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EPSR who's who: What actors influenced the EPSR's creation and subsequent developments?

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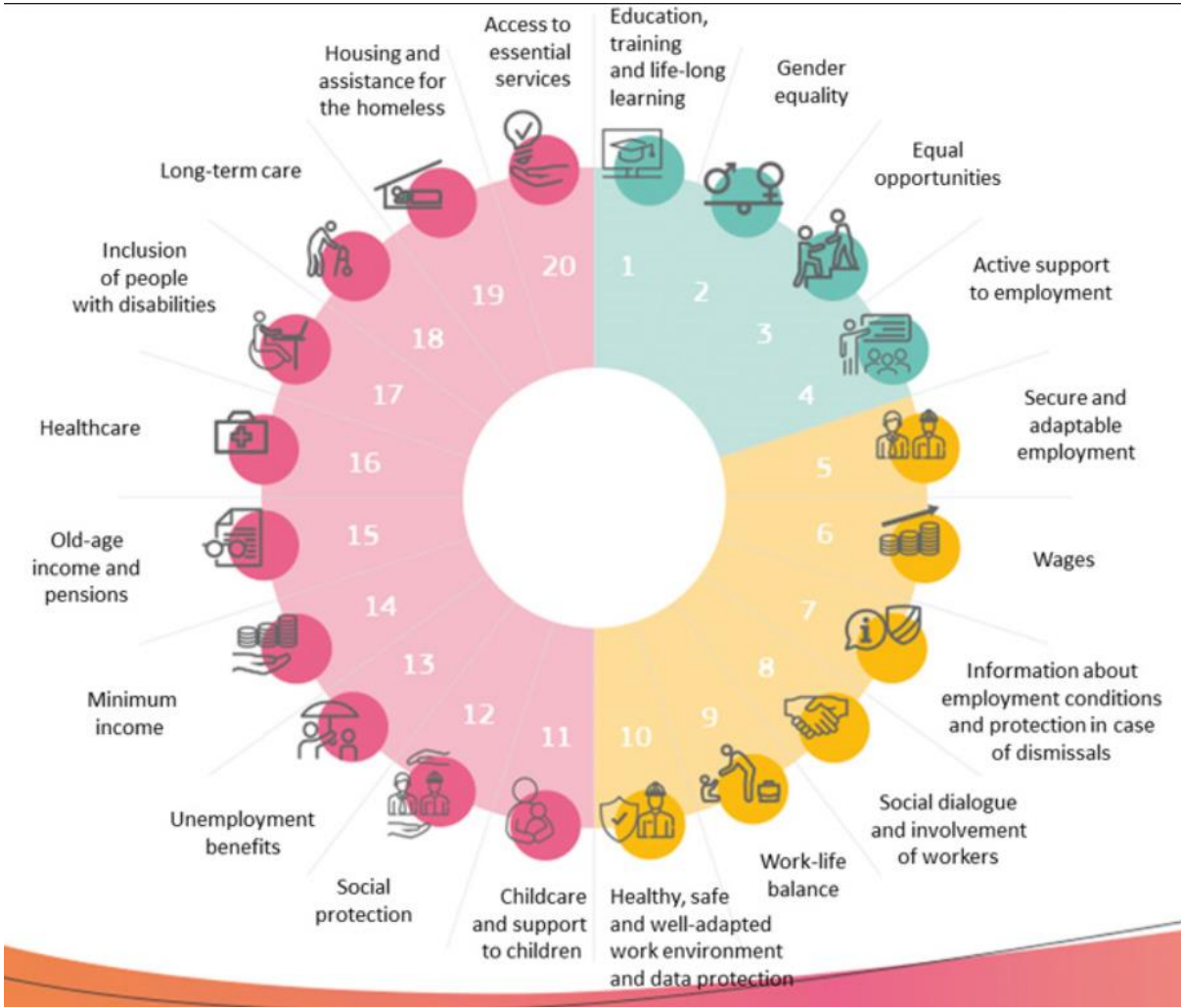
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Fig. 1: The EPSR's principles



Source: European Commission, The European Pillar of Social Rights in 20 principles, <https://ec.europa.eu/social/main.jsp?catId=1606&langId=en>

Introduction

The European Pillar of Social Rights is a piece of legislation, proclaimed solemnly in Gothenburg in 2017. It contains a list of 20 principles that the EU and its MSs should aim towards, and its importance stems not only from containing the targets demarking the social objectives of the EU, but also from being the first instrument of its kind – an inter-institutional initiative towards a set of commonly-agreed principles that MSs ought to strive towards – marking a steep change from the past decade of social policy in the EU. It is divided into three chapters (equal opportunities and access to the labour market, fair working conditions and social protection and inclusion) which are then subdivided into the 20 specific principles.

Following its proclamation, the Pillar has served as a basis for an extensive amount of legislation at both a European level, but also in Member-States (MSs) by building on the directives issued by the EU. These directives have been significant in reviving the social dimension of Europe, which had laid dormant for the past decade. However, contestation is rising, as for example the Minimum Wage Directive was challenged by Sweden through the ‘yellow card’ procedure.

The literature on the EPSR is still short, but growing consistently as more scholars pick up on different parts of the Pillar. Some have highlighted the Pillar’s legislative capacity for legislation on social policy, or the legislative acts based on the Pillar (Alexandris Polomarkakis, 2020). However, few articles are recent enough to cover more recent, and more significant, developments of social policy in Europe (notably, the Minimum Wage Directive).

Furthermore, literature on the influence of different actors in the Pillar is similarly limited. While some researchers have highlighted how the EPSR was influenced (Carella and Graziano, 2022; Dura, 2024; Vesan and Corti, 2019), no piece of research has attempted to give a more broad outlook in which these individual accounts of entrepreneurship can fit into. Put in other words, while some of the individual pieces of the puzzle are there, this research will attempt to provide a framework in order to fit the pieces together.

Moreover, no unified framework to study agency in the EU exists. While some articles mention concepts that are part of broader policymaking theories, they neglect to interact with the broader framework that they are in, thus contributing to some level of

conceptual confusion. This research will touch upon the most popular (relative to the fairly limited EPSR research) in an attempt to understand how these fit into the broader narrative. Namely, the policy cycle theory and the Multiple Streams Framework are included as part of the analysis of the policymaking process.

Given this, the recent La Hulpe declaration on the future of social policy in Europe was the first since that proclamation that did not include the signatures of all MSs as well as all civil society partners. Contestation to the renewed Social Europe has thus become more significant, as dissensus builds up amongst MSs and social partners.

Thus, in order to understand the issues surrounding European social policy, and the MSs in general, it is important to assess the state of social policy in Europe, of which the EPSR is a key element. This research aims to highlight how the EPSR became what it is today: A centrepiece for European social legislation. By analysing how the Pillar was made, a clearer picture of what the Pillar is, its strengths and weaknesses and, perhaps most importantly, the significance given to it by different actors will be illustrated by the research at hand.

Firstly, this research will start by outlining the state of the literature that is relevant for the discussion at hand, outlining the necessary structures for the theoretical frameworks used in this research, followed by a revision of the literature of social policy in the European context in general before delving into research that tackles the EPSR in particular. Following this, this research will then present an outline of how different actors have influenced the EPSR by highlighting each particular actor (the Commission, the Parliament, MSs, social partners) and actors inside these (for example, specific individuals) that had specific relevance in moulding the Pillar. Finally, this research will then contrast those findings with the interviews that were held in this context.

Research Question and Sub Research Questions

This research will attempt to answer the following research question: “What actors influenced the EPSR’s creation and subsequent developments?”. Essentially, this question seeks to uncover not only the actors that helped mould the EPSR’s initial draft into the document that would be proclaimed in 2017, but also actors that helped the Pillar, and the European social dimension at large, maintain its momentum from its inception until today.

In order to structure the research further, some sub-questions will be used to guide the analysis of different actors: who put the EPSR on the agenda? what was the motivation of the actors? What was the position of the stakeholders? what led to a convergence of these opinions enabling the social pillar to be adopted? what was expected of the EPSR to accomplish by different actors? These questions seek to highlight the positions of the actors involved with the Pillar in order to understand what their goals were, how they affected the Pillar and whether they have been fulfilled (or not).

Methodology

This research will utilise a mix of qualitative methods, combining an analysis of existent literature together with an array of primary data, which includes semi-structured interviews made with people directly connected with the Pillar. Moreover, primary sources published by the actors and secondary sources relating to the actors will also be used where relevant to the topic at hand. This approach will highlight agency in the EPSR as a means of understanding the objectives of different actors vis-à-vis the Pillar and how those interests shaped the Pillar. This discussion should help in shedding some light into the future of social policy in the EU, as the Pillar relies on the involvement of key actors (namely, MSs) in order to be effective.

To achieve this, this research includes interviews with individuals who were part of key institutions (Commission, Parliament, ETUC, EESC, Dutch trade union FNV, Portuguese and Belgian presidencies) in this process. These interviewees directly helped in shaping the pillar into the mould it possesses today and thus provide a full picture of the agents through in-depth looks into every actor's operations.

In order to make maximum use of these methods, a comparative analysis will also be employed with the purpose of comparing findings to uncover differences in actor's influence over the policymaking process. Through this approach, this research expects to demonstrate the nuances in agency regarding social policymaking in the EU and how that affected the EPSR and social policy legislation.

