Firstly, large NGOs mimic the same hierarchy and pay employees as the federations do, and more importantly, the network should be viewed at the transnational level *between* federations, rather than inside federations.

change the behaviour of EU Member States and thus the EU itself. Equally, the arguments employed in the 1995 EESC report on EU-ILO relations stressed the need to preserve the tripartite structure of national coordination that they thought would be threatened by greater EU-level coordination on the grounds that it risked infringement of ILO Convention 144 (an international standard) guaranteeing tripartite representation.

Taking a different line of reasoning, and borrowing from Arnold Wolfers' distinction between possessive and milieu goals, can we argue that the interests promoted by the 'double-hatting' individuals are in support of milieu goals rather than possessive ones? The example of Lord Brett appearing before an EESC meeting in order to encourage the EU to implement the recommendations of the report by the World Commission on the Social Dimension of Globalisation seems to be more accurately described as norm promotion rather than interest-based politicking. The belief of the actors involved is that their actions will benefit all states, rather than privileging a few at a cost to the many, and thus conform to the definition of milieu goals. Thus to answer the first question set out above, we can refine the definition of workers' and employers' representatives by regarding them as transnational advocacy networks.

Turning to the second issue of how do the double-hatting individuals engage with the institutions, we must consider the EESC and the ILO Governing Body separately because of the different roles and responsibilities of the representatives in each institution. Keck and Sikkink set out five conditions under which TANs can have influence and are incremental direct effectiveness. They are influence on (i) issue creation and agenda setting, (ii) discussive positions of states and IOs, (iii) institutional procedures, (iv) policy change in target actors, (v) state behaviour. In the ILO the TANs have influence on all levels to varying degrees, including influence on state behaviour when acting through the ILO GB in cooperation with other GB members. However, there is little evidence of the 'double-hatting' individuals working to promote anything exclusively concerned with either their EESC membership or of specific concern to the EU. In the ILO, these members are principally concerned with performing their duties relating to their position as regular members of the Governing Body, representing a state and also a tripartite constituent.

By contrast in the EESC the range of influence is far narrower, limited to issue creation and agenda setting, and on discursive positions. Influence could extend further into institutional procedures or targeting actors through the medium of the European Parliament, but certainly not directly. In contrast to the ILO GB example, evidence was found of some ‘double-hatting’ members acting on the basis of their ILO credentials in the EESC, (Briesch, Etty, Hornung-Draus). This leads to a few preliminary observations. Firstly, membership of the ILO GB is a pre-requisite for action in the EESC, meaning that there is a hierarchical distinction between the two. If this is the case then we would expect only to observe instances of initiated action by the individuals in the EESC since the criteria for action there is membership of the ILO GB (not vice versa). Secondly, concerted action only takes place in the institutional setting where the individuals have less influence. This could be for a number of reasons. The first set of reasons is concerned with EESC factors, *inter alia* the willingness of other EESC members to allow them to lead; the lack of direct influence meaning opinions are less politically salient; and a lack of oversight of ‘double-hatting’ individuals by their domestic constituency members allows them to promote ILO-interests. The second set of reasons is concerned with ILO factors, *inter alia* a stronger secretariat reducing opportunities to act autonomously (in promotion of EU interests); a stronger shared identity in the ILO resulting in heavily socialised members feeling compelled to conform with Governing Body expectations.

iii. Epistemic Communities

In 1992 Peter Haas edited a special issue of *International Organization* on epistemic communities and their role in shaping international policy coordination.¹⁰ Haas defines an epistemic community as ‘a network of professionals with recognized expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue-area.’ (Haas, 1992, 3) Epistemic communities provide advice to policymakers with sufficient information to make informed decisions themselves, and by articulating their expert knowledge during a negotiating process between states, they help ‘states identify their interests, framing the issues for collective debate, proposing specific policies, and identifying salient points for negotiation.’ (Haas, 1992, 2) In the context of this case study, the question is can we regard workers’ and employers’ groups as epistemic communities?

