

# **Enclaves within the State**

## **Internationalisation and democracy in the Swedish public administration**

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## **Abstract**

As states are becoming more embedded in complex structures of international and transnational governance tangible effects are being seen in terms of the adjustment of the national administrations coping with international decision making processes. The national adjustment can be seen, not only in terms of formal regulation being made outside the state, which has been the focus of most studies of Europeanization and internationalisation, but also in terms of changed practices among the state actors. This paper focuses on the demands placed on national administrations while participating in international decision making.

The paper defines the concept of enclaves as more theoretically founded and empirically adequate than common concepts of networks and policy communities often used to describe international cooperation. Parts of the national administration become embedded in transnational context and follow the rules and working procedures seen as legitimate there. The closest colleagues are those from other member states and international organisations. At the same time they get partly detached from the national level and become enclaves in the national administration. The paper investigates the case of the Swedish public administration and its participation in negotiations: on climate change (UN), employment policy (EU) and trade facilitation (WTO). A theoretical framework, combining theories of governance with more explanatory theories on decision making, is applied to the three empirical cases. The second aim of the study concerning democratic legitimacy is carried out through a number of indicators derived from the deliberative and the representative models of democracy.

## Introduction

The number of attempts to regulate transnational phenomena such as migration, climate change and acid rain has increased through the processes we most commonly refer to as globalisation and internationalisation (Beck 1998; Held 1999). These rules in the form of binding agreements, conventions or standards are often negotiated and created within various international and European organisations (Brunsson & Jacobsson B. 2000). In these rule-making processes politicians, civil servants from the national level as well as from international organisations take part together with members of NGO's, companies and other actors. This means that politicians from the member states are not the only ones participating and influencing the decisions being made. Sweden has now been a member of the EU for eleven years and the signs hereof have started to show, not only in formal EU regulation being implemented, but also in the organisation of working methods, activities and procedures within the state administration. Although most studies on internationalisation and europeanisation tend to look mainly at the impact on various policies in the member states, a growing body of studies have been carried out in the field of how national administrations have been affected, and also a handful on the effects on the Swedish public administration more specifically (Britz 2004; Ekengren 1998; Jacobsson K. 2002; Jacobsson B., Laegreid & Pedersen 2001; Vifell 2002; 2006, Larue 2006). There are however also, as mentioned above, other international organisations that have been important for the development and which have caused state administrations to become embedded in international processes of decision-making. These processes include negotiations within the UN-system, WTO and other such international bodies. This article however takes the question a bit further, both in terms of explaining the adjustment of the national level, and in terms of making inquiries into what happens to the democratic legitimacy of the administration when it acts embedded in transnational or debound spaces.

The popular concept of *governance* is closely linked to internationalisation and europeanisation<sup>1</sup> and the fact that decision-making power moves to international organisations.

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<sup>1</sup> The definition of europeanisation applied here is one that is commonly used to define internationalisation and could be described as: the process which means that communication, transaction and organisation increasingly happens between on the one hand national administrations and on the other hand other member states and European administrative, political and private bodies. (Cf. Underdahl 1984; Jacobsson 1997; Hanson, & Stenelo 1990.) This means that adjustment of national political systems as well as resistance to integration are to be looked upon as europeanisation. This definition also means that transnational relations may be important to political processes and outcomes. (Risse-Kappen 1995)

Governance is most often used to describe a type of decision-making where the state is seen as fragmented, or divided into different parts that are horizontally co-ordinated rather than governed through traditional hierarchical relations (Pierre & Peters 2000; Kettl; 2000, Kooiman 1993). Theories of governance have described the situation as one where state competencies have been dispersed upward to international organisations, downward to sub-national entities, and outward to private organisations (Rhodes 1997:34; Hecló & Wildawsky 1974; Pierre & Peters 2000). This article is thus concerned with the upward transfer, which has led to a situation where new demands are placed on the public administration. And those demands may not always be compatible with each other or with other demands on the administration, such as acting according to democratic norms and procedures. Other concepts related to the governance debate are issue networks and policy communities that are used to describe what type of organisation of activities may be appearing outside the hierarchical structures, and which may be important to understand how politics are being made (Börzel 1998; Rhodes 1997:43-45; Rhodes & Marsh 1992:251). These concepts are meant to characterise networks of politicians, civil servants and others that tend to emerge around specific issues and policy areas. Close relations, common frames of reference, shared professional backgrounds and issue specific terminology are a few of the things that characterise these groups. Rhodes and Marsh use a scale with varying degrees of interconnections between the participants and degrees of formalisation of the structures where networks are found at one end and policy communities at the other.