Policymaking Theory

The EPSR in the context of policy innovation

Research into social policy within a European context rarely benefits from the application of existent frameworks across the literature into that context. Therefore, this research will attempt to translate some of the content present in the literature into the particularities of the European institutional framework of social policy, as most of the research does utilise terminology related to specific theoretical frameworks without enunciating what these frameworks are.

At a European level policymaking is a complex and multifaceted process. While the institutions each play a key role, the influence of outside actors also manifests itself (and is sought by the European institutions) by modelling policy. The influence of external actors over the policy process helps the EU craft policies that boost its legitimacy, as they may provide expertise but they also build consent towards the polity (Gornitzka and Krick, 2017). Similarly, social policy scholars have ascribed to social policy. As the Union has deepened, the lack of European social policy is commonly pointed at as one of the causes of dissensus.

To properly understand the EPSR's final result, it is important to clearly dissect the different phases of the process that culminated in the issuance of the Pillar. A general look at policymaking and a more specific analysis of some components of policymaking is necessary to highlight how that process impacted the EPSR specifically.

Lasswell first formulated the idea of policy cycle in 1956, and while the concept was addressed by several scholars it is commonplace in the literature to divide the cycle as it follows: agenda-setting, policy formulation and policy decision (with a possible implementation stage if the policy is adopted). While some literature adds a fifth "feedback" stage (Young, 2015), that is less relevant for the case at hand, as the focus is on the EPSR as an instrument rather than a review of its accomplishments.

Despite this, the present essay will utilise that formulation in its analysis of the policymaking process that established the EPSR, as it is useful for dissecting distinctive aspects of the policymaking process (as difficult as untangling the different stages of policymaking can be), as well as being the most common framework used in the literature, and thus helpful to draw insights from existing research. The existing literature has a vast array of conceptual tools that can be used to make sense of the EPSR.

Hogwood and Peters distinguish between a spectrum of policy, in which policies can be closer to the ideal of ‘policy succession’ or ‘policy innovation’: While ‘policy succession’ is described as being created “on a crowded tablet of existing laws”, highlighting the influence that previous policies (and thus previous policymaking) has on policy formulation, ‘policy innovation’ focuses on policies that are established in a field where there is a significant change provoked by policy (Hogwood and Peters, 1982). While this categorisation is rather vague, by considering the sparse nature of European legislation in social rights, and the Pillar’s nature as the first document setting minimum standards for European citizens, it should be obvious that the Pillar is a straightforward example of an innovative policy.

Further delving into the conceptual categorisation of the policy in accordance with the policymaking literature, the EPSR would fall in the category of a policy invention, as there are no direct predecessors in the field of social policy that have the potential to be as impactful as the EPSR, which has become a much more far-reaching policy project than previous examples (Open Method of Coordination, for instance). The most popular strategy for analysing policy inventions by scholars is to interpret it as a process and therefore highlight the process through which policies come to be, analysing the agents that moulded the first drafts of policy texts into the final versions (Jordan and Huitema, 2014). This research borrows that analysis, as it seeks to understand the EPSR from its announcement to today, therefore covering the policy cycle (excluding the feedback cycle) as a narrative device to structure the paper.

Nevertheless, it would be possible to argue that the EPSR is influenced by previous social policies, as one can observe similarities between the Lisbon method and the OMC (emphasising coordination) and the EPSR, which despite being a (soft) legislative piece can still serve as the basis for a common target that countries have to achieve and thus allows for policy coordination as MSs learn from each other. Some research hints at the subtle way in which policy learning can create innovative policies (Wintjes and Nauwelaers, 2008), which the EPSR, as a product of the same institutional actors and as a successor of social policy instruments, can be an example of.

Agenda-setting in the EU

Another important analytical tool to understand the process behind the creation of the EPSR is the role of agenda-setters in the EU, and how agents outside the European institutional framework are able to influence the policymaking process. Through the policy

cycle system, Hogwood and Peters detail some particularities of a policy closer to the policy type of innovative policy in contrast to the successive policy: Policy innovations have, in the agenda-setting phase, to overcome the obstacle of lack of legitimacy, as well as having no place in the regular agenda as they are outside the policy feedback loop (Hogwood and Peters, 1982).

Similarly, Princen highlights the need to gain attention and build credibility in regards to agenda-setting in the EU. As discussed below, the EPSR was pushed to the political agenda by the Commission president Juncker, which implies the attention-gaining stage can be forgone for the purposes of this research¹. Furthermore, the Commission is the executive body of the EU, with sole responsibility for starting the policymaking process, and therefore the influence of its President is disproportionately large when in comparison with other possible actors interested in agenda-setting.

However, the credibility (or legitimacy, used interchangeably) of social policy at large, and the EPSR specifically, was a significant obstacle to overcome, therefore justifying a further look into credibility-building in policymaking. Moreover, given the previously discussed peculiarities of innovative policies, this redoubles the obstacle that the lack of legitimacy posed in order to put the EPSR on the agenda.

Gaining legitimacy requires convincing the different actors to accept the EU's competency (both in terms of expertise and legislative support), making them believe the EU is the adequate level for the policy to be implemented at (Princen, 2011). Given that the EU's competencies at a social policy level are very limited, the EU needed to argue that the Pillar ought to be implemented at a European level, which requires building the necessary legitimacy and expertise on the subject (Princen, 2011). The EU's response involved an extensive consultation of civil society interests, which doubles as a legitimacy-building mechanism (as discussed above) as well as a consultation with experts (such as trade unions and industry representatives).

Policy Formulation, Decision and Implementation

In the USA, a theory for explaining the agenda-setting and policy formulation stages, known as the Multiple Streams Framework (MSF), a revised version of the Multiple Streams

¹ It should be noted that it could be possible to trace the agenda-setting process of the EPSR from before the Commission president pushed to unveil it. However, as Princen points out, it is nearly impossible to trace the origins of an idea to its full extent (Princen, 2007).

Approach, was carried over to Europe in order to explain European agenda-setting and policy formulation (Zahariadis, 2008). It conceptualises three streams (problem, political and policy streams) which Kingdon argues operate independently from each other to a large extent. However, when a ‘choice opportunity’ is presented, the streams come together into a ‘garbage can’ from which an outcome is produced through the chaotic process of institutional decision-making (Kingdon, 2013).

The translation of this theory to a European setting is natural given the chaotic institutional interplay that dictates European policymaking, as the denomination of ‘organised anarchy’ fits the mould of EU policymaking remarkably well. The three properties existent on these hierarchies (problematic preferences, unclear technology, and fluid participation) are present in the European institutional framework (as detailed by Herweg and Zahariadis, 2018), which should allow for the broad framework of the theory to be carried over to European research. It also provides a less rational explanation to policymaking, accounting for ambiguities in the policymaking process that more formalised theories do not (Leppänen and Liefferink, 2022).

However, the translation of the three different streams to a European context has not been done in an encompassing way. While this research acknowledges the issues in the application of the MSF into the European institutional framework, such as the questionable independence of the different streams that Kingdon highlights in the American case is not similar in the European case (Herweg and Zahariadis, 2018). Still, some concepts will be borrowed as, much like with the policy cycle concept, MSF is commonly present in the literature and can serve as a useful analytical tool to understand policy processes. Namely, policy entrepreneurship and policy windows will be borrowed from MSF.

Bargaining at a European level

During the creation of a policy, inevitably there must be a stage in which actors negotiate its content, as consent from key actors is needed in order for policy to be accepted. Thus, bargaining precedes the policy decision phase and influences policy design. At a European level, the Commission, as the executive body of the EU, has the right to initiate policy (sometimes shared with other institutions). However, the Commission needs to obtain consent from other key actors (namely, the Council and the Parliament) that can stop policy, which gives these institutions a great amount of negotiating power.

In this sense, the amount of influence actors in the negotiations for the EPSR within the EU are able to wield is limited by the negotiating style of the participants, as well as the difficulties inherent from the bargaining process. Elgström and Jönsson distinguish between two different kinds of processes that can explain how power is manifested at negotiations at an EU level:

A first style is more in line with what is commonly understood as bargaining, as every intervening actor wishes to achieve the betterment of their own position. On the other hand, a problem-solving approach tries to tackle a problem so that no one is left worse-off by the solution found, achieving what is known as a Pareto-optimal solution, in which no one is worse off (Elgström and Jönsson, 2000). They further state that the EU was in the process of transforming into a “problem-solving apparatus” as the institutionalisation and repetition of negotiations has created a sense of familiarisation between the negotiating parties.

Another aspect of consideration in analysing negotiations are the power relations between the parties involved. Schneider et al prove that the models that are more effective at predicting outcomes in policymaking processes. They denote that the salience of an issue for different actors is essential when analysing power relations (Schneider et al., 2010). The importance placed upon a specific topic by different actors makes them likely to be the ones willing to negotiate the most during the bargaining process. These concepts are useful for understanding the negotiation process.

In the specific case of the EPSR, the Commission also sought the feedback from social partners, as they have the right to have their say in social policy specifically. Thus, social actors were given an important role, but as the EPSR sought to reinforce workers’ social security, the feedback from workers’ organisations was more significant than employers’ organisations, as the former have more expertise on the subject than the latter.

