GOOD GOVERNANCE IN SLOVENIAN EMPLOYMENT AND EDUCATION POLICY FIELDS: MYTH OR REALITY?

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INTRODUCTION

Civil society, in its variety of uses and definitions, has become a fashionable concept in political science, closely related to democracy and representation (Almond and Verba 1965; Putnam 2002). Its significance in particular has increased remarkably after the fall of communist systems in Central and Eastern European countries. Given the fact that Communist Europe lacked an independent civil society for almost half of a century, a major focus in the 1990s was “to build civil society” as a key ingredient of the recipe for a successful transition to a liberal democracy and market economy. The Civil Society Index (CSI) research found that this overall “weakness” was mainly due to limited citizen participation in civil society activities and the lack of financial resources of civil society organisations. Moreover, the CSI noted that the political and cultural environment in post-communist countries has been affected by, among others, institutional deficiencies (i.e. the weak rule of law, widespread corruption and low institutional effectiveness) and limited social capital, which has tended to hamper the strengthening of civil society. In general, civil society organisations in post-communist countries adhere to universally accepted values, but have often failed to promote them in society at large. Furthermore, their impact on policymaking and their capacity to meet societal needs have been limited.

Nowadays, the importance of civil society1 is widely acknowledged in promoting new modes of governance within the European Union (EU), where it can play a vital role in reducing the EU’s democratic deficit and can contribute to greater respect for the principles of good governance. New modes of governance hold special importance for post-socialist new EU member states since the legacy of the former communist regimes is heavily reflected in a lack of highly developed mechanisms of accountability and an absence of institutionalised forums for open and transparent interaction among governmental and representative associations (Copsey and Haughton 2009). In this regard, the EU supports the

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1 Since civil society is such a heterogeneous concept, not only scholars but also EU institutions place some emphasis on the development of the definition of civil society. In the White paper on European Governance civil society is defined as including the following: trade unions and employers’ organisations (“social partners”); nongovernmental organisations; professional associations; charities; grass-roots organisations; organisations that involve citizens in local and municipal life with a particular contribution from churches and religious communities (2001, 14).
establishment of a mutually respectful and functional relationship between civil society organisations and the state (e.g. government, bureaucracy).

In the case of some policy fields, such as employment and education, in which the harmonisation of legislation is not (at least not entirely) “EU-prescribed”, the chief potential and great expectations for increasing civil society’s role have been placed on the Open Method of Coordination (OMC). The OMC as a new mode of European governance holds considerable potential to change and improve policies in individual EU member states. Besides changing the policy content in order to achieve EU common goals, a great emphasis has been put on its potential to improve the openness of the policymaking processes in member states and therefore respecting principles of good governance within the EU.

Now ten years since the formal introduction of the OMC, it is time to consider whether these expectations have been found justified. Taking into consideration the theoretical presumptions of new (soft) modes of governance and Europeanisation processes, the aim of this paper is to identify the potential of the OMC to promote the participation of civil society in the policy fields of employment and education in Slovenia. To achieve this aim, we conducted two case studies, one from each policy field: active ageing in the framework of employment policy and lifelong learning (with special emphasis on adult education) in the framework of education policy. In this paper we hypothesise that various EU and domestic factors determine the role that civil society plays in the OMC processes. We assume that key EU factors include the arrangement of the respective policy field at the supranational level and the introduction of different OMC instruments, while key domestic factors include the domestic structure in the respective policy field and civil society’s capabilities in terms of personal, financial and information resources which enable civil society’s (in)active engagement in OMC processes. In our opinion all these factors provide different opportunities for the participation of civil society and variously stimulate their own interest in participating.

The paper is based on an analysis of Slovenian legislation and other official documents managing employment and education policies, EU official documents in the field of employment and education policies, other data concerning Slovenia's EU
cooperation in the field of employment and education policies, and interviews conducted with relevant officials in Slovenia during the period from 2008 to 2010.

THE OPEN METHOD OF COORDINATION AND ITS POTENTIAL FOR CIVIL SOCIETY

The European integration process has increasingly been shaped by the recent activities of the groups and lobbies representing societal interests, consumers, environmentalists, women’s groups, and a range of other advocacy groups and non-governmental organisations (Wallace 2010, 86–87). The Lisbon Treaty specifies that the EU institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action, as well as to maintain an open, transparent and regular dialogue with representative associations and civil society. In addition, in order to promote good governance and ensure the participation of civil society, the Union institutions, bodies, offices and agencies shall conduct their work as openly as possible. However, not only EU institutions but also national member-state institutions which bear the principal responsibility for introducing policy changes at home have to ensure a high degree of civil society involvement and openness. Recently, this point of view has been embedded within the so-called new modes of governance. New modes of governance and policy innovations are in general operationalised through the selection of new policy instruments. It may be that new policy instruments are sought when other mechanisms of coordination or governance have failed (Kassim and Le Galles 2010, 7). Scott and Trubek (2002) define new mode of governance in a broad manner as “any major departure from the classical Community method”, while Treib, Bähr and Falkner (2007) argue that the classification of modes of governance as “old” or “new” is of little analytical value.

The White Paper on European Governance, published in 2001, is a key text that defines the role of civil society within the framework of the new modes of governance. In this document, the European Commission assigned to civil society “a key function in the implementation of good governance by openness, participation,

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accountability, effectiveness and coherence”. Building on these principles, the aim of the White Paper is to structure the EU’s relationship with civil society, to enhance dialogue and contribute to the openness of organised civil society. In relation to respecting the principles of good governance, civil society thus should play an important role in giving voice to the concerns of citizens and delivering services that meet people’s needs. In this respect, it presents a chance for citizens to become more actively involved in achieving the EU’s objectives and it offers citizens a structured channel for feedback, criticism and protest.

The great emphasis placed on the role of civil society within the framework of the new modes of governance in the EU official documents has triggered widespread academic debate on its real role in practice. While some authors (Gerstenberg and Sabel 2002; Jacobsson and Vifell 2002; Eberlein and Krewer 2004) have warmly welcomed EU intentions and the OMC ideal framework, others (Smismans 2006; Hatzopoulos 2007; Kröger 2007; Tsakatika 2007) have warned that the OMC’s potential to include civil society has not been fully exploited. Both sides share the belief that the empirical evidence that proves its real role in member-states remains missing.