Traditionally these types of attachments that go beyond formal structures have been seen as problematic from a democratic point of view, and have been described as iron triangles and distortions of representative structures (Etzioni-Halevy 1983). However, there has lately been a tendency to rather emphasise their ability to enhance efficiency and legitimacy, since they make it possible to involve a larger set of stake holders than hierarchical political organisation in general (Kjær 2004, Sørensen & Torfing 2004, Pierre & Peters 2000). The concept of democratic network governance and the new role of politicians as meta governors of networks have received much attention in the Scandinavian scholarly debate (See for example Sørensen & Torfing 2004, Sundström 2005) Whether or not these networks function according to democratic norms is an empirical question and is also often an object of enquiry – but this study has another claim, namely that networks and epistemic communities are not very accurate concepts either empirically or theoretically, if we want to understand how the national administration acts when taking part in international decision making. The concept of enclaves is thus introduced as a more elaborated idea for understanding the organisation of the embedded national administration.

The first question to answer is to understand the organisation of the Swedish administration when it acts embedded in international decision-making processes. Since the administration is an important link in the democratic system, a second aim is therefore to see if and how internationalisation causes any problems in understanding the public administration as democratically legitimate. Empirically the study consists of three case studies that serve as examples of international rulemaking processes in which the state administration participates. Through a close study of the Swedish strategies to influence the outcome of these processes, the demands on how to act and work are mapped out. This analysis of how the work is carried out serves as the basis for the normative analysis of what democratic problems this might cause.

### **Decision making as rule following**

In the paper, the largely descriptive governance theories mentioned above are combined with more explanatory theories to help grasp what happens in the national administration since the larger body of governance literature fail to provide more explanatory frameworks linked to features of actors (Blom-Hansen 1995; Kjaer 2000). There are many indications that viewing states as unitary actors acting strategically to maximise their clearly predefined interests in international negotiations, is a vantage point that could be questioned (Simon 1957; March & Olsen 1984). This notion also sits well with fundamental ideas within the governance theories that generally question such vantage points (Börzel 1998:266). Studies show that what actors want in a particular negotiation on an issue is something that is learnt through taking part in the process, and not something that is completely prenegotiated and brought in the suitcase to Brussels or Washington (Dyson 2000; Finnemore 1999; Jacobsson 1997; Marcussen & Ronit 2003; O'Riordan & Jäger 1996; Schneider, Gerald & Aspinwall 2001). In complex decision-making processes, new issues can also turn up on the agenda where national representatives may have to respond quickly, and without time to confirm standpoints with the political leadership back home. But what happens then? How is the work organised, and how can this be understood? What happens with the Swedish administration's room for manoeuvring?

An organisation perspective where states are seen as one type of organisation, interacting and being embedded in the surrounding environment, provides the starting point for the study. States are seen as open systems that are shaped by relations in the specific context, at the same time as they influence the structures of the environment itself. A central concept in the study is legitimacy which is attained from a resource dependence perspective (Pfeffer & Salancik 1978). The concept has been linked to an organisation's possibility to live up to various demands in the environment in order to be seen as a legitimate actor. Organisations are then rewarded or

punished according to how well appropriate behaviour is attained. A legitimate organisation thus receives different kinds of resources that are necessary for its survival. The resources can be anything from skilled labour to social acceptance. These ideas are complemented by an institutional perspective where working procedures that are not questioned or sometimes even used as starting points, taken for granted or unconsciously followed, are seen as institutionalised (Scott 1995; March 1994a; b; March & Olsen 1989). These norms and rules can, without formally containing any such regulative powers, determine how the organisation acts. This happens since institutions also supply the organisation with normative scripts on how to act in a given situation. The organisations' strategies can thus be shaped, limited and expanded due to institutional factors. When an organisation ends up in a decision-making position it does consequently not calculate the use of this or that alternative from the vantage point of predefined preferences, but instead acts according to the rules of how such an organisation should behave. This is referred to as the logic of appropriateness where organisations are rewarded or punished for how well normatively correct structures and procedures have been established (March 1994).