Policy Entrepreneurship

Policy entrepreneurs are key to agenda-setting and policy formulation, as they are actors who are able to use their resources in order to connect the different streams. The MSF can provide a different interpretation of the role of actors in policymaking, but it fails to provide a complete picture as the context of policymaking is also relevant (Ackrill et al., 2013).

While the influence of the superior members of the Commission in policymaking is significant (Corbett, 2005), the Commission, institutionally speaking, stands to take advantage from policy entrepreneurship within its ranks. The benefits of being a policy entrepreneur, in the Commission's case, are multiple: 'Inventive' policies can serve as basis for the EU to expand its governance mandate, expanding its competencies in or across fields, while at the same time addressing 'spill-over' effects that might stem from the fields it already has competencies in (Bürgin, 2023).

Within the EU, agenda-setting and policy formulation are heavily linked, as the Commission is the sole body responsible for initiating policy, as mentioned above. Therefore, actors interested in influencing the policymaking cycle need to target the Commission first and foremost if they wish to alter the content of a specific policy. It is important to remark that the Commission tends to design its policy proposals through consultation with experts in the field (or what would be called the 'policy stream' in the MSF) (Leppänen and Liefferink, 2022).

Adding on this, for policy entrepreneurs to be able to act, they need the so-called 'policy windows', which denote moments in which policy advocates are able to propose their policy ideas as a solution or to highlight a specific problem. Entrepreneurs have to wait for these windows in order to be able to push their agenda through (Kingdon, 2013). Policy windows can be frequent, or at least tend to happen often enough for opportunistic entrepreneurs to make use of them (Ridde, 2009).

Theoretical Summary

After this discussion, a completely distinct conceptualisation of agenda-setting and policy formulation seems rather difficult, as policy entrepreneurs are portrayed as being both agenda-setters and policy formulators. For the purposes of this essay, the agenda-setting stage will refer to the period in which the EPSR was first announced to the moment in which a public consultation was launched. That period will be the policy formulation period since the Pillar went through significant substantive changes after its announcement, as detailed below.

In the aftermath of a positive decision about a proposed policy, its success will be determined by the effectiveness of its implementation, and ever more so as European policy has to go through the extra step of being implemented at a national level. Naturally, it is a permanent issue for the EU to achieve its implementation at a national level, but newer MSs

tend to be quicker at enacting legislation than older MSs (Knill and Tosun, 2012). As national governments are involved with the policymaking process, it is possible that those governments involved might implement legislation quicker, be it because they are more familiar with it or rather because national governments that sponsor it are more inclined to support the policy.

The implementation of the EPSR as a useful legislative tool depended on European commitment to social values. By itself, the passage of the policy needed not have changed the outlook of European policy. However, the dedication of European social partners is (and was) key in upholding the EPSR's values.

In summary, the theoretical framework adopted by this text attempts to conceptualise the process through which the EPSR moved from becoming an idea up to the moment it was approved by the European institutions through the policy cycle framework. The agenda-setting and policy formulation stages were affected by different actors, which served as entrepreneurs to attempt to modify the Pillar in accordance with their vision. However, given that the EU does not possess exclusive competences, the Pillar was also endogenously affected by the institutional constraints stemming from there.

Social Policy in the EU and the EPSR

The particularities of the field of social policy, and social policymaking at large, stem from the European history of social policy, which is much less significant than other fields, as well as the competencies that the EU has acquired over its existence on the field. Thus, European social policy is mostly concerned with employment and job creation within the EU. Thus, social policy in the Eurozone tends to focus on the fields that “spill-over” from the market-building competences of the EU. As the EU focuses on finishing the Single Market and ensuring the freedom of mobility for workers, the EU's policymaking needs have needed to stray into the field of social policy (Verdun and D'Erman, 2019).

However, from the 1990s onwards the EU has strayed further into the social dimension as it designed the first policies that did not serve an express market rationale purpose. Maastricht debuted an Agreement on Social Policy, while the following Amsterdam treaty introduced the OMC, along with the Lisbon Strategy. Furthermore, some notable achievements were accomplished through the EU's cooperation with social partners, such as

parental leave, part-time and fixed-term contracts, as well as the proclamation of the EU Charter of Fundamental Rights (Vanhercke et al., 2019).

However, the progress achieved in social policy through the 1990s stalled in the 2000s. As political conditions changed and as the Eurozone crisis arrived, the EU's efforts towards furthering its social policy mandate became less apparent. However, some progress was still being made at a European level (as detailed by Vanhercke et al., 2019). Given this, the EPSR can be seen in this context as a tool that further enhances the EU's competences in the field of social policy, resuming a process that had stalled in the new millennium. The EU tends to focus on the tool at their disposal that provides a better ground for legislation in the field of social policy (Vanhercke, 2019).

However, the architecture of the European Semester (henceforth Semester), where the EPSR is inserted in, has been the issue of dispute by scholars. Even though there are some that believe the Semester has made the EU less 'social' (Jordan et al., 2021), most scholars posit the opposite (Hacker, 2023; Vandenbroucke, 2014; Zeitlin and Vanhercke, 2018). This discussion has become more relevant also due to Clauwaert's demonstration of the increase in CSR's directed towards the social fields, indicating a growing salience of social policy in the Semester (Clauwaert, 2014).

Within this structure, analyses of the EPSR as a potential basis for legislation abound in scholarly literature, which dedicates itself to investigating and extrapolating the legislative potential of the Pillar into future policy. Naturally so, as the legislative impact of the EPSR is what defines the success of the Pillar.

Some early analyses of the EPSR were cautiously optimistic of its potential; Rasnača points out that high hopes were placed on the EPSR by stakeholders, as European initiatives in the area of social policy had been lacking for a decade. Moreover, while the policy itself was targeted towards MSs more than the EU, it would still require significant effort by EU-level actors to translate the plan into policy (Rasnaca, 2017).

The directives that accompanied the EPSR were, although watered down by European compromise, a sign of the EU's committed approach to social policy and also a demonstration of what could be achieved with the Pillar. While pleased with the proposals that followed the Pillar, Polomarkakis wished for a Pillar with both "both more breadth and teeth". (Alexandris Polomarkakis, 2020). Cantillon proposes a roadmap for the EPSR (perhaps predicting the EPSR Action Plan), which argues for a focus on minimum wage

legislation (fulfilling multiple principles in the EPSR), demonstrating the legislative potential of the EPSR by arguing in favour of protecting the most vulnerable through usage of the EPSR (Cantillon, 2019).

A significant strand of authors also view the EPSR as part of an initiative for a ‘Social Europe’. From this strand of the literature, the EPSR is perceived enthusiastically as researchers indicate the Pillar’s potential to address the displacement of the Social Policy Title, which according to Garben was implemented through the Semester and therefore subjugated to market rationales (Garben, 2018).

The role of the European Commission and of JCY as policy entrepreneurs is also analysed in the literature. Copeland describes the Juncker Commission’s entrepreneurship as a ‘politicising bricoleur’: ‘politicising’ in the sense that the Commission creates the social conditions necessary for change in policy through public appearances and speeches, and ‘bricoleur’ in the sense that the Commission rebuilds its institutional practices by adapting existing or past tactics in order to create new institutional practices or policy, which has the consequence of making new policy resemble old methods (Copeland, 2022). Thus, the Commission tends to innovate in policy through policy diffusion.

Vesan et al. analyse the entrepreneurship of JCY specifically. They find that JCY took advantage of favourable conditions to bring together the problem and policy streams and create a policy window to launch his initiative for the creation of the Pillar. Moreover, JCY’s efforts in ‘mainstreaming’ the Pillar were successful, as its insertion in the Semester and the creation of the Social Scoreboard are attributed in a large part to his agency. This coupled with his strong leadership of the Commission, allowing him to elevate the EPSR’s priority within the Commission and shuffle mandates within demonstrates the personal touch of JCY in the EPSR (Vesan et al., 2021).

Not all of the literature focuses solely on the Commission, however. Vesan and Corti also look upon the European Parliament’s role. Specifically, they look at different groups within the Parliament, verifying that center-left groups were broadly supportive of the Pillar while Eurosceptic parties opposed it, with the exception of the Left group, which despite its Euroscepticism was in favour. However, the full picture is only understood through observing party votes (particularly the rebel ones in ALDE and EPP) as a ‘clash syndrome’ between creditor versus debtor MSs and high-wage/high welfare versus low wage/low welfare MSs (Vesan and Corti, 2019).

Carella and Graziano investigate the extent to which the Commission used the feedback it received from the consultation process. They highlight how the Commission used the feedback from societal actors through an analysis of the consultation process that preceded the formal launch of the Pillar, finding that the Commission was especially open to the feedback received from civil society. They categorise the Pillar as a ‘renewed OMC’, perceiving the larger involvement of civil society as an optics trick to give the appearance of a more socially concerned EU (Carella and Graziano, 2022).

A final, narrower account of agency in the conception of the EPSR is given by Dura. Highlighting the agency of specific individuals (namely: JCJ, Maria João Rodrigues and Allan Larsson) within the Commission and the Parliament, its constructive approach demonstrates the role of the agency of these three figures in shaping social policy at a European level, as they used their knowledge of past social policy that they were involved in to mould the EPSR into an effective policy in terms of visibility and authority (Dura, 2024). The agency of these figures also points out the policy learning aspects of the EPSR, as key figures in its creation were also involved, and actively took inspiration from previous European social policy.

