

**The third sector and the development of European public policy: Frameworks for analysis?**

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## **Abstract**

An urgent priority for European third sector research in the context of the dynamics of European integration should be to examine the emergence of 'horizontal' European policy towards the third, voluntary, nonprofit sector understood as a multi-level process involving nations and supranational institutions. This should involve identifying and conceptualising the parameters, concepts and processes needed to build a relevant policy analytic framework or frameworks; the application of those frameworks to organise a description of the European dimension of salient country-level policies, and the form of European institutional level policies; and exploration of linkages between these levels. The advocacy coalition framework and multiple stream approaches of Paul Sabatier and John W Kingdon are good candidates for such a research endeavour. This process should be seen as a stepping stone towards the development of testable research hypotheses in the long term.

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## **The third sector and the development of European public policy: A framework for analysis**

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### **1 Introduction**

It is now well understood that the institutions of the EU interact with national level institutions to determine the shape and contours of public policy for many fields, a process which is at its most mature in the case of environmental policy, agricultural policy, competition policy and overseas development.

The European dimension of these policy fields have taken decades to mature, and these developments have been matched from the onset by policy-focused academic efforts to monitor, evaluate and describe them. However, at present there is no equivalent programme of academic research to develop the concepts and frameworks needed to analyse the nascent third sector *European* policy field. It is the case that a body of evidence and argument has developed rapidly in recent years concerning the development of, and rationales for, national and subnational policies towards the third, voluntary or nonprofit sector, or system. What is lacking is any description or analysis capable of bringing the national and European elements together. Current European third sector research efforts are largely descriptive, and have not engaged with the body of relevant policy analytic research. This paper seeks to argue that a *primary*, overarching objective of research in this field should be to describe and analyse the emergence of ‘horizontal’ European policy towards the third, voluntary, nonprofit sector (or system), understood as a multi-level process.<sup>1</sup> To this end, four supporting or secondary objectives are proposed:

- To scope out the parameters, concepts and processes needed to build a framework for studying European third sector policy as a newly emerging policy field;
- To apply that framework to organise an initial, but systematic description of the European dimension of individual Member State level policies, the form of European institutional level policies, and the form of linkages between these levels;
- To disseminate this description in order to raise awareness and catalyse debate on the current contributions of and future possibilities for European third sector policy; and

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<sup>1</sup> ‘Horizontal’ is the preferred terminology of the European Commission for referring to third sector-relevant policy that cuts across traditional policy fields (European Commission, 1997 and 2000). ‘Multi-level process’ implies recognising the mutual interdependence of public policy at the European, national and sub-national levels (cf Richardson, 1996; Wallace and Wallace, 1996). In what follows, to avoid monotony, we will simply refer to ‘policy’ as shorthand for ‘horizontal policy’.

- To develop a policy analytic model from this descriptive baseline involving identification of causal factors and formulation of testable research hypotheses.

## 2 A policy field worth studying?

At first sight, there seem to be major barriers to the emergence of EU policy engagement with the third sector at all. First, as we have stressed, most European third sector activities are concentrated in fields which lie at or close to the core of ‘welfare states’, and this has been a policy terrain in which national political elites have jealously protected from EU competence.

Second, with the notable exception of the policy sub-fields of overseas development and relief, and environmental action, there is no evidence of European general public opinion in favour of policy proactivity on the part of the EU institutions.<sup>2</sup> Nor is there obvious impetus provided by the ‘traditional’ social partners, national labour movements or employers, which, welfare regime orthodoxy suggests, have been leading actors in shaping welfare states at the national level (Esping-Anderson, 1990).

Third, the resource capabilities of the EU for policy action seem rather limited. In terms of financial resources, a climate of austerity prevails in the context of the ongoing and planned reforms to reorganise the governance and enhance the effectiveness of the Commission and in anticipation of the costs that will follow as enlargement takes place. Moreover, the Commission is loathe to be seen to be too policy proactive in the context of a more general hostility towards its competence and intentions following recent scandals (Crook, 2000).

Simultaneously some, including of course the Commission itself, have argued that it is understaffed and overstretched, and moreover, the staff that are dealing with the third sector often seem to lack appropriate skills and training to enable them to conduct those relationships effectively (ECAS, 2000). At the same time, third sector policy of any form seems poorly placed to claim scarce resources because, by its very ‘horizontal’ nature, it does not fit with any one of the single ‘vertical’ traditional policy fields and associated interests, as reflected, for example, in the various Commission Directorates Generale or European Parliament committees. Indeed, the question of the appropriate ‘institutional home’ to act as a focal point for sector-wide policy remains a matter of considerable debate, at national level too, where it seems to have inhibited policy making.<sup>3</sup>

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<sup>2</sup> On overseas development, see note 4 *supra*; on environmental policy, see Lowe and Ward (1998) and Rootes (1999).

<sup>3</sup> Within Member States, this is demonstrated by the experiences of the UK and Ireland. In the UK case, for example, the unit charged with developing and coordinating policy towards the third sector and volunteering has moved, over time, from the Ministry concerned with law and order (the Home Office), to that which at the time dealt with culture (Department of National Heritage), and then back again to the Home Office. The appropriateness of its location there remains a matter of considerable debate.