The establishment of the OMC has been strongly associated with a general challenge to the EU, namely the legitimacy crises of the 1990s and the early 2000s. The legitimacy crises have been as much a question of political goals as the means to fulfil them. The European integration project has reached a stage where core areas of the welfare state, such as employment policy, social policy, and education, are directly affected. These are areas in which it is difficult to gain the political support of member states (Jacobsson 2001). Hence the OMC was developed to achieve common goals by avoiding the classical form of legislation through directives and regulations (Héritier 2001, 2–3; Hodson and Maher 2001; de la Porte 2002; Mosher and Trubek 2003). The OMC was designed as the method for meeting the policy challenges identified at Lisbon and at the same time suited for addressing the EU’s deficit in democratic legitimacy. The normative expectations of the OMC’s democratic potential, however, are based on an alternative understanding of post-national democracy. The idea is that the inclusive and participative policy processes offer an alternative path to achieving the core idea of democracy (Friedrich 2006, 6).
The idea of good governance was most precisely defined in the European Commission’s White Paper on European Governance through five principles of good governance: openness, participation, accountability, effectiveness, and coherence. In the Commission’ and other EU institutions’ documents, as well as in scientific debates, there are two key strains of argument that explain the increased involvement of civil society actors in OMC processes. The first argument refers to the role of civil society in improving the efficiency and effectiveness of European governance and policymaking. In this respect, non-governmental groups and organisations are seen as working nearer to the grass-roots level, having specific knowledge and expertise at their disposal, being oriented to efficient and effective problem solving, and acting as stakeholders in their respective policy areas. All in all, civil society representatives are assumed to fill the multiple gaps that become evident in multi-level policymaking, where powers and responsibilities are dispersed and coordinated action is difficult to achieve. The second argument refers to the role civil society plays in overcoming the EU’s democratic deficit. In this respect, representative democracy alone is not able to provide the necessary democratic legitimacy for the European polity. Therefore, through their participation in both decision-making and policy implementation, civil society representatives may provide legitimacy to European governance. Scholars conceptualise and theorise these phenomena as alternative forms of democracy, that is to say, as associative and deliberative democracy.

Some critics (e.g. Smismans 2006) warn that, although there are some signs of civil society involvement in the OMC – albeit strongly dependent on policy area and national circumstances (de la Porte and Pochet 2005; Kerschen 2005; Armstrong 2006), the dominant picture remains one of a narrow, opaque and technocratic process involving high domestic civil servants and EU officials in a closed policy network, rather than a broad transparent process of public deliberation and decision-making that is open to the participation of all those with a stake in the outcome (Jacobson and Viffel 2002; Smismans 2004; Zeitlin 2005: 460). Therefore one should be very reluctant in arguing that “new modes of governance” are characterised by their particular democratic participatory nature. A greater degree of horizontal and hierarchical governance does not automatically mean a greater degree of participatory governance in normative democratic terms (Smismans 2006).
Given the above mentioned five principles of good governance in relation to the OMC definition, the first two principles – openness and participation – would seem to be the most relevant for estimating civil society’s role in Slovenia’s employment and education policy. By openness⁴ it is meant that, in order to be democratic, the OMC must be designed in such a way as to enable citizens to obtain equal control over those public policies to which they are subject (Friderich 2006, 6). It is a conception that indicates that the EU should make the rules and politics more accessible to EU citizens in terms of language and the availability of the information (de la Porte 2007). In political science the term openness in also often connected with the question of “How open is the OMC to various actors?” The analysis of the White Paper reveals that this question concerns the second principle – participation.⁵ Participation⁶ would improve democracy as the decision-making process should be more open in order to improve the quality of regulation and its subsequent implementation. In other words, the new form of governance by involving more actors and interests should lead to better decision-making and better implementation (de la Porte and Pochet 2003, 2).

The model of stakeholder participation has clearly been perceived as a positive feature of the OMC and as ‘one dimension of the whole issue of accountability, democratisation and legitimacy of the new mode of governance’ (Radaelli, 2003, 59). Additionally, input legitimacy employed in the OMC literature assumes that political interests are ideally directed into the policymaking process via a broad participatory model that includes not only citizens but also a variety of stakeholders (de la Porte and Nanz, 2004, 272; Borrás and Conzelmann 2007, 542). The White Paper places considerable emphasis on participation in terms of its input legitimacy and also its expected output legitimacy (de la Porte 2007). Central governments have the primary

⁴ On the matter of »openness«, the White Paper states the following: The Institutions should work in a more open manner. Together with the Member States, they should actively communicate about what the EU does and the decisions it takes. They should use language that is accessible and understandable to the general public. This is of particular importance in order to improve the confidence in complex institutions.

⁵ De la Porte (2005) states that principle of openness is partially normative, partially covered by participation.

⁶ On the matter of »participation«: The quality, relevance and effectiveness of EU policies depend on ensuring wide participation throughout the policy chain – from conception to implementation. Improved participation is likely to create more confidence in the end result and in the Institutions which deliver policies. Participation crucially depends on central governments following an inclusive approach when developing and implementing EU policies.
responsibility of ensuring that this principle is respected by following an inclusive approach when developing and implementing EU policies.

Among the two already-mentioned scholarly consensuses – about the missing systematic empirical analyses on the participation of actors at European or national levels in the OMC and the recognised differences in participation from one sector to another – the scholars also share the opinion that the reception of the OMC varies across countries. Civil society participation in national OMC processes has not fully fulfilled initial expectations and remains uneven between countries. The latter applies both to the level of participation as well as the ways in which stakeholders are allowed to influence OMC processes. The level and type of actor participation has also changed considerably over time in certain countries, leading to an inability to identify regular patterns (Kröger 2007).

Regarding Europeanisation processes, both directions (top–down and bottom–up) need to be considered since member states are never passive recipients and implementers of EU policies and initiatives. This means that distinct European practices, institutions, policies and discourses developed at the EU level create pressure for reform or change in structures, processes, and policies at the domestic level. The adaption pressure varies according to the type of EU rule in question, as well as the degree to which it fits with pre-existing policies and policymaking practices in the member states. The debate amongst scholars identifies the following as important domestic factors having an impact on OMC reception: political ideologies and policy paradigms, state traditions and administrative legacies, state capacities and resources, actor constellations and social interests (Cowels et al 2001; Featherstone and Radaelli 2003; Jacobsson et al 2004; Jacobsson and West 2007). In order to understand the reception of the OMC in a national setting, both the institutional context in which the OMC is to be implemented and the micro-politics of the OMC in Slovenia (i.e. actor responses and activities as well as relationships between actors) need to be taken into account (Jacobsson and Johanson 2007).