De la Porte also deals with societal actors, albeit from a Nordic perspective. Highlighting the concerns of the Swedish and Danish trade unions about the legislative potential of the EPSR, her research focuses on how the EPSR was received in those countries by social partners, who fear their social models might be threatened by a prescriptive EPSR. Overall, despite early Swedish enthusiasm (demonstrating by the site of the Pillar’s proclamation being Gothenburg), both parliaments had significant opposition to the EPSR (especially amongst the Danish left), while social partners were lukewarm towards the Pillar, but ultimately still supported it (de la Porte, 2019).

Thus, the literature paints a picture of agency in moulding the Pillar that, while deep in analysing specific relevant actors, does not fill the larger puzzle that is the EPSR. Much has been written on the history of social policy in the EU, on the EPSR as a basis for legislation and on agency vis-à-vis the creation of the Pillar. Nevertheless, this can only account for a limited understanding of the Pillar itself and social policy at large. Lacking a more complete framework, these pieces can only shed light on individual aspects rather than contributing to a larger discussion of the Pillar, be it historical, legislative, or else. This research will attempt to fit these pieces together by providing the necessary framework for

the Pillar by analysing the Pillar’s history through the perspective of agency in the context of the Pillar’s creation and subsequent developments.

A timeline

Fig. 2: Timeline of developments related to the EPSR

Date	Event	Source (if applicable)
2014	Juncker demands triple A social rating	
2015	Internal work starts in the Commission towards the drafting of the Pillar	Dura 2024
09/09/2015	Juncker announces EPSR - consultation opens	
08/03/2016	Consultation process launched	
Apr-16	Proposal for the EPSR tabled	
01/08/2016	EP first reactions briefing	
31/12/2016	End consultation process	Carella and Graziano 2022
23/01/2017	High-level meeting Brussels about consultation EPSR	Carella and Graziano 2022
26/04/2017	Reflection Paper on the Social Dimension of Europe+social partners consultation	
17/11/2017	Social Summit for Fair Jobs and Growth	
"	Commission, Council and Parliament announce EPSR in Gothenburg	
"	Change in scope from Eurozone to the entire EU	Alexandris Polomarkakis 2020
"	Social Scoreboard proposed	Alexandris Polomarkakis 2020
Mar-18	Approval Social Scoreboard indicators by MS (bar 2)	Hacker 2019
2018	Social Fairness Package (including creation of the European Labour Authority)	Alexandris Polomarkakis 2020
26/05/2019	European Elections - VdL becomes the new Commission President	
14/01/2020	Consultation launched Action Plan	
Oct-20	Minimum Wage Directive put forward before the Council	2
Mar-21	Action Plan presented	
07/05/2021	Porto Summit - Porto Social Commitment (achieve targets 2030)	
08/05/2021	Porto Declaration + revised Social Scoreboard	18 EPSR points have indicators - Hacker 2023
Jun-22	Agreement regarding Minimum Wage Directive reached	2
26/05/2023	Porto Social Summit	
16/04/2024	La Hulpe Meeting + Declaration	
2025	EPSR Action Plan review	

Source: Martins, 2024²

The symbolic first step towards the announcement of the EPSR was Jean-Claude Juncker (JCJ)’s wish for a Europe with a “triple-A social rating” (Alexandris Polomarkakis, 2020). To further this goal, Juncker announced in 2015 the establishment of the EPSR, followed by a provisional list of points in order to launch a consultation process with the civil sector (European Commission, 2016). Together, supporting and acting as a demonstration of the Pillar as a tool in social policymaking, the Commission also launched a legislative initiative (the Directive on Work-Life Balance), which signalled the start of the Pillar as a legislative backbone (European Commission, 2017).

The EU describes the EPSR as a ‘compass’ to guide social policy (Council of the EU et al., 2024). The Pillar’s principles serve as a target for legislative initiatives to aim at, as

² Source: (European Council/Council of the European Union, 2024)

they seek to develop and heighten the standards of social policy in the EU. Each principle encompasses an area of social security that the EU (through consultation with social partners) has deemed as crucial in order to enhance worker well-being and productivity. Legislation can thus target any (or multiple) of these targets in areas the EU deems necessary in order to deepen social protection at European level.

Therefore, and in accordance with the conceptual frameworks detailed above, high-ranking Commission officials served as policy entrepreneurs to take advantage of the policy window present. How this policy window came to exist is mostly an exercise of speculation, but Juncker's declaration of his presidency as a "last-resort Commission" can serve as an indicator of the growing dissensus around Europe, increasing the need for European investment in social policy (Vesan and Corti, 2019).

Specific Commission figures were indicated to have been especially influential in the development of the Pillar. Juncker was a crucial sponsor of the Pillar (Korte, 2024), but also the Commissioner of Jobs and Social Rights Nicolas Schmidt held a significant amount of influence in keeping the EPSR on the agenda, as his cooperation with the Portuguese EU presidency was instrumental in delivering the Porto Social Summit (Mendes Godinho, 2024).

The Pillar served as basis not only for the creation of new legislation but also a new European agency, as the European Labour Authority was established in 2019. Further directives were passed in 2021 (to combat child poverty) and in 2022 (the minimum wage directive), along with a wealth of measures during the COVID-19 pandemic which sought to uphold jobs during lock-downs (SURE).

The 2021 Porto Social Summit produced an Action Plan which was signed not just by every MS representative but also social partners and civil society representatives. The Action Plan presents a specific set of quantitative targets. Moreover, these are connected with the Semester, and thus a more enforceable institutional framework (Vanhercke and Verdun, 2022), as Country Specific Recommendations may include provisions for MSs failing to achieve the Pillar's objectives. Furthermore, the Social Scoreboard further allows for monitoring of the objectives detailed in the Action Plan, as every MS has these reviewed by the Commission. More recently, the La Hulpe declaration breaks with the social policy consensus that had been achieved in Porto. Sweden's stance shifted to opposition to a pan-European social policy and thus, together with Austria, refused to sign the declaration.

In 2025, a review of the EPSR Action Plan is scheduled, which should include a review of the progress made by MS in achieving its targets. However, the result of the 2024 European Parliament elections, which might echo the European shift to the right, might bring significant changes in European social policy.

Actors

The European Commission

The European Commission is the main agent in European policymaking, which facilitates policy entrepreneurs within its ranks to promote their solutions to policy. Therefore, the Commission's influence on the EPSR is notable, as it birthed and nurtured the Pillar in order for it to take hold among the European sphere.

The first mention of such an initiative was made in a speech by JCJ, as mentioned before. The EPSR was a project very close to the then Commission president, which was satirically depicted in headlines at the time as his "pet project" (Cooper, 2016). From a public standpoint, JCJ heavily invested in creating and sponsoring the Pillar within the Commission, but also to the public in general.

In the Juncker Commission's eyes, the need for a distinct public image of its time in the Commission was seen as a necessity. JCJ wished to make the EPSR "his" policy, placing himself at the head of the policy initiative in order to give the Commission a more social outlook, intending for the Pillar to be its flagship project in the renewal of a move towards a more socially responsible Europe, and it placed a great deal of importance in the project (Carella and Graziano, 2022), distinguishing it from the Barroso Commission's austerity years.

In the consultation process it launched after the announcement of the EPSR, the Commission sought feedback from stakeholders in the public sphere to allow them to have their own say in the Pillar. It is unclear how the Commission incorporated the feedback from these actors in the EPSR which will be further discussed ahead)(Carella and Graziano, 2022), but the Commission wished to obtain consensus from civil society partners and thus used this process to gauge public opinion. Moreover, the Commission also required MS approval to pass the proposal and thus the Commission took into account MS' positions in order to obtain consent surrounding the EPSR.

The EPSR was launched together with some legislative initiatives that sought to build on the Pillar's principles. A new Directive on work-life balance was introduced, along with an interpretative communication on the Working Time Directive, and the launch of the consultation process to revise the Written Statement Directive. Furthermore, the Commission departed from the usual procedure by forgoing the usual consultation with social partners in order to push the legislative initiatives ahead. This move sidestepped employers' and employees' input in the process which, while useful for making more ambitious legislative moves (Alexandris Polomarkakis, 2020), was also contested by both BusinessEurope and ETUC.

As highlighted so far, the EPSR was put on the Commission's agenda by the Commission, which is hardly a surprising statement. However, the Commission still had to contend with the lack of legitimacy stemming from its few competences in the area of social policy and emphasised by the innovativeness of the policy. While this resulted in a 'soft' Pillar, the Commission 'hardened' it through its constant legislative backing (Alexandris Polomarkakis, 2020), adding momentum to the Pillar for every new legislative initiative, as the Commission significantly increased its legislative activity to keep adding momentum to the Pillar. Therefore, the legitimacy hurdle was bypassed through a 'soft' legislative measure that became more significant as time went on and thus increasing the importance of the EPSR.

Nevertheless, the Commission still resorted to some forms of policy learning, most importantly through policy diffusion, in relation to the EPSR. The Social Scoreboard notably shares some similarities with the Macroeconomic Imbalance Procedure (MIP), in the sense that it uses macroeconomic indicators to track the progress that MSs have made in accomplishing the targets set by the Commission. As the EPSR Action Plan created numerical targets to be achieved by MSs in 2030, the Social Scoreboard gained a precise quantitative figure to set as a goal, and 18 out of 20 of the EPSR targets have a corresponding metric in the Scoreboard (Hacker, 2023).

