Policy Learning in the European Union

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Introduction

Learning is a fundamental dimension of European integration. Historically, learning marks the evolutionary process through which Europe has found its pathway to integration and the institutional choices that have led to the European Union (EU) as we know it today. As historical process, learning dovetails with theories of European integration. Learning is also present in individual policy processes which define the relationship between the multi-level governance institutions of the EU on the terrain of specific decisions. Simply put, a constellation of actors learns how to address policy problems not just by exercising power, counting votes and calculating the payoffs of alternative options. Especially in the EU (Radaelli & Dunlop, 2013; Zito & Schout, 2009, though see Montpetit, 2009), actors 'puzzle and gamble' (Jabko, 2006) over problems, and evolve through learning processes.

Learning takes different forms. Many conceptualisations are available. The classic distinction is between instrumental and strategic learning (May, 1992). The former refers to learning about the viability of a policy instrument, or how to improve on the implementation of a policy. The latter concerns learning a strategy in a given interaction among actors with different preferences, or how to accomplish a vision or project. Both are present in the EU (as they are in every other organization). Since the EU is an organization with limited control on what happens at the level of implementation and policy delivery (EU policies are implemented by national bureaucracies), the argument has been made that the Commission draws on experts' knowledge not to improve on policy (instrumental learning) but to gain legitimacy (Boswell, 2008). Hence, one should also consider the symbolic features of policy learning.

Thus, there is a strong argument for making learning a key component of the field of European integration. How can we make sense of the vast literature on learning in the EU? One option is to categorize by policy area. However, it is hard to find a policy sector where learning has never been used, and listing studies sector-by-sector does not provide analytical leverage. We proceed by considering some key conceptual categories, namely:

- Learning in ontological approaches to integration;
- Learning in post-ontological approaches to integration – Europeanization and policy transfer;
- Learning as resource that defines types of actors; and,
- Learning in modes of governance and procedural instruments.

Learning in ontological approaches to integration

Following Caporaso (1996), we distinguish between ontological theories and post-ontological approaches or theories. Ontological theories explain how integration comes together – the classic focus in on why member states pool sovereignty by creating an institution like the European Coal and Steel Community (ECSC), and how this institutional choice has evolved up to the EU we know today. Amongst theories of European integration, functionalism and neo-functionalism are arguably the ones that have put more emphasis on learning (Mitrany, 1965; E.B. Haas, 1964, 1968).

To cut a very long story short, integration happens because through these experiences, member states learn about the advantages of pooling sovereignty in key economic sectors like coal and steel. They are somewhat forced to integrate further by the interdependencies in production, trade and distribution among the integrated sectors and other sectors. This argument is known as 'spillover' effect. It would be wrong to consider this a mechanical movement with little room for learning. And this is for two reasons. First, behind spillovers lie the motivation and intentions of the original designers of integration. They deliberately chose to design integration step-by-step to mute political resistance to the creation of supranational institutions

and to foster incremental learning via the gradual appreciation and awareness of the logic of interdependent sectors. Second, although spillovers were originally described in theories of integration as grounded solely in market interdependence, the literature has also provided examples of cultivated spillover. The latter concept means that actors like the European Commission deliberatively manipulate ideational and material resources to generate spillovers that otherwise would not exist. In cultivated spillovers, learning is strategic. To illustrate: the Commission has learned that by cultivating spillovers it can trigger integration in domains of social policy that were not envisaged as supranational dimensions (Cram, 1993).

Further, Majone's theory of the EU as regulatory state shows how the Commission has learned strategically over the years to exploit the properties of regulatory policy to develop intimate relations with experts and pressure groups and to avoid the limitations of the EU budget. In fact, to produce new rules the Commission does not need budget - the contrary applies to distributive policies (Majone, 1999). Regulation requires a sophisticated understanding of the regulatory problem and intervention logic. Knowledge is the main resource at stake. The Commission has emerged as hub of expertise. Its relations with experts, communities of practice and epistemic communities have been described by Majone as *copinage technocratique* – that means sharing worldviews and approaches to regulatory problems within networks of individuals and organizations with high technical knowledge.