Given the importance of civil society in respecting the principles of good governance, it is also appropriate to identify the domestic factors which have impacted on the role and influence of civil society in the policymaking processes. Although different authors recognise that a variety of different factors can undermine or enable the
impact of civil society on policymaking, some of them give more prominence to “external” factors, such as the political context (e.g. political culture, legal environment, corruption, etc.) (Marsh and Smith 2000; Edwards 2004), while others place greater importance on “internal” factors such as civil society’s expertise, networks and mobilisation capacity (Keck and Sikkink 1998; Najam 1999; Anheier, Glasius and Kaldor 2001).

In examining the impact of the OMC on respecting principles of good governance in member states, the research model (consisting of EU and domestic factors having an impact on the reception of the OMC) can be employed as a useful analytical tool for explaining civil society’s role in OMC processes in Slovenia, which can result in respecting principles of good governance in EU.

**Figure 1:** Research Model

In the paper we hypothesise that both the EU as well as domestic factors determine/influence the role played by civil society in the OMC processes. On the one hand, the EU factors include the arrangement of respective policy fields at the supranational level (in terms of transfer of the sovereignty from national level) and the introduction/employment of different OMC instruments which provide various opportunities for civil society’s participation or variously stimulate their own interest in participating. On the other hand, domestic factors include the openness of national policy style in
the respective policy field (the structure of already existing forms of cooperation between the government and civil society actors), as well as civil society’s capabilities in terms of personal, financial and information resources which enable civil society to engage in OMC processes.

POLICY/OMC ARRANGEMENT AT THE EU LEVEL: EMPLOYMENT AND EDUCATION POLICY FIELDS

Policy Arrangement at the EU Level

During the earlier days of its existence in the 1950s and 1960s, the European Economic Community (EEC) enjoyed a period of virtually full employment. Perhaps some of the failure to grasp the problem of unemployment was due to the enlargement of the EEC/EU from 1972 onwards, which made control from Brussels more difficult. However, the changing world economic climate, globalisation and the spectacular growth in the emerging economies added to the difficulties in introducing an effective employment policy (Walsh 2009, 11). The persistently high levels of unemployment that emerged in Europe during the 1980s and 1990s led to the inclusion of a new development objective, namely, that the attainment of high employment levels should become an EU priority. Labour market reform and a concern to address unemployment began to appear explicitly in official EU documents during the mid-1990s. In 1998 common guidelines for employment policy were adopted for the first time; over the years these have increasingly evolved into the beginnings of a common social policy. At the Lisbon Summit, the EU set itself a new strategic goal - to become the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth with an increasing number of better jobs and greater social cohesion (Kajzer 2002). Although social issues appeared high on the European agenda, this brought with it softer approaches to dealing with employment policy, including the OMC.7

With the Lisbon Treaty, the approach to employment policy in the EU has come almost full circle. The formation of the EEC was all about economic integration, whilst employment and social issues were almost an addendum. Gradually, social

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7 The Employment OMC was formally introduced before the Lisbon Summit, in 1997 with the establishment of the European Employment Strategy.
policy appeared on the agenda as a key plank of integration, reaching its zenith in Maastricht and its Social Chapter, after which the realities posed by the push for monetary union and the need to create real jobs called for a softer approach to employment policy. This softer approach carried on through the Amsterdam Treaty and beyond – all influenced by the steady enlargement of the EU and the recognition that “one size is never going to fit all” (Walsh 2009, 11). The OMC was introduced to encourage the exchange of information and joint discussion between member states, and to attempt to find joint solutions and best practices for creating a greater number of better jobs in all member states. The OMC requires that member states coordinate among themselves in order to define the guidelines, recommendations and a set of common indicators as measurable employment targets. The OMC also encourages mutual learning among the various stakeholders regarding the EES and its implementation (Casey and Gold 2004; Nedergaard 2006). However, the non-obligatory nature of the OMC generates a range of “sizes” among member states.

Education in the EU context is a policy area in which the harmonisation of national laws and regulations with EU legislation is not required. There is a treaty base, which only allows for a limited cooperation in education. According to Articles 165 and 166 of the Lisbon Treaty (the Consolidated Version of the Treaty on the Functioning of the European Union) the EU has only supporting competences in the area of Education and Training (E&T) respecting the subsidiarity principle, and therefore no legally binding community initiatives are possible. Furthermore, this is a policy area which is very close to national (and sometimes regional) identity, belonging to the last core competences still remaining at national level, and member states have for decades been unwilling to accept further European level involvement in the policymaking aspects of E&T policy. Therefore, the EU’s aim in education is primarily to contribute to the development of high quality education by encouraging cooperation between member states and by supporting and complementing their actions, whilst fully respecting the responsibility of member states to create their own curriculum content and the organisation of education systems and their cultural and linguistic diversity. Nevertheless, at the EU level we are able to find many decisions, resolutions and declarations referring to education, including, for example, equal opportunities for all, efficiency at school, mobility in higher education, foreign language education, safety at school, lifelong learning, academic and vocational
certification, the quality of education, educational statistics, the development of general and vocational training, education and the possibilities of employment etc. All these activities in the EU context enjoy common (voluntary-based) cooperation among member states.

The OMC Arrangement and the Instruments Introduced/Employed

The European Employment Strategy (EES) occupies a place of special importance in the field of EU employment policy. The EES was established in 1997 with the aim of responding to the economic and social problems of the early 1990s, which called for the greater coordination and alignment of policies to reduce unemployment and its structural causes. Since 2000, the EES has been part of the Lisbon Strategy, which seeks to combine economic efficiency and competitiveness with social progress and cohesion (Ignjatović 2009, 106). The OMC aims to achieve the following EES goals: to encourage the exchange of information and joint discussions between all member states; and to try to find solutions or best practice which could help create a greater number of jobs and to create better jobs in every member state (López-Santana 2006). The employment OMC thus consists mainly of a dialogue between the EU member states and the European Commission on the basis of various documents, such as the guidelines, the recommendations and the annual joint employment report. A key role is played by the Employment Committee (Nedergaard 2006), which is formed of representatives of the member states and the European Commission. The Committee coordinates the objectives and priorities at the EU level. These objectives are organised according to common indicators and measurable employment targets (see Article 150 of the Lisbon Treaty). As a member state, Slovenia has two members on the Committee. Both members come from the Ministry of Labour, Family and Social Affairs. According to Nedergaard (2006, 311), the purpose of the EU’s employment policy is the mutual learning between member states. The two most important questions in this regard are how learning occurs and how much learning takes place. Our assumption here is that the Mutual Learning Programme (MLP) plays a crucial policy-learning role in the field of employment policy, especially since peer reviews are a part of the MLP.