For the second part of the purpose, related to the democratic status of the Swedish administration, a number of criteria for the normative analysis of the organisation of the Swedish public administration are developed. Democracy is a concept that could mean a lot of things, and there are many measuring rods to evaluate the degree of democracy against (Dahl 1998; Beetham 1994; Sartori). In this study the representative and the deliberative models of democracy are applied as two evaluative frameworks. However, as models of democracy are normative ideals, and as ideals are by definition impossible to fulfil we may always when doing evaluations against them perceive of the studied situation as undemocratic in some way. This does not make comparisons with ideal models unfruitful since they provide us with ideas on how to improve the situation, but also with a better understanding of what limits the realisation of the ideals (Dahl 1998:28). The analysis is carried out through a number of indicators or empirical questions in relation to which the work of the administration is discussed (Karlsson 2001; Beetham 1994). Since only one part of the Swedish democratic system – the state administration - is under scrutiny, only some criteria of the representative and deliberative models of democracy are relevant. The Swedish model of representative democracy is one point of departure, but the evaluation is done from the perspective of the theoretical underpinnings upon which the practical model is built (Pitkin 1967; Przeworski, Stokes & Manin 1999). The criteria used in the study are a) control, b) equal representation and c) responsiveness. These are investigated from the point of departure of the following empirical questions (Vifell 2006.105): a) Is there transparency and limited complexity, and is liability achieved? b) Do politicians have opportunities to bring

forward their positions and arguments, and are these taken into account (although not necessarily affecting the positions taken)? c) Are the issues discussed during elections, are all interests represented and are there established channels for presenting arguments if all relevant stakeholders are not represented?

The deliberative model is then used as an alternative perspective in order to capture other forms of democratic organisation that might be prevalent. Since this form of democracy has lately been suggested as a way of understanding international and European co-operation as being more democratic it is important to empirically study such indications (Eriksen, Joerges & Neyer 2003; Joerges & Neyer 1997a,b; Nanz & Steffek 2004; Naurin 2005). It has among other things been argued that network oriented relations emanating from the EU- cooperation are more open to arguing instead of traditional high level politics and bargaining. Another reason for choosing to contrast the representative model with the deliberative approach is that the ideas on governance seem to fit well with more participatory and flat organisational forms, and as such might better be understood in deliberative rather than hierarchical command and control terms. All evaluations from a deliberative point of view stems from the theoretical model on communicative action developed by Jürgen Habermas (Habermas 1987, 1989, 1995, 1996; Dryzek 2002). The criteria used in the study are those of a) arguing instead of bargaining, b) openness, c) respected principle of equality and d) connection between elite deliberation and a public sphere (Vifell 2006:113). This in turn translates into empirical questions on: a) Whether or not the positions of the participants change during negotiations, if common frames of references are developed, if there are no side payments/horse trading/issue linkages. b) Is there access for relevant stake holders and no obstacles for participation after access has been granted? c) Do participants listen to all participants no matter strength/power relations and does any participant have a veto. d) The forum for making decisions display some of the criteria in a-c, debates are held in the public sphere on the negotiated issues and is there transparency in the process.