¹⁰ *International Organization* Vol. 46 no. 1 (1992)

The theoretical model was based predominantly on case studies of expert knowledge from the natural sciences being used to facilitate coordination between states, such as in environmental, health or communication issues. On first sight this appears to resonate with David Mitrany's *Working Peace Theory*, but unlike 'the functionalists, who turned their attention to the development of common activities and the transfer of technocratic loyalty to a superordinate authority, the concern of [scholars interested in epistemic communities] is with styles of policymaking and changes in the patterns of policymakers' reasoning.' (Haas, 1992, 12) Whereas Mitrany sought to de-politicise technical issues to improve global distribution, epistemic communities de-politicise information relating to technical issues through their authority based on scientific methodology. This is a less ambitious project based on retaining the primacy of the state in the international system. Despite the fact that Haas states that 'epistemic communities need not be made up of natural scientists; they can consist of social scientists or individuals from any discipline or profession who have a sufficiently strong claim to a body of knowledge that is valued by society', there is no doubt that applicability to social issues such as employment policy is less straightforward than scientific ones. (Haas, 1992, 16) Haas gives the example of economists, and suggests that

while economists as a whole constitute a profession, members of a particular subgroup of economists – for example, Keynesians or followers of one of the schools of development economics – may constitute an epistemic community of their own. (Haas, 1992, 19)

Do workers' and employers' groups count as members of an epistemic community, or do they fall down on the grounds that they are either not scientific enough, or else not truly impartial?

Haas performs a useful service by setting out in two 2 x 2 matrices what sets epistemic communities apart from social movements, disciplines and professions, and bureaucrats, based on their causal beliefs, principled beliefs, knowledge base and interests. (Haas 1992, 18 figure1). The four variables are described in detail and for the purpose of illuminating the case study I shall concentrate on the differences between an epistemic community and a social movement on one hand, and an epistemic community and a profession on the other hand. Both share some

characteristics with an epistemic community, but also have important differences.¹¹ Taking the first example, Haas argues that an epistemic community and an interest group share principled beliefs and interests, but illustrates the difference between the two by citing the example of whaling, with an ‘epistemic community of cetologists, the economic interest group of whaling industry managers, and the issue-oriented lobbying coalition of environmentalists.’ (Haas, 1992, 18) Haas then makes the second distinction clear.

Epistemic communities must also be distinguished from the broader scientific community as well as from professions and discipline. Although members of a given profession or discipline may share a set of causal approaches or orientations and have a consensual knowledge base, they lack the shared normative commitments of members of an epistemic community. (Haas, 1992, 19)

The difference between academic (professional) associations and epistemic communities can be summed up by the members themselves, whose

professional training, prestige, and reputation for expertise in an area highly valued by society or elite decision makers accord them access to the political system and legitimize or authorize their activities. Similarly, their claims to knowledge, supported by tests of validity, accord them influence over policy debates and serve as their primary social power resource. (Haas, 1992, 17)

Considering these points together, workers’ and employers’ groups have a strong claim for identification as a epistemic community. In their favour they have the diverse professional background, expertise and knowledge to provide genuine unique insight into the nature of employment relations. Against them rests the concerns that they do not share a coherent normative commitment (given that they are often ideologically opposed) and by extension, that their ideological differences render them no more than interest groups. Alternatively can they be considered as two separate epistemic communities within a larger ‘profession’ of tripartite industrial partners from civil society?