In the field of education, the foundations for cooperation between the EU member states have also been laid down through the OMC. Firstly in 2001, the European
Council formally adopted the three strategic goals (the quality and effectiveness of education; access to education; the opening up of national education and training systems to society and the wider world). In 2002 these three objectives were translated into the Working Programme of Education and Training 2010, which presents the core of the OMC process in the field of education (Lange and Alexiadou 2007). With the Working Programme 13 common objectives were defined (in accordance with three strategic goals from 2001) and a work organisation was set up around these objectives. It includes: diversified clusters and working groups which bring together national experts and the partners concerned (8 clusters and 1 working group were established); the sharing of practices and experiences regarding common objectives adopted by ministers (peer learning activities were organised by clusters and working group); defining indicators for monitoring progress (16 indicators were defined in accordance with 13 common objectives); producing European references for supporting national reforms (5 benchmarks were agreed); and monitoring common progress (with (bi)annually quantitative and qualitative reports). By introducing the OMC, the Lisbon Strategy established a common European education space in which (hitherto completely heterogeneous) education systems could connect to create a uniform core of lifelong learning (Gornitzka 2005). The Lisbon process and the introduction of the OMC formed the basis for installing the education sector in the broader EU context and for legitimising it as a subject of European integration (Gornitzka 2006). In this respect, the OMC represents a milestone in European education policy since it has arguably increased and strengthened the education sector at the EU level, whilst opening it up to influences from other fields (economic and social policy) (Gornitzka 2006, 10).

The above described characteristics of the employment and education OMCs reveal, at least to some extent, a different application of the OMC instruments in each of the policy fields described. While we suppose that the different institutional architecture of each OMC might have an impact on the participation of civil society, the table below systematically compares the instruments used in the employment and education OMCs.
Table 1: OMC Instruments in Employment and Education Policy Fields

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<tr>
<th>OMC instruments</th>
<th>EMPLOYMENT</th>
<th>EDUCATION</th>
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<tbody>
<tr>
<td>fixing guidelines for the Union combined with specific timetables for achieving the goals which they set in the short, medium and long terms</td>
<td>European Employment Strategy Guidelines</td>
<td>Working Programme Education and Training 2010</td>
</tr>
<tr>
<td>establishing, where appropriate, quantitative and qualitative indicators and benchmarks against the best in the world and tailored to the needs of different Member States and sectors as a means of comparing best practice</td>
<td>Indicators are divided into analysis indicators and monitoring indicators and distributed according to the 2005-2008 Employment Guidelines</td>
<td>5 benchmarks and 16 indicators</td>
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<tr>
<td>translating these European guidelines into national and regional policies by setting specific targets and adopting measures, taking into account national and regional differences</td>
<td>National Action Plans</td>
<td>Lifelong Learning Strategy</td>
</tr>
<tr>
<td>periodic monitoring, evaluation and peer review organised as mutual learning processes</td>
<td>NAP-process and specific reviews</td>
<td>Annually quantitative Progress Report</td>
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<td></td>
<td>Country-specific recommendations</td>
<td>Biannually qualitative Progress Report</td>
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<td></td>
<td>Peer review process</td>
<td>Peer learning process</td>
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When comparing employment and education OMC processes, the greatest differences can be identified in the last two packages of instruments – the translation of European guidelines into national and regional policies and the periodic monitoring, evaluation and peer reviews organised as mutual learning processes. In the case of the employment OMC, member states are expected to prepare their National Action Plans, which are reviewed by the Commission. The country progress is evaluated by the Commission and recommendations are made to each particular member state with regard to their potential for improvement. In the education OMC, member states are not expected to prepare any National Action Plans, while the European Commission’s recommendations are addressed to all member states; that can be understand as softer mechanisms than in the case of employment policy. Within the framework of mutual learning processes in the employment OMC, the peer review process is used, while in the education OMC we find peer learning activities; again, peer learning activities
represent a softer mechanism.\textsuperscript{8} Comparing employment and education OMC instruments, normatively there is no difference in civil society participation. While employment OMC instruments are in some sense “harder” than instruments in education OMC, we can expect civil society to play a more proactive role.

**EMPIRICAL EVIDENCE FROM SLOVENIA: THE ROLE OF CIVIL SOCIETY IN EMPLOYMENT AND EDUCATION OMC PROCESSES**

The Role of Slovenian Civil Society in the European Integration Processes

The extent of development of Slovenian civil society\textsuperscript{9} remains high in most of statistics which show that Slovenian civil society is vibrant. Of the almost 21,000 non-governmental organisations (NGOs) in Slovenia, the majority are organised as associations and operate at the local level in the fields of sports, culture and art, fire brigades, as well as in some other forms, such as foundations or private institutes. However, in reality civil society in Slovenia today is fighting the personnel deficit. Following the “golden era” of Slovenian civil society during the 1980s, including the processes of establishing an independent state and the period of democratic transition, today most NGOs are not involved in public affairs (Lajh 2010).

With the aim of empowering NGOs to participate in public affairs, the Centre for Information Service, Cooperation, and Development of NGOs (CNVOS) was established in 2001. In 2005, the government established an inter-ministerial working body to facilitate cooperation with NGOs, demonstrating its receptiveness to input from civil society. However, the extent of cooperation has remained poor, and the expectation that NGOs would become more engaged in public affairs following Slovenia’s membership of the EU has not been met. The 2007 marked the beginning of the new EU Structural Funds Financial Period, which will last through to 2013. In

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\textsuperscript{8} Peer review can be described as the systematic examination and assessment of the performance of a state by other states, with the ultimate goal of helping the reviewed state improve its policy making, adopt best practices and comply with established standards and principles. Peer learning is softer in the sense that the host state presents its (good) practice, while other states just listen to its lessons, learn from its experiences and do not provide any examination or assessment of its performance.

\textsuperscript{9} The right to assembly and association in Slovenia is guaranteed in Article 42 of the Constitution, which states that the right of peaceful assembly and public meeting is guaranteed and everyone has the right to freedom of association with others. Legal restrictions of these rights are permissible when so required for national security or public safety and for protection against the spread of infectious diseases. The constitution also determines that professional members of the defence forces and the police may not be members of political parties.
accordance with the partnership principle, the EU cohesion policy initiatives are assumed to take place within networks that involve a variety of authorities (EU and state) as well as societal actors such as interest groups, social and economic partners, and NGOs that collaborate as partners to achieve common goals. As such structural funds certainly ought to represent an additional and strong catalyst for developing consultative politics in Slovenia by mobilising civil society in different policy areas. According to the NGO Sustainability Index, throughout 2007, NGOs were engaged in setting up programmes, seminars, and workshops dedicated to building capacity to implement projects. The most important fund for NGOs is the European Social Fund, which dedicates more than EUR 12 million to civil dialogue and the development of the NGO sector. However, other studies show that this cooperation of NGOs too frequently remains only at the normative level.