### **Climate, Employment and Trade**

The empirical study on which this paper is based was carried out through three case studies of international decision-making or rule-making processes where the Swedish public administration took part (Vifell 2002: 2006; Jacobsson K. & Vifell 2005: 2007a, b). More specifically they include the negotiations that preceded the signing of the Kyoto protocol within the UN convention on climate change, the new guide-lines for the European Employment Strategy (EES) and WTO-negotiations on trade facilitation. The climate change negotiations were followed until the so called Marrakesh accords were agreed in 2002 that provided the Kyotoprotocol with substantial

targets and made it ready for ratification. (Jordan 2002, Zannakis forthcoming 2007) The agreement is also the first environmental convention to be attached to a system of sanctions. The employment strategy finally, was launched during the late 90's a soft law tool to help member state improve the performance of employment policies. As part of the open method of co-ordination it builds on guidelines agreed upon in the council, these are voluntary for the member states to abide to. (De la Porte et al 2002: Jacobsson & Vifell 2005). However, participating in peer review and monitoring of national action plans in relation to the implementation of the guidelines is compulsory. The negotiations on trade facilitation were studied during the Doha round until the Hong Kong-ministerial in December 2005. The issue was negotiated in the committee for trade facilitation. Whether or not these negotiations were to result in an agreement or not was yet to be decided when the study was done. Methodologically they are case studies that have been chosen to represent examples of international decision-making processes. They include both hard and soft law-measures, technically complicated issues and issues closely related to core values of the welfare state. There is also a difference in whether they are handled at the EU level or at a global level. Having said that, it is also important to point out that, although the focus is on decision-making processes, it is not a study on how efficient and effective Sweden was in influencing the decisions; instead it is a study on how organisations act in response to the way the decision-making processes are perceived.

The rule-making processes were studied closely and a thick description of the Swedish representatives' behaviour in trying to influence the outcome was attained. The major part of the empirical material consists of semi structured in dept interviews and participant observations. The observations were done during national co-ordination, EU-coordination, international negotiation meetings and during work shops and side events of such activities. A number of participant observations during other occasions of interaction between participants in the processes were also carried out. The interviewees were civil servants and politicians at national level involved in the studied processes, but since the neo-institutionalist approach opens up for the possibility that others than the formally central actors may be influential and important, also those working in the periphery of the processes were interviewed. In addition, persons working in the international or EU-organisations with an overview of the processes as such were included. These were mainly civil servants from the European commission and the WTO-secretariat, and representatives from NGOs and other member states. The goal was to understand – through the interviewees' own descriptions of their actual doings (what did they do, in what way and with whom?) – what limited and shaped the room for manoeuvring in the international environment. What type of situation were they participating in? Which type of



organisation did they belong to? Which rules were important to follow? Altogether approximately 75 interviews were conducted and transcribed. The respondents subsequently had a chance to read the empirical descriptions and confirm the content through a so-called respondent validation.

All three processes were followed from the introduction of negotiations on the topic until a decision was made. However, the distinction of when a decision is actually made may vary considerably depending on analytical focus, at this stage the formal signing or voting on an issue was used as a reference point.

### **The Results: Complex Decisions and the National Administration**

The international decision-making processes studied were intense and placed high demands on their participants. In that way they came to shape the every day actions of the national administrations working on the issues and provide these actors with normative frames for correct behaviour and appropriate actions (Scott 1998; March 1994). But let us look more closely at some characteristics of the processes that seemed to contribute more specifically to the organisational form of enclaves that I argue best describe the organisation of the Swedish administration in relation to these processes. Understanding the international negotiations as complex decision making processes (March 1994a, b) in general helps us characterise them and explain their impact on the national administration.

First of all the processes, just like most international decision making, can be described as complex and fragmented in the sense that they contained multiple types of actors notably state representatives such as politicians, civil servants, NGO representatives (the environmental movement in the Kyoto-case, organised interest such as the social partners in the EES-case), lobby organisations, other organisations notably the OECD, the World Bank and UNCTAD in the trade facilitation case, and the EU in the Kyoto-case. The national representatives were forced to coordinate their actions, discuss and relate to different types of actors that were present and all struggled for a say in the process. The decisions were also made on different and although parallel, not always connected arenas. These arenas were both the central and formally important forums such as the council committees within the EU, meetings in the negotiation committee within the WTO or the COP (Conference of parties) within the UN climate change negotiations. But they were also informal meetings, like minded-lunches, parliamentary committees within the European parliament, related negotiation committees, and meetings within other international organisations in which the same member states took part.