Finally, there is a basic lack of agreement as to what the third sector actually is, and therefore how the problems to which policy might react, should be understood.<sup>4</sup> In particular, a fault line in understanding exists between the two most active protagonists in the world of high politics, where supportive policy has to date involved largely symbolic policy statements. French actors have emphasised both third sector connectedness to the economy *and* its social embeddedness, while German policy entrepreneurs have sought to characterise it as, in essence, a ‘social’ *rather than* ‘economic’ matter. This tension and ambiguity was an important ingredient in the policy inertia and political stalemate which characterised the 1990s in this field (Kendall and Anheier, 1999).

However, set against this are increasingly persuasive, and ever more widely accepted reasons for taking the European dimension of third sector policy seriously in the new millennium, at least in the longer term. First, the literature on the development of European social policy alerts us to the sense in which national welfare states are, in fact, ‘*semi-sovereign*’. Most obviously, in the context of the implementation of European and Monetary Union, Member States signing up to the Euro have been constrained in the organisation of their public finances first, to meet the criteria allowing them to join in the first place, and now to comply with the disciplines of Euroland membership. Coupled with the intensification of social pressures mentioned earlier, ‘public austerity’-induced cost consciousness is increasing, and in response many policy makers are seeking to adopt market-style reforms in many domains of public policy (Pierson, 1998).

To the extent that quasi-market type arrangements are extended in fields such as health and social care (Forder, 2000) and third sector organisations are the providers of those services, the European Court of Justice (ECJ) has competence in enforcing ‘market compatibility’ requirements (Leibfried and Pierson, 1995). Particularly as quasi-market approaches become more widespread, then so does the potential relevance of the ECJ’s decision making (most recently, see *Eurohealth*, 2001).

The ECJ has recently cast judgement on the legality of arrangements in one Member State for privileging third sector over for-profit provision in a regional quasi-market in social services (nursing care for older people), which involved cross-border activities (European Court of Justice, 1997). What may be significant here is that the ECJ should be making decisions at all concerning the rules that countries adopt in putting quasi-markets into practice. The decision itself, as summarised in box 1, sets a precedent for the ‘protection’ of domestic welfare arrangements which favour nonprofit provision over for-profit supply. It could thus be interpreted as providing legitimacy to existing arrangements in national social welfare systems which favour the third sector. (A range of broader

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<sup>4</sup> A useful working definition for research purposes includes in the sector organisations which are self-governing, not profit distributing, formal and benefit from voluntarism (Salamon and Anheier, 1997). This was developed as part of a major comparative research project to facilitate cross national comparison, and was agreed by a panel of 13 national experts, of which 6 were European. However, it has been criticised as paying insufficient attention to the democratic (or otherwise) character of these organisations’ governance and placing too much emphasis on the non-distribution of profits (see, for example, Defourny and Develterre, 2000).

economic factors contributing to the balance between for-profit and third sector provision are discussed in the section on economic dynamics below.)

Second, because third sector organisations are significant economic actors more generally (Salamon et al 1999), in Europe especially in social welfare services—but not just in quasi-market situations—they are *de facto* affected by ‘spillovers’ from generic EU public policy, such as labour market and fiscal policy measures. For example, in the UK—like other EU Member States following the adoption under New Labour of labour market measures from which the previous Conservative administration had opted out—third sector organisations with paid employees must now comply with a Directive concerning part-time work, and Regulations concerning working time (DTI, 2000a, 2000b).

While less than one quarter of all UK voluntary organisations (under a relatively narrow definition) employ paid staff (Passey et al, 2000, p. 90), this is still a significant proportion of the third sector. Moreover, the implied relevance would of course be much greater if the broader ‘structural operational’ or yet more inclusive *economic sociale* definition now being used for international comparisons were used (Salamon et al, 1999; Vivet and Thiry, 2000). The case of the part-time regulation is particularly interesting, because the third sector employs a disproportionately high and increasing share of part-time employees.<sup>5,6</sup>

#### Box 1: The 1997 Sodemare case

Hervey (1998) cites the Sodemare case as an example of type of case which is ‘becoming more common, as more imaginative (and therefore potentially more disruptive to national social policies) interpretations of EC law are brought before the court’ (p. 77). The case is summarised thus:

The Court was faced with a claim by a Luxembourg (profit-making) company, which set up subsidiaries in Italy to run old people’s homes there. Italian law entitled only non-profit-making operations of such homes to be reimbursed from public funds for providing social welfare services ‘of a healthcare nature’ such as provided by Sodemare’s homes. Sodemare claimed that the relevant Italian law was contrary to EC law, inter alia, concerning freedom of establishment. Unlike its Advocate General (whose opinion was that the Italian law was indirectly discriminatory, and considered the possibility of justification), the Court held that Community law does not detract from the power of Member States to organise social welfare provisions, and that the rule excluding profit-making operations was an essential part of Italy’s social welfare system (op cit, p. 78).

<sup>5</sup> In the mid 1990s, in the UK 35.3 per cent of employees in the third sector were part-time workers, compared to 28.8 per cent in the public sector and 22.1 per cent in the private sector; available evidence from other developed countries suggests comparable patterns there (Almond and Kendall, 2000a). Between 1995 and 1998, the proportion of UK third sector women employees who were part-time increased marginally from 46.9 per cent to 47.1 per cent (compared to an economy-wide fall from 44.3 per cent to 44.1 per cent), while the proportion of third sector male employees who were part-time increased significantly from 15.0 per cent to 19.4 per cent (compared to an economy-wide increase from 7.4 per cent to 8.5 per cent) (Almond and Kendall, 2000b)

<sup>6</sup> At the time of writing generic EU labour market legislation which could also have disproportionate implications for the third sector is currently pending. This seeks to ‘outlaw discrimination in the workplace’, a principle agreed upon by all Member States, but whose interpretation is contested. The UK delegation has sought to protect the rights of one particular group of third sector organisations—religious schools—to favour teachers who share their faith, while other countries have argued that such discrimination is only legitimate in relation to ‘core religious jobs’ (*European Voice*, 2000, pp. 12–18).