During the preceding two governmental terms we can identify two different problems in the relation between government and civil society organisations. During the term of the centre-right government (2004–2008) there were two major problems concerning the possibility for civil society organisations to participate: sometimes the government enabled only particular civil society organisations to follow and cooperate in policy preparation, while at other times it simply did not allow civil society organisations enough time to study the material and to participate effectively. By contrast, the current centre-left government (from 2008 onward) has in this regard presented itself as being more open toward civil society organisations’ participation and inclined toward consensual politics. This greater emphasis on consultation and/or consensus is very much a “trademark” of the current Premiership under Mr. Pahor. Indeed, Pahor is frequently criticised because of this, since it is at times necessary to take a decision without broader consultations. The centre-left government has at several times publicly highlighted the importance of social dialogue and has also appointed a state secretary, in the PM’s cabinet, responsible for the organisation and management of social dialogue. Nevertheless, the trade unions especially are not particularly satisfied with the current social partnership (Lajh and Krašovec 2010).

In September 2007, CNVOS and the Government Communication Office also signed an agreement defining relations between the two offices, which experts hope will stimulate better relations between the government and NGOs in the future. The first
test of these relations in Slovenia was the Slovenian Presidency of the Council of the EU in the first half of 2008. To encourage efficient, interactive and transparent cooperation between the Slovenian Government and (primarily) Slovenian NGOs, a special “Agreement between the Government Communication Office and the web portal ‘Predsedovanje.si’ about communication before and during the Slovenian Presidency of the EU” was signed. In this way, Slovenian (as well as foreign) NGOs had the opportunity to participate in the Slovenian EU Presidency through the web portal www.Predsedovanje.si. The agreement bound both sides to encourage the efficient, interactive and transparent informing and consulting of public administration bodies with NGOs. The agreement especially obliged the Government Communication Office to motivate the respective public administration bodies to use the web portal for regular information-sharing with NGOs about activities and events during the Presidency, to engage in e-dialogue with them about different events, and to provide sufficient time for consultations, the availability of documents and replies to comments received (Fink Hafner and Lajh 2008, 43).

The agreement defined two means of involving NGOs in the Slovenian EU Presidency: information and consultation. The intention of the first was to share information and to notify NGOs about all activities and events organised during the Presidency and to pose questions about the affairs connected with the Presidency. The second means, consultation, aimed to get NGOs interactively involved with the help of so-called e-participation tools. For this reason, a special online forum including moderated e-discussions and e-consultations, as well as a system of e-petitions, e-surveys and e-actions was established. In this respect, the viewpoints of NGOs were forwarded to the relevant ministries and other public administration bodies. However, these e-participation tools did not bring about any radical changes in the cooperation between the government and civil society. These past experiences show that even when expectations are high (as in the case of full membership in the EU or holding the EU Presidency) they are not fulfilled and the actual role played by civil society in the EU context in practice remains weak.
The Domestic Structures and Capabilities of Slovenian Civil Society in the Fields of Employment and Education Policy

Before estimating the role of civil society in the implementation of OMC activities in the field of active ageing and adult education in Slovenia, it is important to understand who represents civil society in the (Slovenian) policy fields of employment and education.

In the field of employment policy in Slovenia in 1994 a tripartite social dialogue began to take place. The government, employers, and trade union organisations wanted to conclude a social agreement that would primarily regulate the area of wage policy. Although no social agreement was signed that year despite long negotiations, the social partners signed an offprint titled “Agreement on Wage Policy for the Year 1994”. With this document they were able to found a tripartite national body, the Economic and Social Council of the Republic of Slovenia (ESC). The ESC is the highest body representing the social partners in Slovenia. As such, the ESC is organised according to the ILO’s pattern of tripartism. It was founded as the main consultative and coordinative institution for social dialogue in Slovenia and was primarily set up to deal with issues relating to the social agreement and wage policy, social policy, labour relations, employment and employment-related topics. The ESC is currently made up of 24 members, and their alternates – each of the categories of social partner and the government have eight members and alternate members. The government is represented by five ministers (of labour, family and social affairs; of finance; of the economy; of public administration; for development and European affairs), the director of the Institute of Macroeconomic Analysis and Development, and the state secretary for social dialogue in the office of the PM. The employee and employers’ associations group for the most part is made up of the chairs of their respective organisations or other persons of high rank. Social partners – employers and trade union organisations – are certainly the most important civil society actors in

the field of employment policy. However, besides these, certain other actors also play an active role in the various employment-related topics.12

Whilst it is uncommon to find a definition of civil society in the field of education, we find UNESCO’s definition the most appropriate: in the context of education, civil society can be understood as all non-governmental and non-profit associations involved in education. It embraces groups such as campaign networks, teachers’ unions and religious organisations, community associations and research networks, parents’ associations and professional bodies, student organisations, social movements and others. Their role should be assured in the formulation, implementation and monitoring of strategies for educational development. While one should be conscious that the state has the ultimate responsibility for and authority over education, the role played by civil society in education can be identified as that of: a) service providers where state provision is absent or insufficient - civil society organisations are often more flexible than the state and closer to the grassroots and local cultures, therefore in many countries they assume responsibility for non-formal education programmes (e.g. the Association of Slovenian Adult Education Centres); b) innovators and sources of “new” thinking and practices - important if the new concept is to evolve and respond to change. In other words, they help fill the “ideas gap” (e.g. the Slovenian Adult Education Association); c) informed critics and advocates on a wide range of development issues - NGO campaigns at national, regional and international levels are lobbying in favour of free and compulsory quality education for children, youth and adults (e.g. EduAction – NGO Network for Lifelong Learning; MINVOS-Education for All).