In order to address this issue head on, let us consider Haas’ detailed explanation of an epistemic community. To qualify, four conditions need to be met which we will assess individually. Firstly, an epistemic community requires ‘a shared

¹¹ On Haas’ matrix epistemic communities and social movements are in the same row, while epistemic communities and professional groups are in the same column.

set of normative and principled beliefs, which provide a value-based rationale for the social action of community members'. (Haas, 1992, 3) On a macro level we can identify these in both the workers' and employers' groups as their shared commitment to tripartism, dialogue between social partners, the importance of economic well-being (prosperity and reason equality) for societal stability.¹² Secondly, an epistemic community requires 'shared causal beliefs, which are derived from their analysis of practices leading or contributing to a central set of problems in their domain and which then serve as the basis for elucidating the multiple linkages between possible policy actions and desired outcomes'. (Haas, 1992, 3) This point is more problematic than the first one because on the one hand dialogue, consensus, the establishment of agreed standards and the international monitoring of them are shared between workers and employers. However, on the other hand ideological divisions exist between the two concerning the optimal level of regulation, whether it should be minimal or maximal, and what should be the role of the state in regulating activity. Different social models exist (e.g. Nordic, liberal/free-market) and there is no agreement on the causal mechanisms which promote desired ends.

The third condition is that there should be shared notions of validity – that is, intersubjective, internally defined criteria for weighing and validating knowledge in the domain of their expertise'. (Haas, 1992, 3) The workers and employers' groups do have these intersubjective criteria, insofar as they do subscribe to the idea of formally regulated social markets and that despite their ideological differences, they still both agree that they have something to argue over, so both accept the validity of their opponents claims. Finally, an epistemic community requires a 'common policy enterprise – that is, a set of common practices associated with a set of problems to which their professional competence is directed, presumably out of the conviction that human welfare will be enhanced as a consequence.' (Haas, 1992, 3) This point refers us back to the initial normative positioning of the two groups, and their commitment to core values of the ILO and of the EU. Overall, the credentials of both workers and employers are consistent with many of the criteria set out by Haas, but importantly shared causal beliefs are uncertain and it is in this area that both groups could potentially be labeled as interest groups. Against this and as a defence of their position as legitimate epistemic communities, we could assert that workers and

¹² In the ILO the common commitment to the ILO constitution that 'poverty anywhere is a threat to prosperity everywhere' is an example of these higher-order normative values.

employers constitute two separate epistemic communities, much like schools of economics are epistemic communities within a profession.

III. Conclusions

The primary finding of this paper is that it appears that the transnational actors in the EESC and the ILO GB, workers' and employers' representatives, can be classified as both transnational advocacy networks *and* epistemic communities. Both groups meet the criteria for both models, and as such leads us to the question: does this mean TANs are the same as epistemic communities? In the literature the two are seen as clearly distinct types of TNA, and this implies that the findings of the paper are dubious. The source of the doubt can be attributed to one of two reasons. Firstly, the argumentation leading to classifying workers and employers as both is erroneous. The second is that the double-hatting individuals perform different roles at different times, and are therefore heterogeneous in character. Sometimes they appear to behave as members of an epistemic community, while at other times they behave as if they belong to advocacy network. Indeed, the possibility that 'double-hatting' individuals also play multiple roles according to the institution seems plausible. The remainder of the conclusion substantiates the claim in greater detail.

i. The role of agency

In the context of the material considered, Risse argued that the study of TNAs helps to counterbalance the tendency towards overly structural accounts of international politics. Keck and Sikkink consider the issue of agency in their model and comment that 'what is so elusive about networks is how they seem to embody elements of agent and structure simultaneously.' (Keck and Sikkink, 1998, 5) Similarly, Haas notes how 'human agency lies at the interstices between systemic conditions, knowledge, and national actions'. (Haas, 1992, 2) This is not new however, because the role of individuals in international institutions has long been debated, most obviously with regard to the role of the United Nations Secretary General in international politics.