With the insertion of the EPSR in the Semester, the Commission used a vehicle with legitimacy at a European level to give more enforceability of the EPSR's targets, as MSs may have funds locked behind completing objectives, inserted in CSRs, to unlock investment. More specifically, the Commission ties cohesion funds to the in accordance with an MS's performance in the Social Scoreboard (namely in the ESF+, included in the EPSR Action

Plan as the financial tool to support the Plan's goals). ESF+ funds also serve as leverage to encourage MSs to consider the EPSR's goals in the Semester, unlocking funds that can be used towards social policy objectives, although these are not distributed in a way that would maximise their usefulness (Hermans et al., 2021).

The Commission was eager to enforce the applicability of the EPSR through its available means, as it included the Pillar's objectives in the Semester's CSRs already in 2017 and 2018 (Hacker, 2023). Notwithstanding this, the Commission pushed more legislation in 2018 and created a new agency (the European Labour Authority, ELA), all seeking to further the goals of the Pillar through legislation. In particular, the ELA institutionalised an agency dedicated to monitoring workers' rights, further reinforcing the relevance of directives targeting workers' rights (for example, the Posted Workers' Directive is specifically mentioned in the text) (European Commission, 2018a).

Furthermore, the EPSR's influence can also be seen in the European Semesters starting from 2018, which contains the first mention of the Pillar in the CSRs, as a box present in every MS' CSR in accordance with the Social Scoreboard (European Commission, 2018b). Consequent CSRs would include an increasing amount of content related to the EPSR and the Social Scoreboard³, as the Pillar's salience grew in the European sphere and in the MSs.

The 2019 European elections brought with them a new leader, and thus JCY's entrepreneurship of the EPSR came to an end. The new Von der Leyen Commission was expected to be less social than Juncker's, and yet VdL's leadership was still surprisingly social. The VdL Commission supported the EPSR's continuous application as a legislative basis and as an objective for the foreseeable future. Proof of this can be seen in the most notable consequence of VdL's premiership of the Commission – the EPSR Action Plan.

The VdL Commission managed to accomplish what Juncker did by uniting European institutions, MSs and social partners in a joint declaration that upheld the Pillar's objectives. Moreover, it set a concrete deadline (2030), with concrete targets to be achieved by MSs in the newly revised Social Scoreboard, which should provide further scrutiny for MSs' social policies. The Porto summit, in which the Action Plan was signed, allowed for the Pillar's moment to continue in the aftermath of the COVID-19 pandemic, marking a distinct

³ Not including legislative initiatives which were based on the EPSR, which are difficult to account for but, as a consequence of the increase in legislative acts related to the EPSR must have similarly increased

approach from the Commission vis-à-vis social investment in times of crisis, differing from the Eurozone crisis a decade prior.

Regarding legislatives launched by the Commission based on the Pillar's objectives, the Minimum Wage Directive is especially relevant for being especially far-reaching and controversial amongst MSs (Dingeldey and Nussbaum Bitran, 2024). The proposal was first put forward in 2020, and discussions were successful as in 2022, albeit with strong opposition from the Swedish and Danish governments, marking the first instance of a proposal that aims to further the Pillar's principles being contested with 'yellow card' challenges. While the proposal is supposed to be transposed into national legislation by this year, it remains to be seen whether all MSs will be compliant with the Minimum Wage Directive.

The concrete targets set in the Action Plan therefore set targets that should be achieved, and in order to enforce this the Commission monitors MS performance in the Social Scoreboard and can ask MSs for corrections in the Semester through Country-Specific Recommendations. However, while the Commission decoupled social policy from economic policy in the CSRs after 2020, social policy tends been lower on the priority scale vis-à-vis the ecological transition at certain times in the CSRs. At the same time, not all EPSR principles have been given space in the CSRs (Shahini and Panaro, 2023).

In conclusion, the agency of the Commission in the EPSR is notable, as it not only created the document but also created and upheld the Pillar's momentum vis-à-vis its implementation in MSs. It is also impossible to look past the Commission's efforts at renewing social policy in Europe as it has consistently supported the Pillar. Nevertheless, the Commission has political motivations to do so, chief of those the need to obtain approval from its citizens and their European representative, the Parliament, whose influence in the Pillar is also remarkable.

European Parliament

The European Parliament co-signed the EPSR in Gothenburg, being involved in the negotiation process throughout. Its role in the EPSR involved a larger amount of coalition-building than at the Commission level. It was involved in the Pillar since the beginning but internally it was more fractured than the Commission, as obviously the Parliament's representative function results in higher internal polarisation vis-à-vis the Commission.

However, the slight right-wing majority in the 2017 Parliament made the approval of the Pillar dependent on at least a cross-party agreement.

The EPSR was pushed forward in the Parliament by the S&D bloc, as the Left was disappointed by the weakness of the Pillar upon its publication (The Left News, 2017), while the Greens were more supportive, but also unconvinced (European Greens, 2023). Nevertheless, S&D's larger representation in the Parliament provided them with more bargaining power. Moreover, the Parliament's negotiator, Maria João Rodrigues, also belonged to the S&D group, giving them more input over the EPSR's pre-consultation content (Jongerius, 2024; Rodrigues, 2016).

Thus, the S&D wished for a document that would in effect revive the Social European project, although the reasons were more ideological than JCJ's reasoning, but just as practical. S&D wished therefore for EPSR to be a document with specific targets in the social field that MSs would have to achieve, backed by enforceable mechanisms. Moreover, it called for legislation to accompany the EPSR that would renovate the *social acquis* to further entrench worker protections while at the same time making them broader to protect workers in different types of contracts (Rodrigues, 2016).

The Rodrigues report generated plenty of amendments in the EMPL Committee. Broadly speaking, support for the Pillar (or for strengthening the Pillar) was consensual from left to centre-left. On the opposite side, right-wing MEPs behaved in a contrasting manner as they rejected the draft. ALDE and EPP, despite their support for the Pillar, were fractured amongst national lines, with the creditor/debtor divide being the most visible, but also between different welfare models. Despite its internal divisions, the Parliament approved the document, heavily supported by S&D followed by the Greens and Left, while ALDE and EPP MEPs' did tend to vote in favour of the Pillar (Vesan and Corti, 2019).

The Parliament's internal divisions remained in the aftermath of the Pillar's approval but given the low salience it possessed at the beginning of its life, contestation of the Pillar as a specific policy was virtually inexistent amongst right-wing groups. Also, as the EPSR was being pushed by Commission leaders who aligned with the EPP there was a broad consensus as to the need of social investment among leftist to centre-right figures in European politics that allowed for the Parliament's constant support of the EPSR and dependent legislation.

Despite these differences, the Parliament rallied behind the EPSR, helping maintain its momentum. In the aftermath of the 2019 elections, the election of VdL and the usual

centre coalition of EPP and S&D (and Renew) prompted S&D to demand VdL's support for the Pillar as a condition for S&D's support. Moreover, the Parliament also used this opportunity to push for an Action Plan to be promulgated, giving more concrete metrics for MSs to achieve (Korte, 2024).

Member-States

The role of MSs in the Pillar is clear, as the EPSR's principles would remain unimplemented without the cooperation from MSs. Divisions between MSs reflect the fractures observed in the Parliament's centre and centre-right, as the creditor/debtor divide and the welfare systems divide creates nuanced approaches to social policy at an EU level for all MSs. However, not all have had the same impact in the EPSR and this research highlights this as some MSs acted as policy entrepreneurs. Notably, the MSs had no influence in negotiating the principles of the EPSR, merely the preamble (Dura, 2024).

The greatest deal of agency was given to the MSs that held the EU's rotative presidency, but even then not all EU presidencies had a significant impact in the EPSR. Conversely, other MSs were able to act in opposition to the Pillar, with limited success. The Portuguese and Belgian presidencies witnessed the biggest changes in the Pillar.

During the Pillar's negotiation process, MSs' main concern were centred in the EPSR's legal applicability, but their concerns were dissuaded by the Pillar's status as 'soft law' (Dura, 2024). MSs also emphasised the primacy of national welfare systems that they wanted protected, thus discouraging the Pillar from being too prescriptive with its measures (Interview 3, 2024).

As a whole, MSs responded in a timid fashion. Reciprocally, the reception and subsequent implementation of the EPSR at a national level was not as eager, as only four MSs (Bulgaria, Luxembourg, Germany and especially France) took the principles into consideration when crafting their National Reform Programmes (NRPs), while only 11 even acknowledge the EPSR's existence (Hacker, 2019). One can infer from this that MSs were slow to accept the EPSR as a target for the near future, denoting a slow momentum for the EPSR at a national level after it was announced, having reduced salience in the field of European policy. As the MSs are key stakeholders for adopting the necessary rights and principles in the EPSR (Rasnaca, 2017), it was important to ensure that a bigger commitment towards the Pillar's principles was agreed between MSs.

In this context, the Porto summit increased the salience of the EPSR through the proclamation of an interinstitutional and intergovernmental commitment to achieving three quantitative targets by 2030 (78% employment ; 60% training ; 15 million reduction of poverty), as well as continued commitment to further the principles of the Pillar. The Portuguese presidency of the EU was of significant importance in both keeping the EPSR on the agenda.