Case Studies: The Marginal Role of Civil Society in the Reception of the OMC in Slovenia

As previously mentioned, with the aim of assessing the potential of the OMC in promoting the participation of civil society in the policy fields of employment and education in Slovenia we will conduct two case studies, one from each policy field: active ageing within the framework of employment policy and lifelong learning (with special emphasis on adult education) within the framework of education policy. In

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12 For example, the Social Chamber of Slovenia or university research centers.
this respect we will try to present the role of civil society in these two cases through the OMC instruments as defined in the Lisbon Strategy:

- fixing guidelines for the Union combined with specific timetables for achieving the goals which have been set in the short, medium and long term;
- establishing, where appropriate, quantitative and qualitative indicators and benchmarks against the best in the world and tailored to the needs of different member states and sectors as a means of comparing best practices;
- translating these European guidelines into national and regional policies by setting specific targets and adopting measures, taking national and regional differences into account; and
- periodic monitoring, evaluation and peer review organised as mutual learning processes.

Since our main interest focuses to the role of civil society as it relates to the changes in national policymaking, we believe that the first two above-mentioned OMC instruments are not relevant for estimating civil society’s role. Hence, in the paper our concern in particular will be the last two instruments.

*Close Interdependence between the Problems of Active Ageing and Lifelong Learning*

Slovenia’s ageing population represents a major future economic and social challenge since it puts great pressure on the public finances and risks reducing the growth of living standards due to the possibility of reduced economic growth and productivity. Based on the available information, the proportion of older persons will increase significantly, whilst the proportion of people in middle age and youth is decreasing. Hence, it is necessary to change the pattern of employment and the attitudes towards older people in society.

Europe's aging population occupies an important place in the national policies of EU member states. Each country needs to respond to the challenges of aging by providing the right conditions and adopting the appropriate and specific policies which include all the relevant actors. The difference ratio between the actively working part of the population and pensioners is rapidly declining. According to data from the OECD, by 2050 Europe’s average pensioner-to-employee ratio is predicted to come close to 1:1.
This would put extraordinary pressure on public finances, health care and the costs of long-term care for elderly people. Consequently, higher social security contributions and other taxes will significantly reduce the standard of living (Ukrepi za spodbujanje aktivnega staranja 2010, 4).

Demographic change represents a key future challenge. According to some projections, by 2030, the number of persons in the EU of working age will have decreased by 6.8 percent, or by more than 20 million. Europe is thus nearing a stage in which the rapid growth in the proportion of older people and a reduction in the proportion of the population that is under 50. The employment rate for people aged 55-64 years is rising towards the target "Lisbon value" of 50 percent in 2010, but the deviation across countries is significant.

In addition, almost all EU member states are facing multiple barriers and prejudices when it comes to the employment of older persons, or the return to work of either unemployed or inactive persons. These barriers stem from company-employee- or employer-attitudes towards older workers, and from the increasingly rapid changes in technology, and from organisational changes which represent a major challenge for the elderly, and from working conditions. On the other hand, the appropriate measures, good practices and innovative measures introduced by member states in many cases represent a new opportunity for the quality employment of older workers (Ukrepi za spodbujanje aktivnega staranja 2010).

The importance of adult learning in this context is well recognised. Through the acquisition of key competences of the elderly, adult learning presents an essential contribution to the employability and mobility in a modern labour market and to social inclusion. Relevant skills and training of the elderly are extremely important in order to ensure the successful integration of individuals into the labour market, their competitiveness, long-term employability, as well as increased social returns in terms of improved civic participation, better health, lower incidences of criminality, and greater individual well-being and fulfilment. From this point of view, it is not just important, but even necessary that (adult) education policy is developed coherently\textsuperscript{13} with employment policy.

\textsuperscript{13} As already mentioned, coherence also represents one of the five principles of good governance. The White Paper states that: \textit{Policies and action must be coherent and easily understood.} /.../ Challenges
Table 2: EU Targets in the Field of Active Ageing Related to Lifelong Learning

<table>
<thead>
<tr>
<th>EU target</th>
<th>Slovenian achievement</th>
<th>EU achievement</th>
</tr>
</thead>
<tbody>
<tr>
<td>12.5 % participation of people (25-64) in lifelong learning</td>
<td>15.3 % in 2005 14.6 % in 2009</td>
<td>9.8 % in 2005 9.2 % in 2009</td>
</tr>
<tr>
<td>50 % average employment rate for older people (55-64)</td>
<td>30.7 % in 2005 32.8 % in 2008</td>
<td>42.4 % in 2005 45.6% in 2009</td>
</tr>
</tbody>
</table>

In comparison with the EU in general, indicators of lifelong learning in Slovenia show a positive picture. The data suggests that the involvement of Slovenian citizens in lifelong learning (in the age group 25-64) is higher than the EU average, but that it needs to dedicate much more attention to older workers who need lifelong learning the most. This category of workers is the most marginalised when it comes to training and the acquisition of modern skills. In 2008, the percentage of the Slovenian population participating in lifelong learning (aged 25-64) was 13.9 percent (compared to 9.6 percent in the EU-27, and 11.0 percent in the EU-15). The highest level of participation in lifelong learning is found in the age category 25-34 (in 2008 in total 25.9 percent, compared to the EU-27 average of only 15.4%). However, participation in lifelong learning decreases with the age. In 2008, only 5.4 percent of the total number of employed older workers in the age group 55-64 in Slovenia were involved in lifelong learning (although the average for the EU-27 is just 4.9 percent) (Eurostat 2009).

**Implementation of OMC Activities in the Field of Active Ageing**

In 2002 within the framework of the Spring Council in Barcelona, an EU objective was identified: to achieve a more active elderly population with a higher average age of withdrawal from the labour market in the member states for five years by 2010. Both these objectives were incorporated into the objectives of the common European employment policy and the objectives of the Lisbon Strategy. In 2005, the renewed Lisbon Strategy (subsequently confirmed in virtually unrevise form in 2008) under such as climate and demographic change cross the boundaries of the sectoral policies on which the Union has been built. /.../ Coherence requires political leadership and a strong responsibility on the part of the Institutions to ensure a consistent approach within a complex system.
the Employment Guidelines stressed the importance of developing national active aging strategies in the context of the lifecycle approach to work, and the importance of facing the challenges of an unfavourably changing demographic, particularly within two of the Employment Guidelines:

- Employment Guideline 17,\(^{14}\) which presupposes the aforementioned EU target of a 50 percent average employment rate for older people (aged 55-64), and

- Employment Guideline 18,\(^{15}\) which recommends support for active aging strategies, including appropriate working conditions, improved (occupational) health status, and adequate incentives to encourage continued working and to discourage early retirement.

In its annual reports for the years 2006-2008, the European Commission warned Slovenia about the problem of an aging population and a low employment rate among the elderly. In this respect, the Commission recommended the preparation of an active aging strategy and the activation of measures to raise the employment of older workers and their later exit from working life.