In this case study, the position of the 'double-hatting' individuals is similar to the case of the UNSG insofar as their position is rooted in the institutional design of the organisation, and as such is part of the structure. They fulfil a role that is defined

in purpose, duration and scope of action outside of the individual's control. These individuals do not have the same degree of agency that an NGO member has, as measured in freedom of action. However, unlike other individuals that serve as bureaucrats in an institution, the members of the EESC and the ILO GB are representative of states yet not part of the government, and are able to express national interests. Within the context of this paper, we have asked whether individuals that serve in two separate institutions simultaneously transmit interests generated by their unique dual roles. This does appear to have been the case, evidenced in the way in which double-hatting individuals took strategic roles in the EESC that helped promote the ILO agenda. The empirical research found a number of EESC opinions that were guided by these individuals, although no similar investigation has been made within the ILO's Governing Body. However, using Keck and Sikkink's scale of influence, it was argued that the EESC was the less influential of the two institutions, and consequently more open to strategic use by the individuals.

ii. Transmission belts

The broader picture to which this paper speaks is the extent to which non-governmental, transnational actors are able to influence the EU's external relations, particularly with UN bodies. Which transnational actors exist, how do they act, what interests do they promote, and what impact does it have? In this paper addresses only the first and second questions, identifying the workers' and employers' members of the EESC and the ILO Governing Body as potential transmission belts by virtue of their dual role in each institution. Interview evidence formed the basis of the investigation, but archival research into the identity of the individuals concerns, which constituencies they represented and how long they served substantiated the argument. Appendix 1 shows a number of the EESC opinions that were produced with an ILO GB member serving as rapporteur¹³. Through reading the content of the opinion, and comparing it to the substance of European Parliament resolutions leading on from it, it is possible to identify the areas in which the double-hatting individuals prioritised for action, and also to make an assessment of the impact they had. The data provided here is the first step toward making that assessment, although it lies beyond the scope of this paper.

¹³ Preliminary findings only, further research to be added.

The conclusions that can be drawn from this paper suggest that the ILO agenda is being loaded into the EU system, rather than vice versa. Given the small number of individuals, they are clearly in a privileged position with regard to being able to span the two institutions. Furthermore, the evidence from Lord Brett confirmed the impression gained from the data that the overall number of individuals is small, and personal networks are important. Thus much of the influence enjoyed is through the double-hatting individuals, although it should be noted that relations between the two have been formalised through the EESC president addressing the annual International Labour Conference. A second point to consider is whether the transmission belt between the EESC and the ILO is promoting specific interests (either ILO interests such as their own agenda) or broadly definable milieu goals (such as the promotion of core labour standards). Determining the congruence of interests and ideas between the two institutions will illustrate the significance of the transmission belt, and the extent to which it is able to alter the course of the EU (or ILO).

iii. Observing transnational actors

The final brief point to take away from this paper is the suggestion that a particular group of transnational actors could appear to be an advocacy network *and* an epistemic community. While there is undoubtedly a degree of overlap between the two definitions, more importantly this case illustrates that actors might not act in this same way in all situations, especially when the constraints on their action are in part determined by the institutional structure to which they belong. As was noted at the beginning, these individuals perform roles that are required by the constitutional and treaty agreements forming the ILO and EESC respectively. They therefore belong to the structure and also demonstrate agency too. By turning our attention to these actors, we risk casting them as static entities through TNA classification. The individuals in this case study appeared to be more like an epistemic community in the ILO, and more like an advocacy network in the EESC, although they retained common characteristics throughout. Having granted non-state actors the capacity to shape international politics, it seems a shame to then fix them solid in a single TNA model. By failing to take into account their dynamic attributes to change according to the circumstances (institutional structure) in which they find themselves operating, we risk missing one of their most important strengths – their adaptability.