There are expert groups and informal expert groups – it is just packed with council working groups and what have you. (Interview national civil servant, agency level)

In the Kyoto case the intense negotiations during the COP-meeting in Marrakesh also lead to a break down in the GSM-net which caused some trouble for the thousands of meetings to be held ad hoc in various meeting rooms and corridors as the larger document was broken down in smaller parts that were negotiated separately. One of the interviewees referred to ‘slot times’ where different groups negotiating certain paragraphs had trouble finding a time and a place to meet and where it was crucial to be online and get the information on the location and time of the event. (Interviews national civil servants ministry and agency level) It was hence difficult for someone not participating on a daily basis and being at the core of the process to know where and by whom decisions were being shaped. The processes also contained complex technical material, but even more apparent was the bureaucratic complexity in that the formal proceedings and informal practices were complex, lacked transparency and predictability. This gave the participants of the processes a specific type of expertise – an administrative one not shared by policy makers and civil servants working on the topic at national level. It is often stressed in the literature on negotiations that it is important to provide scientifically founded arguments and that scientific knowledge and expertise are highly valued resources, but the empirical evidence here suggest that another type of expertise is just as important. Another closely related observation concerns what could be referred to as a historical boundedness. This boundedness seemed to consist mainly of issue specific language and the need to know the history of the process in terms of earlier agreements, formulations and statements rather than an expert knowledge on issue specific technological aspects. In order to be perceived as a sincere and legitimate actor, the representatives needed to be on top of the right terminology and know the previous compromises in order to not stir up conflicts and disagreements that had been cleared out and could risk hampering the progress of the process. It was also important to present arguments in a correct manner according to the established jargong.

Anther important trait was the processes were characterised by the fact that policy was created throughout the course of the processes (Finnemore; Vifell 2006). The actors were well aware of the fact that they had to consult other participants and representatives before constructing and presenting a standpoint or a proposal. As one of the interviewees expressed it:

No one presents a contribution without discussing it with the other member states. You have to write something you are sure of ‘can actually fly’. (Interview national civil servant, ministry level)

The national standpoints were thus to a large extent created through the co-ordination with other actors in the process with which the national representatives interacted closely. The interaction was to a large extent informal since the participants had come to know each other well during the many meetings, but also as a response to the short time frames and complex processes that required quick networking to cope with fragmentation and unexpected turns of the issue as the interviewees described it. All in all this contributed to the embeddedness of the administration working on international issues and to a distance to the national level as policy development and national standpoints were being made outside the national sphere for policy making.

The studied processes also seemed to lack an ending. From an analytical point of view it is often helpful to think of decision making as a sequenced activity that ends with a formal decision being made and the actors moving on to new tasks (for a critique of this rationalist account see Lindblom & Woodhouse 1993) However, the empirical studies and the chosen theoretical path give a different account of the situation, because when the negotiation ended in an agreement or rule of some kind, they did in all three cases resume with negotiations on implementation or expansion of the agreement. The EES-guide lines were revised the year after again, the Kyoto protocol only contains quantitative targets for a limited time period and the WTO-rounds are always followed by new ones. This led to a situation where the participants spent over a hundred days travelling a year and getting to know their counterparts from other member states and organisations very well. One of the interviewees described the negotiations on climate change as a travelling circus where the same people kept meeting all over the world year after years (Interview national civil servant, ministry level).

Finally, it was clear that although the cases were chosen in order to enable comparisons with EU-level processes and global ones, the EU was an important level to relate to at all times. Partly because Sweden most often negotiates as part of an EU-delegation that to varying degrees allows for separate national standpoints, but mainly because the issues tended to get interlinked as the same member states also met in other organisations such as the EU, the UN, the OECD or the WTO. For instance, the choosing of a chairman to the employment committee in the EES-case was closely related to the choosing of chairman in an OECD-committee within a completely different policy area, and issue linkages and horse trading across policy settings were common. A survey also shows that only a marginal number of units within the administration works with international organisations but not with the EU (Jacobsson & Sundström 2006).