Special measures must be taken to improve the situation of older people in the labour market in Slovenia in terms of raising the employment rate of older people, improving their working conditions, and their education and training. The primary goal of these measures, as outlined in the Operational Programme Human Resources Development (OP HRD) for the period 2007-2013, is to raise the average employment rate of older persons in the 55-64 age group to 43.5 percent by 2013. At the same time, this progress would also represent a step towards reaching the Lisbon target of a 50 percent average rate of employment amongst older workers. In this respect, the Slovenian government has started preparing the Active Ageing Strategy. This strategy focuses on the target population over the age of 45, since an effective investment in the workforce is required to address the questions of a suitable integration in skills upgrading and the lack of capacity for long-term competitiveness in the labour market (Ukrepi za spodbujanje aktivenega staranja 2010, 8).

\(^{14}\) Implement employment policies aimed at achieving full employment, improving the quality and productivity of work, and strengthening social and territorial cohesion.

\(^{15}\) Promote a lifecycle approach to work.
The strategy in fact represents a supplement or upgrade to the "Strategy for the Protection of the Elderly by 2010" (solidarity, harmony and the quality of life of the ageing population), adopted by the Government in September 2006, and represents a comprehensive strategy that should enable the maintenance of solidarity and human coexistence between the third-, middle- and the younger generation.

The Directorate for the Labour Market and Employment, within the Ministry of Labour, Family and Social Affairs (MDDSZ), coordinated the process of drawing up the strategy. In the second half of 2006, the directorate produced a draft document which specified what should be included in the strategy. The directorate relied on the good practices of member states, since these case studies represented already-adopted strategies which had successfully “activated” the older population (as Finland has demonstrated), as well as relying on some additional studies (Zupančič 2010). In December 2006, the directorate, along with the other directorates of the ministry, organised an internal meeting at which the draft document was discussed, and the most important elements were identified, and the structure of the strategy was proposed. In this way, in early 2007, the supplemented draft document was submitted for further discussion and proposals to the government's Working Group on Reform of the Labour Market. In April 2007, the draft document was presented at the meeting of NGOs, where they discussed the document “Strategy for the Protection of the Elderly by 2010”, while in mid-May 2007 the Strategy was presented at the conference "Lifelong Learning and Active Ageing", organised by the National Council. Both presentations were attended by social partners (representatives from trade unions and employers’ organisations) as well as other actors, especially researchers. However, the Strategy was presented within the framework of some broader topics, and civil society actors criticised governmental representatives that they had not sent them this document in advance, as a result of which they were unprepared for a discussion. In 2008 and 2009, programmes and financial resources in individual fields were coordinated, and in the middle of 2009 the document was finally passed to the minister’s cabinet for approval. In March 2010 the Strategy was finally passed to the National Assembly, where by mid-2011 it still waits to be adopted. This case shows the particularly low level of political will to adopt strategies like the Active Ageing Strategy – the prepared document first awaited approval at the
Minister’s Cabinet from mid-2009 to March 2010, while the document has already been waiting to be adopted by the National Assembly for more than a year.

While preparing the Strategy, the following documents were taken into consideration: the Lisbon Strategy; OP DHR 2007-2013; the National Programme of Reforms for the Implementation of Lisbon Strategy; country specific recommendations for the years 2005-2008; the Strategy for the Development of Slovenia; Integrated Guidelines for Growth and Employment; the Strategy for Lifelong Learning; Measures of Active Employment Policy 2007-2013; the Action Plan for the Disabled 2007-2013; and the Resolution of the National Programme of Adult Education. In addition, Slovenian representatives attended three peer reviews within the framework of the MLP, which were directly related to the topic of active ageing: Increasing the Employment of Older Workers through Lifelong Learning; Activation of the Elderly - Increasing Participation, Enforcing Employability and Working Age until the Age of 67; and the Ageing Population and Educational Choices. The state as well as civil society representatives (as a rule from different research centres, especially from the Universities) attended all three peer reviews within the framework of the MLP.

Due to its characteristics and development variables, the Strategy represents a living document that is constantly changing, and due to the integration of measures relating to European funds (OP HRD) it is drawn in the time period 2007-2013. Since the Strategy also has some wider implications (for example the introduction of so-called “small work/mini job”, reflecting changes in the field of student work, and changes in pensions legislation), it could be perceived as a catalyst for some unwanted reforms. In the process of addressing the issue of active ageing, virtually all the potential OMC features were (although not in the whole) applied: integrated guidelines; country-specific recommendations; mutual-learning activities (especially participation in peer reviews); the best practices of selected EU member states; and, finally, the preparation (but not yet formal adoption) of specific measures in the form of a national action plan/strategy.

As we mentioned, the Strategy also has some wider implications and it is (at least indirectly) linked to the introduction of the so-called “small work/mini job” as well as to changes in the legislation on pensions. Taking only these two problems in account, civil society actors have been much more active as well as effective in achieving their
goals. For example, after the government prepared and the National Assembly adopted the Mini Jobs Act\textsuperscript{16} and the Pension Reform, civil society actors triggered a veto by calling a referendum. They managed to collect the necessary number of citizens’ signatures to secure a referendum and – although various international organisations (especially IMF and OECD) as well as the European Commission warned Slovenia that pension reform is crucial for its financial stability and economic development – they comfortably won both referendums. These two cases illustrating the “successful” activities of civil society organisations certainly do not represent good practice or good governance.

\textit{Implementation of OMC Activities in the Field of Adult Education in Slovenia}

In the field of adult education in Slovenia, there are two documents which respond to the challenge of \textit{translating European guidelines into national and regional policies by setting specific targets and adopting measures, taking into account national and regional differences}. The first document is the Adult Education Master Plan which was adopted by the Slovenian Parliament and in which the public interest in adult education is determined. The National Adult Education Programme is a foundation for the Annual Adult Education Plan, prepared by the Ministry of Education and Sport and the Ministry of Labour, Social and Family Affairs, verified by the Council of Experts of the Republic of Slovenia for Adult Education and approved by the Government. The Annual Adult Education Plan determines the educational programmes and activities in the field of adult education to be (co)financed from the state budget, the extent and type of activities required for the realisation of the plan, the means ensured from the state budget and the ministries responsible for the realisation of the plan. Besides the short-term goals which are determined in the Annual Adult Education Plan, the activities which have a long term influence on the development of adult education are also defined. These include: stimulating and including other ministries, local communities, social partners and civil society in planning, investing and realising the strategy of life-long learning,

\textsuperscript{16} Preparation of the Act was accompanied by criticism from the student population in particular, who protested in front of the National Assembly. Violent protests finished with the throwing of granite tiles at the building of the National Assembly, causing major damage to the parliament.
The Resolution on the Adult Education Master Plan in the Republic of Slovenia (2004) set the priorities and objectives that were to be achieved by 2010, with the targets brought into line with the European Commission’s benchmarks. Thus, the percentage of adults in lifelong learning should have increased to 15% by the target year, whilst the percentage of adults (age group 25–64) who have at least completed a four-year secondary education programme should have advanced to 85%.