Table 1: Number of ILO Governing Body members also serving on European Economic and Social Committee ('double-hatting' individuals)

GB Session	Members from EU States	Workers/ Employers	No. serving on EESC simultaneously (%)	No. serving on EESC in career ¹⁴
1990-93	12	6/6	0 (0%)	1
1993-96	12	5/7 ¹⁵	2 (17%)	2
1996-99	12	6/6	1 (8%)	1
1999-02	12	6/6	2 (17%)	2
2002-05	12	7/5 ¹⁶	2 (17%)	2
2005-08	13	6/7 ¹⁷	3 (23%)	3

Table 2: Key individuals serving on the ILO Governing Body and the European Economic and Social Committee

<i>Individual</i>	<i>Member State</i>	<i>Group</i>	<i>ILO GB terms</i>	<i>EESC terms</i>
John Sverningsen ¹	Denmark	Workers	1990-1993	1998-2002
Roger Briesch	France	Workers	1993-1996	1994-2006
Ursula Engelen-Keper	Germany	Workers	1993-2008	1990-2006
Thomas ETTY	Netherlands	Workers	2005-2008	1990-2010
Ton Huntjens	Netherlands	Employers	1999-2002	2000-2006 ¹⁸
Renate Hornung-Draus	Germany	Employers	2002-2008	1998-2006

Source material: (EC, 1990, EC, 1994a, EC, 1998, EC, 2002, EC, 2006, ILO, 1990, ILO, 1993, ILO, 1996, ILO, 1999, ILO, 2002, ILO, 2005)

¹⁴ Some ILO GB members went on to serve on the EESC later in their careers.

¹⁵ Including Finnish workers' representative Mr Tapiola and employers' representative Mr Hultin.

¹⁶ Including Polish workers' representative Mr T. Wojcik.

¹⁷ Including Romanian workers' representative Mr B. Hossu.

¹⁸ Ton Huntjens joined the EESC in mid-term, replacing Philip Noordwal.

Appendix 1: Selected Rapporteur positions held by key individuals:

Ursula Engelen-Kefer: (Selected)

No. 1172: OPINION of the European Economic and Social Committee on Quality of working life, productivity and employment in the context of globalisation and demographic challenges (13 September 2006)

No. 589: OPINION of the European Economic and Social Committee on the Proposal for a Directive of the European Parliament and of the Council on improving the portability of supplementary pension rights COM(2005) 507 final (20 April 2006)

No. 846: OPINION of the European Economic and Social Committee on the Communication from the Commission on the Social Agenda COM(2005) 33 final (13 July 2005)

No. 527: OPINION of the European Economic and Social Committee on the Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/88/EC concerning certain aspects of the organisation of working time COM(2004) 607 final (11 May 2005)

No. 250: OPINION of the European Economic and Social Committee on the Proposal for a European Parliament and Council Regulation on the European Social Fund COM(2004) 493 final (9 March 2005)

(With Hornung-Draus) No.355: OPINION of the European Economic and Social Committee on the Communication from the Commission on Promoting a European framework for Corporate Social Responsibility COM(2000) 366 final (4 April 2002)

No. 704: OPINION of the European Economic and Social Committee on the Communication from the Commission on the Framework for informing and consulting employees in the European Community COM(1998) 612 final (9 July 1999)

Renate Hornung-Draus: (Selected)

(With ETTY) No. 252: OPINION of the European Economic and Social Committee on The Social Dimension of Globalisation – the EU's policy contribution on extending the benefits to all COM(2004) 383 final (9 March 2005)

No. 325: OPINION of the European Economic and Social Committee on Employment support measures (2 March 2004)

Thomas ETTY: (Selected)

No. 213: OPINION of the European Economic and Social Committee on the Communication from the Commission under Article 138(2) of the EC Treaty on the strengthening of maritime labour standards COM(2006) 287 final (15 February 2007)

No. 92: OPINION of the European Economic and Social Committee on the Communication from the Commission on Promoting decent work for all (17 January 2007)

No. 238: OPINION of the European Economic and Social Committee on the Representation of women in the decision-making bodies of economic and social interest groups in the European Union (14 February 2006)

No. 1071: OPINION of the European Economic and Social Committee on Social policy within a pan-European system for regulating inland-waterway transport (own-initiative opinion) (29 September 2005)