Third, as already noted, despite the inertia of high profile political actors, there has been room for manoeuvre within the EU institutions for creative low visibility bureaucrats to start to build, from the bottom up, a sector specific agenda. For example, Kendall and Anheier (1999) have reported how, in the late 1990s, insiders within the Commission shaping regulations for the distribution of the European Social Fund, following consultations with foundations, sought to secure 'special access for non-governmental organisations' under a so called 'social risk capital' proposal (p. 298). This can be seen as an attempt to 'bend' existing structures and regulations so as to provide a place for the third sector where none previously existed.

More generally, NGOs have been increasingly active lobbyists on the European stage, interacting regularly with officials (Thomas, 1999; Cullen, 1999; Warleigh, 2000). These joint efforts have yielded, inter alia, trans-national network creation and mobilisation along specific 'vertical' issue lines, often tying in with and funded by particular Commission action programmes supporting socially excluded groups (Hervey, 1998, pp. 164–167). Of particular significance recently has been the adoption, in 1997 under Budget Line B3-4103 (whose legal basis for financing the poverty programmes had been contested by the UK and Germany), of a 'pilot action' to implement a work programme on the 'third system and employment'. This is significant at one level simply because it directly funds action research projects undertaken in the third sector (Directorate Generale V, 1997a–1997c). But more indirectly, it is also relevant because of the support that has followed for research based in academic institutions which has sought to directly evaluate the contribution of the sector to employment (Borzaga, 1999; Campbell, 1999; CIRIEC, 2000). In many cases, the result seems to be considerable potential to form the building blocks for more, cross cutting 'horizontal' alliances between third sector actors and their supporters in the world of research.

As with Member State level analysis, it seems to be increasingly important to take account of the influence of such boundary-spanning alliances in the shaping of policy. They seem not to be reducible to the traditional class-based, 'social partner' mediated interests, which have traditionally took pride of place in influential analyses of welfare regime theorists (Room, 1995). For example, trade unions may become involved in such alliances, but it is far from clear that they are necessarily the dominant partners within them; other actors are third sector organisations and networks, researchers, as well as relatively low visibility stakeholders within the European institutions themselves.

Fourth, in the world of high politics, while support has still remained essentially rhetorical, its basis has recently broadened and deepened. Within the Commission, the influential and strategically placed Secretariat-General (reporting directly to the Commission President Romano Prodi) has for the first time tried to take something of a lead (European Commission, 2000), building upon earlier efforts which had initially been led by DG XXIII, and later involved DGV (European Commission



1997). The Economic and Social Committee has also increasingly jockeyed for position (1997–2000).

What is perhaps even more significant is the European Council's unprecedented explicit recognition of the *économie sociale* as an important ally in its efforts to combat unemployment, as well as its recent acknowledgement of a more general potential role for 'civil society ... and NGOs as ... partners' in implementing its agreed strategic goal of sustainable economic growth and social cohesion (European Council, Lisbon 2000: para 38). As far as the former is concerned, we thus have a high priority, universally accepted 'European problem', to which support for a 'European third sector' is being understood as part of a legitimate policy response.

The latter is particularly appealing particularly because, for now, it seems to find significant support across the traditional ideological divide which have otherwise tended to disagree profoundly about which policy measures should be taken. In this context, the emergence of a critical mass of political will had already lead to support for a 'pilot action' on the 'third system and employment' as early as 1997 (see above). Most recently, the guidelines for National Action Plans agreed upon as a way of tackling European unemployment were refined in 1998 so as to explicitly include, in Guideline 12, 'measures to exploit fully the possibilities offered by job creation ...in the social economy'. It is being argued that some of the other Guidelines, while not explicitly mentioning the third sector, could also be interpreted as providing a rationale for supportive policy towards it (Campbell, 1999, pp. 5–8, pp. 32–33). The emphases of these Guidelines have been broadly retained in 1999 and 2000 (Pezzini, 2000, pp. 95–96).<sup>7</sup>

### **Box 2: Fontaine's response to the Lisbon European Council**

'Public administrations are generally ill-suited, not through any lack of interest but by their very nature, to the job of helping [socially excluded] people. The most effective means of doing so remains the network of associations, based on voluntary work and people's generosity. This sector must be given public recognition and funding. I would ask the Council to give this matter due consideration' (Fontaine, 2000).

Nicole Fontaine, speech 23 March 2000

More generally, the joint rhetorical recognition from the national heads of government and the head of the Commission at the Lisbon summit was preceded by a call from the President of the European Parliament, Nicole Fontaine, to mobilise associations rather than the public sector in order to support vulnerable citizens (see box 2).<sup>8</sup> This has been followed up by the Commission Vice-President, Neil

<sup>7</sup> The extent to which country-specific interpretations of these Guidelines recognise the third sector is variable (Vivet and Thiry, 2000, p. 29).