The second document is the Slovenian Lifelong Learning Strategy. The Strategy was prepared on the initiative of the Ministry of Education and Sport within the framework of realising the EU Working Programme on Education and Training 2010. The editor of the Strategy was the head of the “Andražško društvo Slovenije”, the most important civil society organisation in the field of adult education in Slovenia.

The Slovenian Lifelong Learning Strategy has been prepared on the basis of input from more than 15 European and over 17 national analyses, reports, strategies and action plans. The draft strategy was presented to the public for discussion (public debate in the National Assembly, publication on the internet, the public could appeal through the ministries if they dislike some aspect) in January 2007. In March and April of this year the draft strategy was additionally discussed by the three highest expert government bodies in the field of education, i.e., the expert councils for general education, vocational and technical education and adult education. All interested groups were asked to contribute to and to elaborate on the strategy in the public debate in the National Assembly and via publication on the internet. In February 2007, in connection with the further development of education, the ministry held a number of discussions with the social partners. Their comments and suggestions were taken into account in the completion of the strategy, and above all in the preparation of the operational plan. The Slovenian Lifelong Learning Strategy was mainly developed by the Ministry of Education and Sport. Therefore, the main emphasis has been on creating solutions and measures directly connected to the Education and Training 2010 Work Programme. Policymakers from the education field report that other fields, for instance the economy, have been responding relatively well to their various proposals, but that it is still hard to foster the mentality that the issue of lifelong learning demands an integral inter-sectoral approach (Ministry of Education and Sport 2007a).
In terms of the *periodic monitoring, evaluation and peer review organised as mutual learning processes*, we can highlight two OMC instruments in which civil society is expected to play an active role. One is the *periodic monitoring* which in the education OMC presents annual quantitative reports which are based on statistical data prepared by the Statistical Office of the Republic of Slovenia and biannual qualitative reports prepared by the Ministry of Education and Sport. While the role of civil society is quite irrelevant in the preparation of the quantitative reports, the representation of civil society in preparing qualitative reports should be assured. An analysis of the existing reports (Progress Reports 2005, 2007, 2009) reveals that the reports were mainly written by the Ministry of Education and Sport in collaboration with other governmental organisations in this field. It could be regarded as reasonable that the majority of the working group preparing national reports consists of ministerial representatives since the ministries assume the role of lending administrative support to the process, and the state finances the implementation of the programme. On the other hand, the participation of civil society in the working group would enable them to present their opinions and suggestions and would improve the extent of accountability and responsibility. Officials at the Ministry explained that civil society representatives are always asked for their comments and recommendations but until now they have remained passive (e.g. not responding to the Ministry’s initiative to comment on the report). This argument can be twofold: we should also take into consideration that they might have chosen not to respond due to the perceived low impact on the content of the report. Although this working group generally does not include representatives of civil society, Slovenian representatives claim that objectivity is ensured through the public release of these reports.

Their passivity is also noted in the second instrument, the *mutual learning process*. Within the framework of the E&T 2010, eight peer learning clusters were active and one working group (the Working Group on Adult Learning) were most directly connected to adult education. The analysis of the Slovenian participation in peer learning activities reveals a passiveness (the attendance rate is only 31% of the 47 organised peer learning activities). The most interesting aspect is that, in the all peer learning activities, only governmental officials participated, although the EU strongly recommends the participation of both policymaking and implementation level (which can also be understood as meaning civil society).
CONCLUSION

In the case of Slovenia, we can confirm that a majority of initiatives at the EU level do influence the deliberations of governmental actors in directing employment as well as education policies to achieve results comparable to other member states. On the other hand, extensive changes in legislation have not yet taken place, and it is impossible to perceive changes in the policy process in terms of a greater degree of democratic governance.

In the case of the employment OMC our analysis reveals the very marginal role played by civil society actors which is restricted only to a) (limited) consultations about the already-drafted Strategy document, and b) participation in peer learning activities at the EU level. As mentioned, the Strategy also has some wider implications and is (at least indirectly) linked to the introduction of the so-called “small work/mini job” as well as to changes in pensions legislation. If we take only these two problems into account, then civil society actors have been much more active as well as effective in achieving their goals.

In the case of the education OMC our analysis reveals that civil society in the field of adult education plays quite an active role in translating European guidelines into national policies, while their role in the periodic monitoring and mutual learning process remains passive. However, although the picture of civil society involvement in the field of adult education in Slovenia seems to be quite positive, there is one fact that can explain the relatively close cooperation between the Ministry of Education and Sport and the civil society organisations. There is quite a significant replacement of leading persons between governmental and civil society organisations in this field. This can be explained by the small size of Slovenia on the one hand and the power struggle between the different actors in this field on the other. From that perspective, adult education is an interesting case, but because of these particularities, the role of civil society in this field should be estimated with some respect.

On the basis of the analysis conducted, we can confirm that both EU factors as well as national factors determine the role of the civil society in OMC processes. Firstly, since both investigated policy fields at the EU level do not require the (large-scale) harmonisation of national legislation with the European framework and leave
authority at the national level, national actors play the OMC game only “as much as is required”. This results in a very weak political will for introducing (extensive) policy changes in the national context. Secondly, in relation to domestic factors, the existing domestic structure or policy style is only mildly relevant to civil society’s (in)active engagement in OMC processes. It seems that the capability or incapability of civil society, which is closely linked to the extent/limits of their knowledge about the OMC’s potential and opportunities, has greater influence, and at least in the field of education policy limited financial resources also impede their attendance of mutual learning activities.

All in all, when looking at the practice of Slovenian civil society representation in the employment and education OMC processes, the picture is much less positive than might be presumed on the basis of the literature and the EU’s official documents. Even though the question of the OMC’s impact on Slovenian employment and education policies remains to some extent open, one thing is clear – a greater knowledge about the OMC can lead to a better exploitation of its potential.

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