Furthermore, in a complicated context due to the COVID-19 pandemic it helped further the Pillar's applicability through the 2021 Porto Summit (a high level conference involving the 27 EU leaders about the future of social policy in the EU), which resulted in a full agreement between MSs and civil society (including both employers' and employees' organisations) towards deepening the EPSR and guide economic recovery post-pandemic through investment in social security (Council of the EU, 2021). The presidency trio during the start of the COVID-19 pandemic (Germany, Portugal and Slovenia) was also fairly supportive of the Pillar and worked with the Portuguese to help pave the way to Porto and in the aftermath of the Summit.

The Belgian presidency, with the cooperation of the previous (Spanish) presidency, similarly attempted to keep the EPSR on the agenda. Its approach mirrored the one taken previously, as Belgium organised a high-level ministerial conference in La Hulpe, from which a declaration was produced that reiterated the commitment towards the EPSR. However, in this occasion there was no consensus. The Swedish and Austrian governments refused to sign, as well as representatives from employers' organisations.

The divides present in the Parliament should be good indicators of MSs' opinions on the EPSR. However, MSs would be likely to resist any attempts to enact an 'harder' sort of social policy, limiting the EPSR to a 'softer' coordinative tool. The EU has very little responsibility over social policy, as it is a responsibility of its MSs. Rasnača highlights how "any attempt by the EU to act in the social field has received criticism about intrusion in the national welfare systems from at least some of the Member States" (Rasnača, 2017). As the Commission recognises that local authorities are better placed (respecting the subsidiarity principle) and are responsible for social policy, it intended to give MSs direction and a framework to operate in primarily, encouraging MSs to follow the collective path it envisioned (Rasnača, 2017).

On the other hand, the success of the Porto social meeting, in which EU leaders met to demonstrate their support towards the EPSR, must imply that the policy is supported at some level in all MSs. The result of the meeting, an establishment of three targets to achieve by 2030 (At least 78% of people aged 20 to 64 should be in employment; At least 60% of all adults should participate in training every year; The number of people at risk of poverty or social exclusion should be reduced by at least 15 million, including at least 5 million children) set a concrete goal that MSs committed to achieving (Portuguese Presidency of the Council of the European Union, 2021). Although, prior to the meeting a number of MSs from mostly Northern Europe issued a statement branding social policy as a sole responsibility of MSs (Copeland, 2022).

Nordic opposition to social policy resulted in the legal challenges to the minimum Wage Directive, as well as Sweden's refusal to participate in the Porto Social Summit in 2023 - despite Swedish governmental representation having met the Portuguese government the day before (Mendes Godinho, 2024) – and refused to sign the La Hulpe Declaration. Denmark, while also challenging the legality of the Minimum Wage Directive, has not taken such strong measures yet.

On the other hand, the Minimum Wage Directive was pushed by the German, Portuguese and Slovenian presidencies in a collaborative effort resulting in the Coreper's approval in 2021 (European Council/Council of the European Union, 2024). The efforts of these presidencies are an example of support for the deepening of the Pillar at an individual level, but the majority approval achieved at the Council is also demonstrative of a broader European support for deeper social policymaking.

Since the Pillar's inception, different MSs have employed the EPSR-derived principles in their CSRs to different extents. MSs like Germany and Spain have been more open towards implementing directives than for example Italy and Hungary (Shahini and Panaro, 2023). As Southern MSs have roughly similar attitudes towards social investment (however, recently Greece has instead opted to prioritise labour market liberalisation) (Petmesidou et al., 2023), it can be said broadly that Southern (e.g. Portugal, Spain, Italy) and Core (Germany, France, Belgium) MSs are likely to be more supportive of the EPSR than Nordic (Denmark, Sweden) or Eastern (Poland, Hungary – even though their general opposition to the EU influences their perception of the Pillar more than national views on social policy would).

This correlation is not very strong however, and should be used more as a (very) general rule of thumb as exceptions abound (the previous Swedish government, Finland, Austria – all escape these regional groupings), and the party in power is probably a more significant indicator than regions.

Social partners

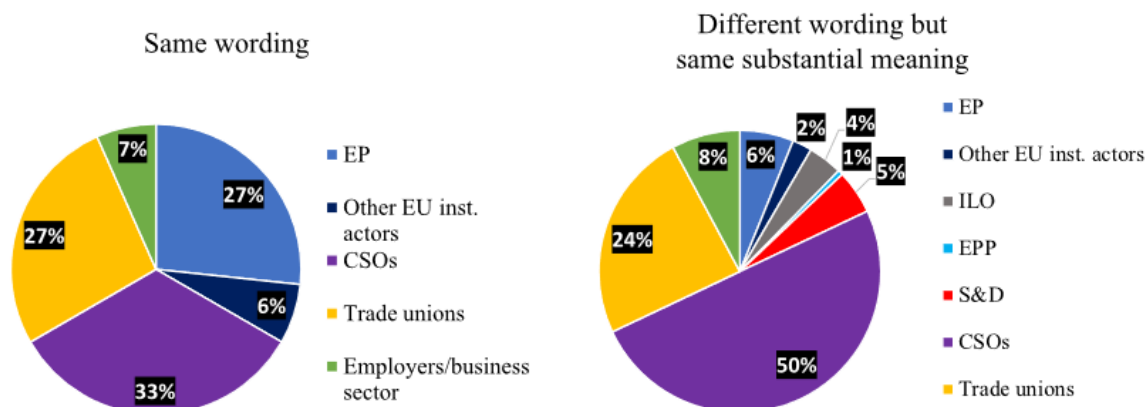
In the Council, MSs are advised by the EESC, which houses voices from the civil society, being split into employers and employee representatives as well as other organisations that tackle specific issues. While MSs are not forced to consider the EESC's position, the expertise they provide is important for a multitude of actors, such as national trade unions or national ministries (Interview 3, 2024).

Other social actors that intervened in the policymaking process wished to alter the text in a way that reflected their objectives. The consultation process, which was launched in 2016 had an annex with 20 provisional points to be included in the EPSR. It included a public questionnaire that gave individuals and organisations the opportunity to give their feedback to the EU. Conversely, organisations could also submit position papers to the EU to propose any changes they desired to the Pillar. The Parliament's Employment and Social Affairs briefing highlights two early yet important position papers: the ETUI and ILO's reactions to the EPSR.

Carella and Graziano categorised the 'winners' and 'losers' from the consultation process. 'Winners' were defined as "actors whose preferences were reflected in the final version of the text" while 'losers' were defined as "actors whose preferences were not reflected in the final version of the text".

Figs. 3 and 4: Influence in the EPSR: Winners and losers

The 'winners' of the consultations



Key:

EP = European Parliament

EPP = European People's Party

CSOs = civil society organizations

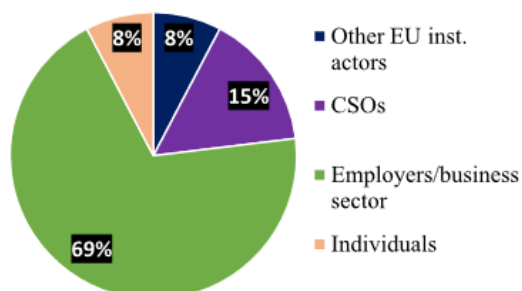
S&D = Socialists and Democrats

ILO = International Labour Organisation

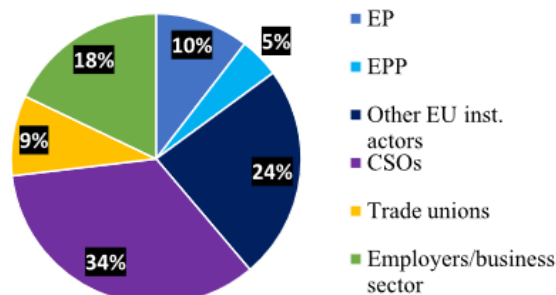
Other EU inst. actors = Committee of the Regions, European Social Policy Network, European Economic and Social Committee, Employment Committee and Social Protection Committee of the Council of the EU

The 'losers' of the public consultations

In favour of dropping partly or entirely a sentence that was kept



In favour of keeping partly or entirely a sentence that was dropped



Key:

EP = European Parliament

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Other EU inst. actors = Committee of the Regions, European Social Policy Network, European Economic and Social Committee, Employment Committee and Social Protection Committee of the Council of the EU

Source: (Carella and Graziano, 2022)

They observed that the changes in the document were the product of mostly civil society organisations (CSOs) and trade unions. Employers' representatives were less represented (Carella and Graziano, 2022).

In these consultations, central roles were played by ETUC and BusinessEurope, representatives of respectively trade unions and employers at a European level, as they amalgamate the interests of their national partners, and thus can provide a general overview

of their side, but also hold more sway at a European level as they represent all national trade unions and thus have more leverage.

Trade Unions

Trade unions were in general very supportive of the Pillar's objectives but wished to take them further. ETUC also wanted consultations with social partners to precede legislative initiatives regarding social policy.

Broadly, European trade unions were very receptive of the EPSR. While Nordic unions were less enthusiastic due to their concerns about the strength of the Pillar - alleviated by the 'soft' legislative nature of the document (de la Porte, 2019) – trade unions were satisfied by the EU's attempt at raising the working and living standards of its population.