No. 885: OPINION of the European Economic and Social Committee on the Communication from the Commission on Adapting to change in work and society: a new Community strategy on health and safety at work 2002-2006 COM(2002) 118 final (23 July 2002)

No. 194: OPINION of the European Economic and Social Committee on the Communication from the Commission for amending Council Directive 83/477/EEC on the protection of workers from the risks related to exposure to asbestos at work COM(2001) 417 final (22 February 2002)

No. 937: OPINION of the European Economic and Social Committee on the request by the Commission for the Committee to draw up an exploratory opinion in anticipation of the Commission Communication on health and safety at work (17 July 2001)

References

- DINAN, D. (1999) *Ever closer union? An introduction to European integration*, London, Macmillan.
- EC (1990) Council Decision appointing the members of the Economic and Social Committee 21 September 1990 to 20 September 1994. *OJ L 290/13*. Brussels, European Commission.
- EC (1994a) Council Decision appointing the members of the Economic and Social Committee 21 September 1994 to 20 September 1998. *OJ L 257/20*. Brussels, European Commission.
- EC (1994b) Proposal for a Council decision on the exercise of the Community's external competence at International Labour Conferences in cases falling within the joint competence of the Community and its Member States. *COM (1994) 2 Final*. Brussels, European Commission.
- EC (1998) Council Decision appointing the members of the Economic and Social Committee 21 September 1998 to 20 September 2002. *OJ L 257/38*. Brussels, European Commission.
- EC (2002) Council Decision appointing the members of the Economic and Social Committee 21 September 2002 to 20 September 2006. *OJ L 253/10*. Brussels, European Commission.
- EC (2006) Council Decision appointing the members of the Economic and Social Committee 21 September 2006 to 20 September 2010. *OJ L 207/30*. Brussels, European Commission.
- EESC (2007) *The EESC: a bridge between Europe and organised civil society*, Brussels, European Economic and Social Committee.
- HAAS, P. M. (1992) Introduction: epistemic communities and international policy coordination. *International Organization*, 46, 1-35.
- ILO (1990) Results of the election to the Governing Body of the International Labour Organisation 1990-93. *ILC 77 Provisional Record 14*. Geneva, International Labour Organisation.
- ILO (1993) Results of the election to the Governing Body of the International Labour Organisation 1993-96. *ILC 80 Provisional Record 12*. Geneva, International Labour Organisation.
- ILO (1996) Results of the election to the Governing Body of the International Labour Organisation 1996-99. *ILC 83 Provisional Record 7*. Geneva, International Labour Organisation.
- ILO (1999) Results of the election to the Governing Body of the International Labour Organisation 1999-2002. *ILC 87 Provisional Record 6*. Geneva, International Labour Organisation.
- ILO (2000) *The ILO: What it is and what it does*.
- ILO (2002) Results of the election to the Governing Body of the International Labour Organisation 2002-05. *ILC 90 Provisional Record 10*. Geneva, International Labour Organisation.
- ILO (2005) Results of the election to the Governing Body of the International Labour Organisation 2005-08. *ILC 93 Provisional Record 9*. Geneva, International Labour Organisation.
- KECK, M. E. & SIKKINK, K. (1998) *Activists beyond borders : advocacy networks in international politics*, Ithaca, N.Y., Cornell University Press.
- REINICKE, W. (1998) *Global public policy : governing without government?*, Washington, D.C., Brookings Institution Pres.

- RISSE-KAPPEN, T. (1995) *Bringing transnational relations back in : non-state actors, domestic structures, and international institutions*, New York, Cambridge University Press.
- RISSE, T. (2002) Transnational Actors and World Politics. IN CARLSNAES, W., RISSE, T. & SIMMONS, B. A. (Eds.) *Handbook of international relations* London, Sage.
- ROSENAU, J. N. (1990) *Turbulence in world politics : a theory of change and continuity*, London, Harvester Wheatsheaf.