<sup>8</sup> Fontaine has a long track record of interest in the third sector. Some 15 years ago she acted as a rapporteur for the European Parliament's Legal Affairs and Human Rights Committee, in a report which argued 'Europe needs inspiration to take a further step towards its destiny as a Community. Nonprofit organisations are an opportunity to be taken in this respect. Inertia must be overcome and this opportunity must be boldly seized' (Kendall and Anheier, 1999, p. 283).

Kinnock, with allusions to the important but largely unspecified role foreseen for civil society in the future Europe. This seems to suggest a new order of political will to seriously develop a meaningful European policy towards the third sector, perhaps capable of tackling entrenched 'vertical' interests in the context of the Vice-President's wider ongoing programme for root and branch reform in the Commission, may now be in place for the first time.

### **3 Limitations in the existing literature and approaches, and unrealised potential**

Taking this combination of *de jure, de facto* developments and the marked strengthening of political will seriously, it becomes crucial to begin to analyse European third sector policy. Awareness of this situation is growing in the research community. But comparative policy analytic third sector research to date has focussed too narrowly. It has looked almost exclusively at national third sector policy in isolation from these European dynamics, and at the same time been seriously under-theorised. The scholarly description and analysis of the European dimension of the third sector policy field has barely begun. In general, comparative research on the third sector at the national level has gathered momentum in recent years (most prominently: Salamon et al, 1999), including important country level policy analytic components (for example Kendall and Knapp, 1996, chapter 4; Lundstrom and Wijkstrom, 1997, chapter 6; Ranci, 1997, as drawn upon heavily in Lunaria, 1998; Anheier and Kendall, 2001). But the issues raised by the dynamics of European integration feature only intermittently and sporadically in these accounts, and tend to be pushed aside by purely national and subnational concerns.

At the same time, this body of research, even at the national level, has failed to engage with highly relevant frameworks, theories and models as developed in the generic policy analysis literature. As we will set out below, these provide a shared language and conceptual armoury for examining the role of policy entrepreneurs and coalitions in shaping and packaging policy, take seriously the role of both institutions and ideas, and explicitly address the causes of policy change, including policy learning (for recent reviews, see Parsons, 1997; Marsh, 1998; Sabatier, 1999; Dudley et al, 2000). Moreover, with the exception of one exploratory attempt (Kendall and Anheier, 1999), the connections between the European, national and subnational tiers of policy have been neglected. There is, therefore, a double void of chronic under-theorising and almost exclusive thematisation of the national dimension in empirical work which needs to be addressed.

In sum, remarkably little is known about how any proposed European policy dimension can or should build upon national policy landscapes, how the actual and potential actions of European policy is viewed by Member State policy actors or how European, national and subnational policies are interrelated. As a result, EU and national policy makers who wish to utilise research as an ingredient in policy formulation have lacked an evidential or theoretical basis for thinking about European policy

possibilities in this field. Third sector organisations, for their part, have tended to perceive the 'European dimension', if at all, purely in terms of the field-specific issues it generates (for example, environmental groups as actors in environmental policy communities), or rather vaguely and narrowly along national interest lines.

For sure, it is now understood that EU level policy makers face a diverse and complex set of Member State arrangements, with significant variations in economic size and scope and with contrasting national policy legacies, legal configurations, and co-ordinating styles. These are in part underpinned by such durable political and ideological values as the expansive notion of *economie sociale* in France; various interpretations of the Catholic social doctrine of *subsidiarity* (in national social welfare contexts) in continental Northern Europe; the tradition of an *ideller* sector in Sweden; the emphases on associationalism and *volontariato* in Italy; *cooperativismo* across Spain; and the concept of *charity*, expressed in a complex body of common law, in the United Kingdom and Republic of Ireland. What is unknown is how these and an array of other features of national policy environments interact with the European policy context in which they are embedded to shape the overall character of the emerging multi-tier system, or provide potential for, or barriers to, European initiatives.

European research should start to examine how national and EU third sector policy communities relate to one another. To this end, it would need to explore the extent to which such efforts reflect not only the *managed* political activities of EU institutions referred to above (and the responses thereto from national level actors), but also the proactive attempts by national interests to define the European interpretation of the third sector itself and its 'problems' that drives future policy. The sense in which deeper *socio-economic* forces are at work (and are seen to be drivers of change by the stakeholders concerned) is also an important aspect. Such factors include contextual ones which tend to create the conditions for nonprofit growth, such as the expansion of the service economy in the context of post-industrial society; the emergence of a *zeitgeist* in which the capabilities of the state and the market to deliver public goods or achieve social justice are questioned from a socio-political perspective (Giddens, 2000); and the generation of demand and supply conditions, favourable to nonprofit consolidation, fuelled by, inter alia, public sector reluctance to engage for-profits in quasi-market public service production and baby boom demographics (Anheier, forthcoming).

Precisely because European policy in this area is only just beginning to take shape, European policy makers potentially now have more room for creative policy manoeuvre than at a later stage, when interests have hardened, and institutions are more fully formed. This is a clear lesson from another policy field, environmental policy, whose maturation has been studied extensively, not least with EU research funding (Sbragia, 1996; O'Riordan and Voisey, 1997). The EU has built up its approach to policy in commerce and government, in part as a result of the policy learning facilitated by research (Sabatier and Jenkins-Smith, 1993; Sabatier, 1998). But this has simply not been possible in the third sector case because of the research vacuum referred to above. European institutions' policy

statements and expressions of interest have utilised the national level research on national issues mentioned in at the start of this section, but have been unable to draw on systematic evidence on either the *de jure* or *de facto* emergence of a European policy dimension.