As detailed in the images above, the EU also included suggestions from the trade unions in the document to a significant extent. Conversely, employers had proportionately little influence in the wording of the Pillar, significantly so when it comes to dropping text from the principles.

The ETUC was obviously in favour of the general ideas underpinning the EPSR and wished for it to be as enforceable as possible in order to bring the 20 principles into legislative effect. Its motivations, aside from the implicit betterment of social protections for the workers they represent, hinged on the renewal of social policy in Europe, which would help lift the standard for worker protections at a national level through common European legislation. In this sense, some national trade unions managed to achieve in the EU what they were unable to achieve at a national level (Bulk, 2024).

However, the Minimum Wage Directive was controversial amongst national trade unions, as contestation to it in Sweden and Denmark went beyond governments since the national trade unions were also opposed to it. Although there is extensive support for the Directive across MSs, the opposition of Nordic social partners is troublesome for the EU. Within ETUC, the debates created by the Directive have caused division amongst European social partners (Rolfer and Wallin, 2021), with the Swedish trade unionists ceasing to pay their membership fees and stopping participation in ETUC activities, decisions that despite being overturned after the Council's acceptance of the Directive still demonstrate the division amongst social partners created by the Minimum Wage Directive (Dingeldey and Nussbaum Bitran, 2024).

The trade unions were also influential in the EPSR itself, with an important amount of changes in the wording of principles being taken from suggestions made by the trade unions. While the Commission was open to feedback from all actors (Korte, 2024), ETUC's expertise in social policy made it more valuable, as several proposals were already being discussed in the organisation before the Commission proposed them – MWD and Action Plan are two such examples (Bulk, 2024; Casale, 2024).

Employers' organisations

On the other hand, BusinessEurope was not as receptive to the proclamation of the EPSR. Early press releases about the Pillar point at BusinessEurope's reluctance towards the changes the Pillar would bring in European socio-economic policymaking. Specifically, they were opposed to the existing agreement regarding parental leave would be amended by the Commission without consultation (Marcegaglia, 2017), as well as the general goal that the Pillar aimed to achieve (BusinessEurope, 2017a).

In the consultation period leading up to the Pillar's proclamation in Gothenburg, BusinessEurope's position paper emphasised MS autonomy in social policy as well as the uniqueness of every MS's social regime, thus placing a lot of importance in keeping social policy in the hands of MSs and away from the EU (BusinessEurope, 2017b). While BusinessEurope does not outright reject the idea of granting more protections to workers and enshrining these in legislation, their objections reflect MSs' concerns about the EPSR (Dura, 2024) and thus would be useful in coalition-building with MSs that believe the EPSR infringes on their sovereignty, which could in theory help block the EPSR's proclamation.

Therefore, for BusinessEurope the EPSR as a legislative piece was unnecessary. Similarly to ETUC, BusinessEurope also rejected the negotiation of agreements at an EU level without the social partners having previously held talks regarding changes (BusinessEurope, 2017c), therefore rejecting the Commission's proposal of an 'EPSR package' in both the Pillar itself and the accompanying legislation. Furthermore, both groups were concerned that the Pillar's initial scope (aimed towards the Eurozone) would be detrimental, as it would be a step towards a 'multi-speed Europe' (Sabato and Vanhercke, 2017).

In this sense, employers' influence in the Pillar was not as pronounced as trade unions, as these were markedly more open to the consultation process and more supportive of

the Pillar's intent. BusinessEurope's summarised its ideal approach regarding social policy in the EU as: "We are missing a credible scenario of what the future of Europe white paper called: 'doing less more efficiently'" (BusinessEurope, 2017a). By emphasising the EU's coordinative role, employers hoped to facilitate the exchange of knowledge across MSs, while keeping social policy at a national level. This view is incompatible with the objectives the Commission set out to achieve when the Pillar was being drafted, and thus employers got little of what they wanted reflected on the Pillar.

The lack of signature from BusinessEurope's president in the La Hulpe declaration, along with Sweden and Austria's refusals, demonstrate employers' still-existing opposition to the furthering of social policy at a European level. As employers and more sceptic MSs have had common aims regarding the Pillar since its proclamation, the tripartite absence of signatures is further indication of that common approach.

Discussion

This analysis has focused on the main actors behind the EPSR and their effects on it. Overall, this research finds that many assumptions common in the literature are also held by individuals that are linked with the EPSR itself. Despite this, the central premise that the EPSR was 'watered down' by negotiations is challenged by the responses of the interviewees, which point at a more nuanced strategy.

Interviews held in the context of this thesis provide useful comparative material to the discussion held throughout. Regarding the European Commission, the former Commission employee interviewed confirmed the Commission's desire to create a more social image, as well as the relevant role played by both JCJ and VdL, as well as their EMPL Commissioners Thyssen and Schmidt (Korte, 2024).

Tracing where JCJ's influence starts and ends within the Commission regarding the Pillar is difficult, as while JCJ played a more visible role by serving as the promoter of the Pillar, Thyssen worked in the background towards ensuring the future implementation of the EPSR. Thus, the political manoeuvring that allowed for the creation of the Pillar might have been a product of Thyssen's imagination, or perhaps elaborated in DG Employment, whose policymaking approach is characterised by small groupings working on a given policy as a means to preclude significant foreign influence. Thus, the central planning done in DG EMPL includes few actors in the policy design phase, making the pre-bargaining drafts the product

of those actors' perceptions of what is achievable, while taking into account other actors' positions that are known by people involved in the policy design phase (Korte, 2024).

Furthermore, there was division in regards to the prescriptive power of the EPSR. While the Commission and Parliament wished for a stronger piece of legislation, MSs and some social partners (notably the Nordics) wished for a softer Pillar. Some of the literature highlights this as JCJ and the Commission's loss in the bargaining (Carella and Graziano, 2022). In contrast other academics emphasise that the softer legislative character of the Pillar may have been accepted by JCJ and the Commission as a satisfactory compromise, as having an initially soft EPSR from the start (in order to be able to achieve a compromise amongst actors) was made less relevant by the constant commitment from the Commission in upholding and strengthening the Pillar legitimised its nature as a basis for legislation, which was a perspective also shared by the Commission interviewee (Korte, 2024).

Obviously, the Commission's agency in the EPSR has unsurprisingly been the most influential. However, while most literature focuses on the specific role of JCJ (Dura, 2024; Vesan et al., 2021), the contributions of Employment Commissioners together with the staff working in their departments also played an important role in the EPSR by designing the proposal that served as basis for the negotiations and thus having some influence in the process.

The European Parliament has also been an influential actor in the Pillar as it has both swayed the Commission towards investing in social policy, as the S&D especially played a crucial role by trading support for the EPSR for S&D's support for VdL. Moreover, the Parliament insisted on maintaining the Pillar's momentum in European policy. Key to this effort was the support of the Parliament's biggest parties and some actors inside the Parliament. Notably, the then S&D leader Maria João Henriques, the Parliament's lead negotiator, was involved in the bargaining process that would lead to the first draft, giving S&D more power in the negotiating process.

Henriques, whose significance to the European social model has been studied elsewhere (Dura, 2024), was also aware that the previous formats of social policymaking were unequal in significance to economic targets. Thus, the envisioning of the Pillar also stemmed from her institutional knowledge of previous social policy and the need for a tool that was stronger than the coordinative methods of the past. While the Pillar is still in part subject of market interests, the Pillar has helped bridge the gap (Jongerius, 2024).

However, the internal divisions in the Parliament made it a struggle to keep Parliamentary support for the Pillar's momentum. While research correctly highlights the divided nature of this institution vis-à-vis the initial support for the Pillar (Vesan and Corti, 2019), the prolonged commitment to the Pillar was also a challenge in itself, as the former MEP detailed. Following the 2019 elections, a continued coalition of left to centre and centre-right voices was required in order to maintain support for the Pillar and not return to a more market-focused approach that characterised the past Barroso Commission (Jongerius, 2024). Thus, VdL's agency in promoting the Pillar seems to in part have been born from the above-mentioned need of S&D to have a parliamentary majority but also due to a subsistent effort to keep the EPSR on the agenda in the Parliament.

Something highlighted by both the former MEP and the FNV member is the influence of specific MSs in the choice of targets for the EPSR Action Plan, as MSs used their bargaining power in order to influence the choice of the quantitative targets for the Plan (Bulk, 2024; Jongerius, 2024). Thus, those MSs were more likely to choose targets that were easier to achieve for their MSs rather than choosing them optimally in order to ensure a better fulfilment of the Pillar's goals. In that sense, MSs like Germany or France might have influenced this process more easily than smaller MSs.

Regarding MSs, one interviewee pointed out that since the Netherlands in particular was happy with the proposal, they had no need to influence the Pillar given that the Commission was already pushing the proposal. They highlighted however the importance of subsidiarity and consulting social partners for the government, while being mindful of the existent social models and administrative efficiency. Other MSs had similar points to raise towards the proposal, with the concern for existent social models being commonplace across the Union (Interview 3, 2024).

These concerns aligned with those of the Swedish and Danish governments', highlighting the uniqueness of MSs' social welfare models (de la Porte, 2019). While Sweden was initially notable in its support for the Pillar, as it hosted the Gothenburg Summit, it gradually turned further against the EPSR (aided by a change in government). Nevertheless, its concerns remained the same as the 'yellow card' challenge raised against the Minimum Wage Directive points out what its government considers excessive prescription, a concern also shared by social partners.