All in all the situation did according to the participants place high demands on national co-ordination in order to be able to follow already agreed upon rules in terms of jargong, procedural arrangements, meeting and interaction modes and to provide articulations of a national point of view. It was seen as necessary to respond to such demands in order to fit in and gain legitimacy as an actor that should have an influence within the processes. The formal model for administrative steering and instructions was not considered accurate for coping with the situations in the international processes. Politicians also seldom gave concrete signals to the administration in specific issues and had few opportunities and chances to do so given the distance to the processes, their complexity and the jargong used. The importance of abiding to the demands from the international level also meant for instance, that representatives took part in meetings where they were not allowed to speak as the European commission spoke on their behalf - in order to show that they prioritized the issue. Another example was the importance of a learning phase for new colleagues in order for them to get an understanding of working procedures, something that made more senior representatives bring a long lower level civil servants that were not expected to contribute particularly to the meetings. (Interviews national civil servant, ministry level) In that sense the theories of decision-making that focus on rule - following and symbolic reasons for participation seemed to improve the understanding of the administrations' actions. The response to this situation facing the internationalised national administration resulted in an organisational form – enclaves - that was theoretically developed in the study (Vifell 2006: 279-92), and which will be elaborated on below.

### **Enclaves within the Swedish state**

The Swedish administration working in international decision-making processes turned out to be highly embedded in international contexts with close contacts, stable and numerous relations within these contexts, context-bound language and alliance-making as important components of everyday life. Although the cases were chosen to capture different types of features in decision processes, the three cases were very similar and contained apparent common characteristics. First of all the three cases all showed that only a small number of individuals at national level handled and took active part at European and international level, and that these groups tended to work outside formal structures at national level. However, the established concept of networks seemed misleading since it might be conceived as something open and loosely structured with fluctuating membership, while these groups were well co-ordinated, stable, and fairly closed for other actors outside the core group, and as was shown in the study the groups were clearly defined and their borders seldom breached. The concept of policy communities found at the other end of the spectrum of non hierarchical relations described by Marsh and Rhodes also lead astray since it

contains assumptions on a balance of resources and common ideological standpoints which was not the case here (Rhodes 1997). These groups were instead best described as enclaves.

A first distinguishing feature is that they were new organisations that were partly separated from the national organisational units they formally belonged to, and instead took part in European and international processes together with actors from other organisations with which they had close relations. The Swedish standpoints were to a great extent created in interaction with other member states representatives, IGO-actors, NGO's etc. The enclaves had clear boundaries to actors on the outside and the common language and history that were necessary to incorporate in contacts in the international processes became a hindrance for entrance to the enclaves. The cognitive frames supplied by the international processes made ideas presented in other ways, and in other vocabulary irrelevant to the groups. The results showed that the organisation needed to be well co-ordinated in order to "speak with one voice" in different committees and at different levels in the policy process. This meant informal contacts and networking outside the formally established organisational structures since short time limits and European networking were prevailing. The short time frames also caused a closer co-ordination between civil servants at various levels and thus blurred the division between politics and administration. This in turn blurred the borders between the participants' home organisations. Sometimes politicians were part of the groups but most often not, but an important conclusion is that civil servants also become politicians as the surrounding actors demand political statements to be delivered. Other participants expected even technical experts to deliver politically defined standpoints and this rule of conduct seemed much important to follow in order to be viewed as a legitimate actor. Together with the general close coordination, this contributed to makes the separation between politics and administration, in Sweden embodied in the organisational separation between ministries and executive agencies, less important. This first feature of the enclaves can thus be defined as a **physical separation** from their "home organisations". This was true because the participants spent a lot of their time abroad in international negotiations and because they were obliged to work according to others norms and rules than those at home. Since their working methods were more informal they were also partly disconnected from the formal steering of the administration back home. The instruments for regulating the civil servants' actions that were emphasised at national level as the most important were seen as too blunt and inflexible.

A second trait is that in contrast with to the other concepts of networks and policy communities, they were **not self-organising** but instead had a membership connected to hierarchical positions and the entrance into the enclaves was to a great extent controlled by the

state actors. The state actors included was to a large extent defined by the issues at stake in the international process. The state representatives could then, if the international level so required, include other stake holders such as the environmental movement or the social partners. However this was done in a rather selective way and most often to legitimate actions and credibility at the international level, rather than to incorporate the views of these organisations at an early stage. An example where it was considered beneficial to include non state actors was during the climate change negotiations as it gave credibility to statements in favour of stronger regulation.