What of third sector organisations themselves, as actors in the policy process? There seems to be a vitally important strategic gap in the awareness of, and orientation towards, European integration writ large within the third sector. Of course, agencies whose primary *raison d'être* is action in and around 'vertical', institutionalised fields which have a European financial, regulatory or redistributory dimension inhabit and influence issue-relevant networks and policy communities. They may often be well serviced by, as well as providers of, research pertaining to those concerns. However, they seem to lack a real sense of what shared issues they face as third sector organisations. That is, *qua* non-profit-distributing, self governing, volunteer involving entities in the context of a fluid and evolving, reflexively negotiated European polity—rather than as more narrow specialist advocates and policy implementers.

Those intermediary and umbrella organisations which have begun to consider themselves as actors on the European stage in a broader sense—and thus develop 'horizontal' agendas—have still tended to think in crude terms of national advantage or disadvantage. For example, some perceive European integration as adding to threatening existing national momentums for 'quasi-market' policies (sometimes interpreted as symptomatic of more general 'welfare state crises'), with the potential loss of nationally sanctioned protections and special statuses differentiating them from for-profit entities (as with the German and Dutch cases); as potentially providing opportunities to circumvent obstructive national structures and regulations (as in the French case); or as a source of fiscal austerity (most recently, in the context of the push to meet the Maastricht criteria) with hard felt knock-on effects for the public welfare budgets upon which, *de facto*, many third sector agencies depend (pressures felt most intensely in Italy). In the UK, it is probably the financial opportunities created by the structural funds, especially in Wales and Northern Ireland, but also *de facto* impacts, in the form of fiscal regulations (concerning VAT) and labour market regulations (since opting into 'social Europe' in 1997) which have prompted most interest. Whether these fears and hopes have been justified or not (or will continue to be so) in the absence of a network which could lay out the facts, interests and beliefs of the protagonists in a coherent and balanced way, mutual suspicion and misunderstanding both within the sector, and between it and policy makers, is likely to seriously limit the exploitation of opportunities for mutually beneficial policy development.

## **4 Meeting the challenge**

The unit of analysis of research to respond to this vacuum should be the **third sector 'policy community' understood within its broader political and socio-economic context**. The emphasis

should be on strategic policy developments cutting across particular traditional ‘vertical’ policy fields and with sector-wide relevance (even if such policies actually originated in a single field). If a third sector corresponding to our strategic definition cannot be said to be understood meaningfully in the sense of forming an object of, and actor in, policy in the national context (cf footnote 4 *supra*), then the operational focus would be on the definition that *can* be understood in those terms that transcend ‘industry-specific’ concerns. This would necessarily, then, be significantly ‘horizontal’ in the sense of embracing more than a single ‘vertical’ traditional policy field. For example, in Germany, it might include the policy territory heretofore of interest to the free welfare associations, extending across the domains of health, social care and housing; or in Britain, would include the ‘narrow’ voluntary sector (Kendall and Knapp, 1996). This represents the arena in which third sector-specific policy is developed, in which debates over the form and content of policy are ongoing, and in which policy learning takes place. It is embedded in, and interacts with, developments in other policy communities, and the macro political environment (see below). It comprises, at a minimum, third sector intermediary and umbrella bodies<sup>9</sup>, relevant government officials, and an accompanying epistemic community, including academics, other researchers, and legal and tax experts.

An initial impression is that the extent to which such a community can be said to exist in an institutionalised form differs extensively in different national settings, and has involved stakeholders attaching different weights to the European dimension of policy. After discussions with national third sector researchers<sup>10</sup>, a provisional and very tentative assessment is shown in table 1. Whether such a categorisation is appropriate is, of course, itself a matter for research that is needed at this point in time.

**Table 1: Tentative representation of patterns of institutionalisation and salience in European third sector public policy**

Degree of domestic third sector policy institutionalisation*	Significance of ‘European dimension’ as compared to national/sub-national dimensions of policy environment+		
	<i>High</i>	<i>Medium</i>	<i>Low</i>
<i>Mature</i>	Germany	France; UK (1990s); Holland; Ireland (2000)	UK (2000); Switzerland; Sweden
<i>Emergent</i>	Italy	Ireland (1990s)	Spain
<i>Nascent</i>		Czech Republic	

\*Reflects extent to which participants regard themselves as a semi-autonomous community sharing a domain of expertise (around service provision and/or citizenship); longevity of attempts to purposefully design and influence policy; the existence of specialised subunits within agencies at relevant levels of government; existence of interest groups of specialised units within them regarding policy as important (cf Sabatier, 1999).