On the other hand, many of the national trade unions more in favour of the Pillar had more success in achieving social protections in a specific area at a European rather than a national level. ETUC's influence in the Pillar was significant, and one of the interviewees pointed out that discussions of pushing for a policy in the lines of the Minimum Wage Directive were already happening within ETUC before the Commission unveiled its proposal. ETUC's position was further strengthened through its influence in the Parliament (especially through S&D), which allowed for national trade unions to make further demands beyond national positions (Bulk, 2024).

The fifth interviewee highlighted the difficulty of organising the Porto Summit amidst the COVID-19 pandemic. The Summit was the first meeting of European leaders since lockdowns had become common across Europe. Therefore, the uncertainty surrounding the possibility of such a meeting being organised with not only all 27 European leaders but also representatives from civil society made the Summit an accomplishment and a demonstration of the political will surrounding Social Europe amongst national and European-level partners, making the realisation of the Summit an achievement by itself (Mendes Godinho, 2024).

Moreover, she pointed out the important role she thought her Portuguese government, played in hosting a summit dedicated to social policy in Europe. While the Pillar's relevance had increased since its inception, the second inter-institutional proclamation demonstrated not only the continued support for the Pillar but also for the direction that social policy in Europe had taken. In this sense, the Portuguese government's agency was essential for the organisation of the Summit, as it was a product of the collaborative efforts of the Presidency together with DG EMPL's commissioner Nicolas Schmidt (Mendes Godinho, 2024).

The Belgian government advisors interviewed agreed with this, but also highlighted their own achievements – in cooperation with the Spanish presidency of the EU – in maintaining the social policy momentum. The La Hulpe meeting and subsequent declaration were held in order to declare a continued commitment to the existent framework in preparation for the upcoming elections and presidency shift (Van de Mosselaer and Corti, 2024). As the upcoming elections are predicted to swing the Parliament to the right, and as the Hungarian presidency is less friendly to the European project, the Declaration preemptively renews the commitment towards the Pillar's principles to force the upcoming EU leaders to stick to the existent framework.

Thus, they emphasized how the Belgian presidency attempted to advance the social chapter of the EU in a significant manner. While Spain and France, through their efforts with the Minimum Wage Directive, also had significant influence, another actor highlighted by them is the Parliament. Its influence is especially notable in the agenda-setting and policy formulation phases, while also supporting the Belgian presidency's efforts to keep the EPSR on the political agenda (Van de Mosselaer and Corti, 2024).

The last interviewee, from ETUC, pointed out how the Action Plan was necessary in order to transport the Pillar out of the paper and into policy, and therefore the ETUC started lobbying for one such document to be drafted by the Commission. Moreover, ETUC published specific proposals for each principle, as well as participating in the Commission's consultation process. Furthermore, ETUC were also involved with the Action Plan's drafting stage, by meeting with MEPs and other actors involved with the Action Plan in order to provide input towards the Plan. In terms of influence upon the Pillar, the interviewee thought that a lot of proposals had been taken into account by the Commission (Casale, 2024).

Regarding agency, ETUC and S&D were quite influential in regards to maintaining the EPSR in the agenda. Moreover, through their continuous commitment to the Pillar they have helped address some of the flaws in European social policy through Directives (e. g. the Transparency Directive or the aforementioned Minimum Wage Directive) that satisfactorily helped addressing the shortcomings of the remaining acquis, a process in which ETUC was very supportive of the Commission's actions. However, the Action Plan specifically was held by compromises that turned directives into recommendations, cutting some potential help towards achieving the targets of the Plan (Casale, 2024).

The relatively less successful influence of ETUC in the Action Plan can be explained by an increase in relevance of the Pillar, as now MSs and social partners were more aware of the enforceability of the document they were being requested to sign, especially because the Plan included specific numerical targets to be achieved. In this sense, the Pillar's targets and the increasing importance of the Pillar would be more binding than the Pillar's initial proclamation had been 4 years before.

Concluding this discussion, the interviewees gave primacy to the Commission in the agenda-setting phase. While other actors had been demanding for some kind of strategy to relaunch social policy in Europe, the initiative and the original format for the proposal

stemmed from the Commission. Following this, the negotiating process involved the actors here mentioned, whose main sticking point was the legal strength of the Pillar.

The final version, which took the form of non-binding principles, managed to gather consensus from all actors, build a consensus around the Pillar and thus successfully passing the policy decision phase. However, analysing agency in the policy implementation phase is more complex, as considering the EPSR's implementation is a constant and continuous process, the number of actors that can be involved in either a beneficial or detrimental manner is much superior.

Nevertheless, regarding policy implementation the interviews highlight, beyond the Commission, the roles of the Parliament and the EU Presidencies (especially more socially minded ones like Portugal, Spain and Belgium, which for now have overcome challenges coming from less social ones such as Sweden and Denmark), along with trade unions (especially through ETUC) influenced the EPSR.

The Commission, with Parliamentary support, continuously upheld the Pillar by using legislative initiatives to address the flaws of the European workforce. MSs supported this effort through their increased political power when in the presidency but also through supporting the legislation proposed by the Commission, which helped maintain the Pillar's momentum until this day.

Conclusion

In summary, this research has analysed the role of actors in the creation and implementation of the EPSR. It finds that the Commission's agency played a primary role in the development of the document, but the agency of other actors should not be discounted. The Parliament, civil society actors, and especially MSs have held a significant amount of influence not just in the initial creation process (even though this was indeed Commission-driven), but in subsequent developments the input from MSs and civil society was especially important in maintaining the Pillar's momentum.

It is difficult to envision a scenario in which the Commission would have been able to press ahead with the EPSR without working in tandem with the other European and national institutions. Thus, the inter-institutional character of the EPSR's proclamation and the Porto and La Hulpe declarations are perhaps the biggest triumphs of the Commission, as it ensured a commitment with all the actors involved in pushing the Pillar forwards.

Moreover, the role of MSs as instigators of the Pillar's adoption was crucial. The success of the Portuguese and Belgian presidencies in ensuring (near) unanimity in regards to the Pillar was a significant factor in the informal coalition-building procedure that guaranteed the continued relevance of the Pillar. Moreover, the implementation of measures at a national level that stem from the Pillar and its associated legislative initiatives also underpins the importance of MSs, as without MS compliance the EPSR would be worth little more than the paper it is written on.

Given this, this thesis concludes that it is likely that the Commission accomplished its objectives that the Pillar was meant to address. Namely, 'socialising' the EU regarding both its reputation but also in terms of more concrete policies. The Pillar succeeded in renewing Europe's social dimension and becoming a visible flagship of European social policymaking. Broadly, most actors favoured the socialisation of the EU (especially left-leaning parties in the Parliament or trade unions) and therefore were pleased to support the Commission's efforts. However, the exceptions mentioned above (the Parliamentarian minority that voted against the EPSR, the Swedish government and national trade unions, the Danish government and national trade unions and employers' organisations) had a more measured influence on the EPSR by serving as the counterweight

As this thesis is being written shortly before the 2024 European elections, in which the right is expected to make large gains in MEPs, the EPSR's momentum, in spite of the successes in the past few years, needs to be maintained in order to successfully advance social policy in Europe in a meaningful way during this decade. Coupled with the upcoming Hungarian presidency of the EU, the future of European social policymaking is hard to predict. Moreover, as the Action Plan is due for review in 2025, the Pillar's objectives might be changed, whose ramifications might alter the functionality of the EPSR in a meaningful way. Thus, the summary of the Pillar's life presented here might be out-of-date relatively soon.

In spite of this, the present research does not adequately cover all actors in an ideal way. Due to the wide array of actors capable of influencing national governments, this research could only provide a brief recap of MS influence in the Pillar, focusing mostly on the countries that held the presidency of the EU. The specific roles of individual MSs are thus not explained fully, or in some cases (especially in MSs that did not hold the presidency) nearly absent.

The discussion framing present here can hopefully help future researchers in addressing these weaknesses by analysing the roles of MSs from what is already known in other researches and in this piece. Moreover, this research also provided further insights into agency in European policymaking, which should contribute to the ongoing discussions surrounding policy creation and implementation in Europe, as well as the negotiating process.

In order to better understand the EPSR, further research can dedicate itself to the agency of specific actors in the EPSR, much akin to what has been done before. The role of specific MS governments in shaping the EPSR is, in this research's view, the most understudied of the agents in the EPSR, while perhaps being one of the most crucial.

Interviews

Interview 1 - Korte, J., 18/4/2024.. Former Director-General at DG EMPL. *Online*

Interview 2 - Jongerius, A., 30/4/2024. Former MEP S&D. *Online*

Interview 3 – Anonymous, 26/4/2024. Dutch Government worker. *Online*

Interview 4 - Bulk, M., 6/5/2024. ETUC and FNV member. *Online*

Interview 5 - Mendes Godinho, A., 20/5/2024. Former Portuguese Minister. *Online*

Interview 6 - Van de Mosselaer, G., Corti, F., 24/5/2024. Belgian Ministerial Advisors. *Online*

Interview 7 - Casale, G., 27/5/2024. ETUC member. *Online*

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