Thirdly, the **membership in the groups was stable over time** as the processes seemed to lack an ending, leaving the participants embedded in international environments for long periods of time. This also contributed to the open relations and high level of confidence within the groups. In effect, these enclaves were new organisations of their own that cut across formal organisational boundaries as well as that of public and private. The word network is easily associated with openness, blurry boundaries and relations that are most often not formalised. And if the structures for interaction are formalised, the members need not be the same (Rhodes 1997:43ff), however this did not seem to be the case with the Swedish administration.

A fourth trait is that the members were not connected through their profession as in a policy community, but instead shared an **administrative expertise** based on process-specific history and language. The knowledge of previous statements, agreed upon acronyms, meeting schedules or informal modes of interaction was far more important than issue-specific competence and the shared language and process knowledge was something that kept the group together. It also served as a clear boundary towards outsiders, contributing to the partial detachment from the national colleagues.

To sum up this meant that these closely co-ordinated groups had limited contacts with other parts of the Swedish administration and thus can be characterised as enclaves in the Swedish state where different working procedures, as we have seen here, prevailed and thus the formal procedures of the Swedish administration were by-passed. I therefore argue that the concepts of hierarchy, networks and policy communities are insufficient in order to understand the internationalised public administration. First of all because they do not provide an empirically accurate picture of the actions and functioning of the administration. Second, the two latter concepts are not enough theoretically founded in order to help us understand and explain what we see (Dowding 1995). The concept of enclaves is founded in assumptions of actors as effected and steered by established norms and ideas of how to behave in a given context (March 1994a). As they exist outside of their home organisations their behaviour is not steered by the formal structures and rules at national level. Strategies are seen as developed within cognitive, normative

and regulative structures (Scott 1998). Actors' behaviour can to large extent be understood as rule-following rather than strategic action. The administration acts embedded in international decision-making processes and act according to certain established rules which become important determinants of everyday work. The demands of this part of their environment are perceived as important and sensible. But as the national context also asks the administration to abide to formal modes of political steering, activities are decoupled to satisfy these otherwise incompatible demands, leaving the rest of the administration following other rules. This means that government approval documents, formal instructions and other strategies coupled to the system of accountability in place are upheld and fulfilled – but are not used in practice. Instead the international processes shape the action of the administration, and make informal contacts and coordination the only possibility for political steering of the internationalised administration. The enclaves can be seen as closed in three ways. First of all since the number of participants is limited, second because most of the work is being done behind closed doors, at a distance from citizens, media, researchers and citizens more in general, little of the activities are also documented. Thirdly, the jargong and issue specific vocabulary related to the history of each process made the processes non-transparent and difficult for those outside the enclaves to understand and participate in.

The structures provided by the international processes held the enclaves together and placed tangible demands on the administration on how to behave in order to be able to influence the international regulation being created. Through the close and informal interaction with colleagues in the processes the participants were socialized into certain ideas and behaviours developed and perceived as normatively correct. The international context was the immediate environment of the administration and as such provided the administration with rules on how to behave. Ideas on appropriate behaviour in order to be perceived as legitimate, and institutionalised working methods and procedures explained the occurrence and stability of the groups. The concept contains descriptions and assumptions of relations to the 'home' organisations to which the members of the enclaves formally belong. Their immediate environment however is rather the international context with its actors, arenas and complex constitution forcing their participants into informal modes of interaction.

### **Democracy and internationalisation**

Up until now we have discussed the demands that the environment of the international context places on the Swedish public administration, but there are also formal democratic demands on how the administration as part of a political system should act. The steering of the administration

is mainly thought to be conducted through the means of the regime of 'governance by objectives' (Sundström 2004, Lindvert 2006) where the government approval documents (regleringsbrev) and instructions play a central role in assigning tasks to the administration. These types of instruments and control mechanism may or may not be experienced as putting pressure or demanding compliance on the units studied - this is an empirical question. But in order to fulfil the administration's part in the democratic system of the Swedish state certain requirements have to be fulfilled. However, studies like this show that other demands seem more urgent to respond to in the everyday work with international or EU related issues, and provide a more nuanced analysis of the effects of established governance structures. It also illustrates the importance of relating empirical studies to more normative approaches in order to enhance the understanding of the challenges that modern democracies face (Chambers 2005).