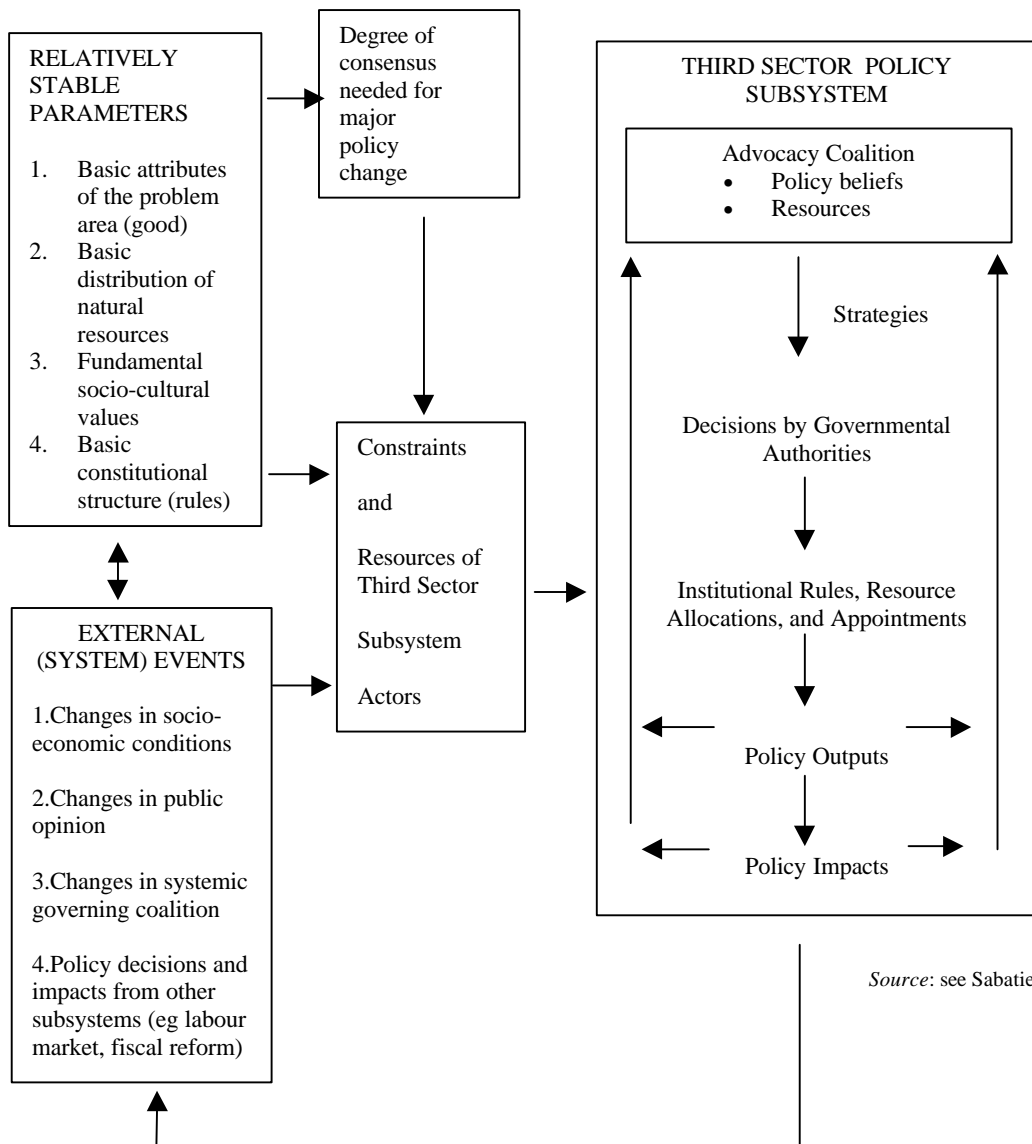
+As reflected in behaviour: degree of proactivity by third sector stakeholders in influencing Treaty outcomes and ‘low visibility’ policy elaborations between Treaties (Kendall and Anheier, 1999); and attitudes: perceived salience of actual/potential spillover effects from other European policy domains (such as labour market, fiscal policies) and *de facto* effects of European integration to third sector policy.

<sup>9</sup> That is, agencies which, by virtue of their existing membership, experiential knowledge or informational advantages, claim to ‘represent’ or ‘speak for’ the ‘interests’ of ‘the third sector’, or at least a significant component of its welfare services or citizenship oriented core. This claim may or may not be accurate, but what matters for our purposes is that it is accepted by the dominant coalition of third sector policy community stakeholders in mature policy communities, or by foundational policy entrepreneurs in emerging ones (see below).

<sup>10</sup> See acknowledgements *supra*.

In countries with mature third sector policy communities (towards the top of table 1), the advocacy coalition framework (ACF) might potentially be used to guide descriptions of the fundamental character of national third sector policy communities. The ACF provides the conceptual tools with which to identify the causes of policy initiation or change in institutionalised policy settings (Sabatier and Jenkins-Smith, 1993; Sabatier, 1999). Given the exploratory nature of research at the moment, this could be use initially as essentially a heuristic device, but it is important to note that it does provide a framework for rigorous hypothesis testing if a major investment is made in large scale research in the future. Figure 1 sets out the basic elements of the framework, while table 2 outlines potential aspects of the ‘external’ policy environment which form the context in which national third sector policy communities operate (the left hand side of figure 1).