Whether these relations define benevolent policy-improving fora or technocratic ways to insulate the EU from democratic politics has given rise to an abundant literature on the conditions that make complex organizations prone to one or the other (Dunlop & Radaelli, 2020a). This debate on technocracy versus democracy connects with the fundamental distinction between instrumental learning and strategic learning in the EU (Boswell, 2008).

Thus, the Commission can cultivate integration in social policy by developing EU rules and reach the same objectives that a generous budget would allow. Further, with mutual recognition, the EU has learned that instead of harmonizing rules via the difficult pathway of creating new EU legislation, it can exploit regulatory competition (Radaelli, 2004). Competition among regulatory regimes, under certain conditions, makes national regulatory regimes gravitate among the most efficient standard. In the EU, this is not a natural, institutions-free market mechanism, it necessitates the active intervention of the Courts, that in many cases have set the initial conditions for regulatory competition to happen, by breaking down monopolies and restriction to trade (Vogel, [1995]; Harcourt, [2007] talks about 'institutions-driven competition').

This takes us to the learning capacities of the EU as a whole. We need to go back to one of the founding thinkers of regional integration theory – the branch of international relations that is not exclusively concerned with the EU as single case. In this branch, Karl Deustch referred to the capabilities necessary to manage 'the burden', or the "traffic load of messages and signals upon the attention-giving and decision-making capabilities of the persons or organizations in controls" (Deutsch et al., 1957, p. 41). These capabilities are the characteristics of a cybernetic learning system (Deutsch, 1966, p. chapter 10). Organizations are held together by communication. To transmit information, to react to signals - to exercise self-controlling mechanisms and manage feedback are the key functions of political systems.

Deutsch talks of the learning capacity of systems, based on the presence of resources that are "available for unexpected recommitment" (Deutsch, 1966, p. 164), that is, resources that can be re-deployed by the system when the environment signals new challenges or opportunities. Today these observations echo the call for a more resilient EU, and the imperative to manage crises as 'the new normal' so to speak.

Learning in post-ontological approaches to integration – Europeanization and policy transfer

Having considered the basic features of some ontological theories of integration, we turn to a post-ontological perspective. Post-ontological means that we do not ask the question why do member states pool sovereignty and create supra-national institutions, Instead, we take for granted the existence of the EU and we theorize its effects on member states. Europeanization is a post-ontological approach that engages with learning – on whether this is a theory or not is irrelevant in our discussion, and in any case see Exadaktylos & Radaelli, 2014; Radaelli, 2018). Börzel and Risse (2003) theorize two mechanisms of Europeanization. When the EU produces policies, member states are under pressure to adapt, depending on the distance between their current standard and the new EU one. One pathway in which adaptational pressure produces change hinges on the re-distribution of resources and winners and losers. The other concerns socialization and social learning. Here, the pressure to adapt is more a question of norms, policy paradigms, collective understandings. Key is whether and how domestic actors are socialized and internalize the EU norms – for example, a certain meaning attached to fair and efficient taxation.

Socialization and norms internalization are quintessential learning mechanisms. Thus, in the field of Europeanization, learning and redistribution of resources are both conceptualized, mirroring the images of puzzling and powering featuring in classic political science writings, such as Heclo's analysis of social policy in Britain and Sweden (Heclo, 1974).