The role of the public administration in the representative model is one where, ideally, there is a clear division of tasks between politics and administration. The criteria for the democratic assessment derived from the representative model in the study were *control*, *equal representation* and *responsiveness*. In short, the blurring of responsibilities, the lack of transparency and the barriers for entrance into the enclaves made the organisational forms of the administration seem very problematic in relation to these demands. Especially as the citizens had small means to see how the political control of the administration was achieved, as formal structures were bypassed and decoupled from the everyday practices. The elected politicians also had limited tools for controlling the administration and the risk that they would have to assume responsibility for decision they had few means of influencing was immediate. Hence the issue of liability with power and responsibility not going hand in hand was not coped with in a satisfying manner. The lack of political debate on international politics during election campaigns also limited the chances for the citizens to hold politicians responsible and choose the right party. The fact that issues tended to develop during the processes also made this criteria difficult to fulfil and makes the deliberative ideal, with a more participatory approach that allows for policy development and inclusion of a broader set of stake holders a long the way, seem more prosperous. For the deliberative model the criteria of *arguing instead of bargaining*, *openness*, *respected principle of equality* and *connection between elite deliberation and a public sphere* were defined. The analysis showed that the deliberative model also faced some challenges through the internationalisation, especially in terms of openness and inclusion of all relevant stake holders. The jargon and need for administrative expertise to cope with the complexity and fragmentation and in wake of that, the close coordination between participants created borders for the entrance of new actors. The disconnectedness from the national level and the selective inclusion of other actors also limited



the fulfilment of this criterion. On the other hand, the working procedures of the enclaves also seemed to provide good grounds for a more communicative logic of action to prevail. The stable membership and everlasting processes, as well as the common language and intense networking, created trust, understanding and more well-founded arguments. This in turn contributed to the formation of common frames of references, redefined preferences and ideas. Still, as long as actors are excluded and the public debate is absent or not connected to the elite forums, the ideal is far from fully achieved.

In addition the lack of a well defined administrative policy seemed to contribute to the organisational form of enclaves, as well as to its consequences both in terms of democratic legitimacy and efficiency. The administration did not experience any clear political directives of how it should act when taking part in these complex processes over which Sweden had very limited control. Instead the demands stemming from the international environment were those most urgent to respond to. The learning-by-doing approach led to a situation of tightly knit groups that limited the possibility of learning and development of Swedish strategies to cope with these types of processes in the future and in new policy areas. The study contributed to the understanding of the role of the administration when states become embedded in international decision-making processes. It also underlines the importance of empirically investigating and understanding the democratic limitations and possibilities that follow in the wake of more internationalised decision-making.

## **Summary**

The administrations' response to the international processes resulted in an organisational form that was theoretically developed in the study – enclaves. Enclaves contain members from different organizations, both private and state organizations and the work within them is carried out in an informal and interactive way. They are de-coupled units with stable membership that is related to positions in the hierarchy. As opposed to networks, enclaves are not self-organizing but the membership is mainly controlled by state-actors. The blurring of responsibilities, the lack of transparency and the barriers for entrance into the enclaves made the organisational forms of the administration seem problematic in relation to the representative model. However other features of the enclaves seemed to support a more communicative logic of action, leaving the deliberative model more promising as a way of understanding the administrations' work as democratically legitimate. Still, the analysis showed that the deliberative model also faced some challenges in terms of lack of openness and inclusion of all relevant stake holders. International organisations thus shape the world in many ways and through participating

in international decision making processes, the administration adjust to complex processes in a way that seems problematic from a democratic point of view. In addition, the administration may also become accustomed to working informally in, and to strategically exclude or include certain actors instead of broad circulations for comments traditionally used in the Swedish administration are plausible consequences of an institutionalisation of such working methods.

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