**Figure 1: The advocacy coalition framework (single coalition case)**



Source: see Sabatier, 1999

**Table 2: Policy environment delimiting constraints and resources for third sector policy community actors: a tentative representation**

<i>Stable parameters</i>	<i>How these provide the context for national sector policy communities</i>	<i>Possible examples of European dimension</i>
Basic attributes of the problem area	National understandings of core definitional features and functions of sectors (would include sense of quasi-public character of sectors' activities)	Contest between national meanings of 'public' 'economic' and 'social' played out at European level
Fundamental cultural values	<ul style="list-style-type: none"> <li>• Taken-for-granted assumptions concerning basis of division of labour between private, public and third sectors</li> <li>• Taken-for-granted assumptions on the respective role of the public and third sectors in the expression of citizenship</li> </ul>	<ul style="list-style-type: none"> <li>• National assumptive worlds (as institutionalised in inherited welfare regimes) condition attitudes to European initiatives</li> <li>• Variation in interpretations of how 'subsidiarity' can and should be defined between actors and levels</li> <li>• Resonances between national and European emphases on economic, political and social aspects of rights and responsibilities</li> </ul>
Basic constitutional structure	<ul style="list-style-type: none"> <li>• Legal system</li> <li>• Extent of centralisation of government</li> <li>• Arrangements for 'vertical' Ministries</li> </ul>	<ul style="list-style-type: none"> <li>• Common law countries less compatible with EU legal style (cf. Statutes for cross border/multi-national corporate bodies)</li> <li>• Federal system with weak central state and/or rigid domestic 'vertical' organisation increases likelihood of national by-passing strategies by sector actors seeking policy influence</li> </ul>
<i>External system events</i>		
Changes in socio-economic conditions	<ul style="list-style-type: none"> <li>• Macro cycles on disposable income of politico-economic actors (and hence the patterning of demands and needs to which sectors respond)</li> <li>• Shifts in extent of social exclusion</li> </ul>	<ul style="list-style-type: none"> <li>• Shared vulnerabilities resulting from European economic and political cycles</li> <li>• Knock-on effects for publicly funded organisations of conditions for economic and monetary union</li> </ul>
Changes in public opinion	Eg, trends in elite and mass attitudes on sectors' goodwill and competence trustworthiness	[Not meaningful (?) as relevant 'European public opinion' does not exist towards third sector role except for overseas development & relief ]
Changes in systemic governing coalition	Implications of new social and economic policies in aftermath of national and subnational elections or between-election deals	Perceived sectoral orientation (resources, style, capabilities) of national and subnational governments' programmes conditions each sectors' willingness to engage European level political actors
Policy decisions and impacts from other subsystems ('spill over effects' from adjacent fields and from other levels)	<ul style="list-style-type: none"> <li>• Effects of national quasi-market reforms in social welfare for third sector organisations embedded in service delivery systems;</li> <li>• National labour market policy effects on third sector;</li> <li>• Fiscal regulations</li> <li>• European sector-specific policy <i>Per se</i></li> </ul>	<ul style="list-style-type: none"> <li>• ECJ or other influences on sectors' social welfare quasi-market activities</li> <li>• Impact of generic EU labour market directives; structural fund sector-specific regulations</li> <li>• EU requirements on VAT constrain sectors'</li> <li>• VAT treatment</li> <li>• Any direct impact (includes EU sector-specific budget lines, direct influence of European Commission (1997, 2000)</li> </ul>

Actors *internal* to the third sector policy subsystem (or community) can then be conceptualised as both constrained and enabled by these constraints and opportunities, operating within the box to the right of the figure. Policies specifically tailored to the third sector can be said to take shape here. This would include reviews of the sector's legal and tax treatment, as well as more substantive dedicated policies. For example, the recent proliferation of 'Compacts' and the growth of specialist bureaucracies and personnel to handle third sector matters in the UK, and legislative and fiscal reform initiatives ongoing in Germany and Italy, provide examples.

*Advocacy coalitions* themselves, whose membership cuts across the state, the third sector and epistemic institutions, involving the sharing of normative and causal policy beliefs, engage in a degree of co-ordinated activity over time. The beliefs of the dominant coalition are those which are reflected in actual third sector national policies, such as those referred to above.

In theory, in policy communities which have evolved beyond the 'mushy consensus' around agreement on 'motherhood and apple pie' vague and ill defined ideas that can characterise policy communities in their early years (Zafonte and Sabatier, 1999; and see Peterson, 1997), *oppositional* advocacy coalitions could be discernable. (Accordingly, the schema shown in figure 1 would be modified to show two or more advocacy coalitions, with distinctive beliefs, resources and strategies).

Research on such groupings in the third sector policy field does not seem to exist in Europe, but evidence from the US nonprofit sector is suggestive (eg see Wolch, 1999). Moreover, there are potential parallels between experiences in the European environment policy field and third sector policy: Both involve efforts to establish cross cutting, horizontal policy in spite of entrenched and established vertical interests, and actual and potential opposition from Finance Ministries and some for-profit interest groups (O'Riordan and Voisey, 1997; Rootes, 1999). Actors might be expected to include traditional 'vertical' Departments in national and municipal government who feel territorially threatened by the expansion of 'horizontal' third sector policy, and are instinctively resistant to attempts at directing them to achieve 'co-ordination'; 'Old Left' statist political parties and their Labour Movement allies, stressing dangers of welfare state dismantling; 'grassroots' third sector organisations and New Right actors hostile to systemic corporatist tendencies thought to be reinforced by 'Europeanization'; for-profit business interests feeling 'unfairly' treated by any special treatment for the third sector which they perceive a European dimension to public policy might bring; and actors from across the political spectrum opposed in principal to what they see as illegitimate encroachments on 'national sovereignty' in a domain regarded as a crucial for fostering citizen allegiance.

The process of *policy learning* is said to arise when experiences or new information lead to the revision of coalitions' beliefs and strategies. *Policy change*—including the adoption or revision of a specifically European dimension to policy by third sector national policy communities—is then



understood as prompted by three broad categories of influence. First, this ongoing learning, primarily internal to the third sector policy community, in response to information and experience. Second, in response to the exogenous shocks suggested in figure 1. And third—in the longer term—as the result of changes in the relatively stable system parameters also shown in figure 1. A coalition, or coalitions, in such an institutionalised context should be fairly easily identifiable, have reasonably clear, formally expressed goals and strategies, and relatively durable relationships with one another.

In contrast, in countries with only semi-institutionalised (‘immature’) third sector policy communities or without third sector policy communities *per se*—including those which have only recently established a concrete legal basis for third sector organisation—in some cases even basic systematic national policy profiles may not be available. With belief systems and co-ordination activities still at a developmental stage, the identity and purpose of interested actors could be hard or impossible to discern from published sources. Rather, the need is to invest in search activities in order to identify those foundational ‘policy entrepreneurs’ (most importantly in the third sector itself and in government) who are key ‘movers and shakers’ in the process of pioneering institutional design in the field. This would include policy entrepreneurs still in the process of forming intermediary bodies or creating relevant government subunits, inter-departmental co-ordinating committees or working groups. Drawing upon Kingdon’s ‘multiple streams’ approach (Kingdon, 1995; Zahariadis, 1999), the agenda-setting actions of these actors should be set in context of the nature of the ‘policy’, ‘politics’ and ‘problems’ streams within which they operate. Such intelligence gathering would necessarily establish, first of all, the basic issues at stake in the evolution of *national* policy, before exploring the possibility of any European dimension to these issues.

Kingdon’s framework starts by recognising the potential role of a range of *participants* in agenda setting. In UK terms, for example (see Kendall, 2000), this includes the major political parties holding central government office and, in Opposition, civil servants, direct stakeholders—including those who see themselves as part of the third sector or undertake research upon it—and the general public and the media. These can all affect the positioning of third sector policy in particular on the wider public policy agenda, and influence the way in which third sector policy, as an agenda item, is framed and packaged.

Second, in Kingdon’s approach, the policy process is portrayed as involving three ‘largely independent streams’: problems, policies and politics, and while the categories of participants referred to above can be involved in more than one stream, the streams themselves do involve different distinctive imperatives and dynamics. First, the *problems stream* helps us grasp how and why states of affairs come to be considered problematic, and involves focussing events including crises and disasters, feedback from current programme operations, and indicator availability. Second, the *policy stream* is analogous to biological natural selection: ideas float around communities of specialists, and those proposals that meet criteria for survival—including value

compatibility and technical feasibility—are the ones that persist. Finally, the *politics stream*, defined to have party politics and electoral imperatives at its core, is assumed to be affected, of course, by turnover of elected officials, since that determines the composition of the government, but also by swings in the ‘national mood’, and pressure from politically oriented interest groups.

According to Kingdon, the all important *coupling* of these streams associated with the arrival of a policy option is most likely when:

*Policy windows*—opportunities for pushing pet proposals or conceptions of problems—are open ... windows are opened either by the appearance of compelling problems or by happenings in the political stream [while] alternatives are generated by the policy stream. *Policy entrepreneurs*, people who are willing to invest their resources in pushing their pet proposals ... are responsible not only for prompting important people to pay attention, but also for coupling solutions to problems and for coupling both solutions and problems and solutions to politics (1995, p. 20, emphases added).

This approach is particularly useful for nascent or emergent third sector policy communities because it is one of the few frameworks for analysing policy which takes seriously the agenda setting phase of the policy process—the aspect which, necessarily, we are dealing with in this case. Moreover, it can help us to identify relevant categories of stakeholders and to suggest useful organising concepts. It allows us to attend to both the effects of changing broad political forces, the role of policy specialists, and recognises the potentially catalytic role of committed individual entrepreneurs in packaging and ultimately acting as the agents of policy innovation.

Finally, the European institutional level analysis would build upon that European level of analysis as already undertaken (Kendall and Anheier, 1999) but would innovate in three important ways. First, it would be important to include conceptually and concretely those institutions which at the time of the earlier study were not playing an active role. Most obviously, this would include attending to the contributions of the European Court of Justice; the Economic and Social Committee; and the Committee of the Regions. Second, it seems possible to argue that, while policy making is still largely symbolic—at least at the level of high politics—a policy community can now be said to have been at least partly institutionalised which loosely embraces high and low visibility policy actors. Accordingly, it may be feasible to draw upon the advocacy coalition framework. (Conceptually, table 1, interpreted at a European institutional level, would then become a heuristic device for guiding an exploration of the external and internal influences on policy development.) Third, analysis would need to build upon the findings collected at the national level to build up a preliminary account of the extent of *inter-penetration* of the national level and European level third sector policy fields. A basis for conceptualising European third sector policy as a multi layered system would thus need to be sought.

## **5 Conclusion**

An urgent priority for European third sector research in the context of the dynamics of European integration should be to examine the emergence of 'horizontal' European policy towards the third, voluntary, nonprofit sector understood as a multi-level process involving nations and supranational institutions. This should involve identifying and conceptualising the parameters, concepts and processes needed to build a relevant policy analytic framework or frameworks; the application of those frameworks to organise a description of the European dimension of salient country-level policies, and the formation of European institutional level policies; and an exploration of linkages between these levels. The advocacy coalition framework and multiple stream approaches of Paul Sabatier and John W Kingdon are good candidates for such a research endeavour. This process should be seen as a stepping stone towards the development of testable research hypotheses in the long term.

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