Further differentiations can be made within Europeanization as learning at the top, from the top, and from the bottom up (Radaelli, 2008). Learning 'at the top' is the process of EU-level socialization and convergence among policy-makers engaged in the making of EU policies. This is a complex process involving not only the delegates from the governments and the officers of the Commission, but also the Members of the European Parliaments, the Committee of the Regions, and how all these constellations of actors respond to the decisions of the Court of Justice of the European Union. Learning 'from the top' is practically the story of adaptational pressure to new policies. Governments face hurdles both in terms of administrative capacity to adapt and political resistance to the implementation of EU policies. Finally, learning 'from the bottom' refers to the capacity of the EU to absorb, edit, and generalize exemplary policy lessons that come from the local, regional, national or cross-national levels. These can be lessons in terms of social innovation, job creation, resiliency, gender and so on. The important point is that they do not originate in Brussels, but come from the bottom and are learned at the EU level. With this final category of bottom-up learning, we have practically put upside down the notion of the EU teaching lessons to the governments, regions and local communities – now it's the EU that learns from the lessons taught by other teachers.

Empirically, the three learning ways intersect in real life, and over the years 'learning from the top' has not always been the same. In some areas, the EU has opted for framework legislation to leave more degrees of freedom to the member states to learn what was best for them (given the framework of course). But in other areas, like the governance of the Euro and macroeconomic policy in general, the 'learning from the top' mechanisms have been made tighter, more hierarchical and stringer (Dunlop & Radaelli 2016a on France and Italy; for more evidence pointing to socialization in the European Semester, see Zeitlin & Vanhercke, 2018; and consider the suspension of the growth and stability pact in current pandemic times). The overall emergence of a governance architecture for the Euro and the macroeconomy in the 2010s is a manifestation of learning from the crisis. But this conclusion comes with the caveat that learning how to get tighter and more hierarchical may have not encourage reflexivity (Dunlop & Radaelli, 2016a). And it comes with the additional caveat that the Covid-19 pandemic has demonstrated the need to frame macroeconomic resiliency along completely new ideas.

Speaking of ideational politics, the EU is a powerful exporter of policy ideas and frames beyond its core membership, as shown by the policy transfer literature. The case of accession and candidate countries dominates the EU learning literature where EU institutions and policy actors transfer lessons across various sectors (see for example Bomberg, 2007 on the work of environmental NGOs as transfer agents to incoming CEE states). This transfer process sits on a continuum between voluntary and coercive (Dolowitz & Marsh, 1996) with learning mediated by domestic politics. The literature on EU policy transfer is rich (Dewey, 2008; Gorton et al., 2009; Radaelli, 2000; Salgado, 2018; on the conceptual dimensions see Benson and Jordan 2011) and connects with the wider literature on the global circulation of policy ideas and policy programs (Stone et al., 2020).

The experience of Turkey, a long-time candidate country (since 1999), exemplifies the nuanced nature of learning through transfer where the impact of EU actors and policy frames have been far from 'drag and drop' in nature (see Burgin, 2019 for a recent conceptual discussion, Bolukbasi and Ertugal 2013 on employment policies, and Baykan, 2019 on the climate movement). Rather, frames shift and ideas become influential only as they interact with the preferences of existing constellations of policy actors.

Of course, the EU institutions and policy actors are not always cast in the role of exporter or 'teacher'. EU member states shape supranational policy in significant ways bringing their own experiences and beliefs to bear. One pivotal example of nation states becoming transmission belts for policy learning is the better regulation agenda and the importance of the UK, Germany and the Netherlands. Focussed on both quality and quantity of rules and rule-making and the attendant impacts of business, these member states fundamentally shaped better regulation in the EU (Dunlop & Radaelli, 2022).

The EU system and policy agenda is open to extra-territorial forces as well. Global standard setting bodies like the OECD are especially important across policy sectors as sources of learning. The EU's membership of global regulatory fora like the WTO means it is confronted with ideas and lessons that may clash with its own beliefs but conditionality makes them difficult (though not impossible) to escape. The classic hormones saga is a case in point. In dispute with the USA (and other non-EU states) regarding the use of hormone growth promoters in meat products, in 1998 the EU refused to follow the WTO's appellate body's interpretation of the science opting instead to accept tariffs on selected exports (Dunlop, 2017). This well-known case underlines Heclo's point about the interconnectedness of power and puzzling. Rather than accept WTO ruling and an international scientific consensus on the safety of hormones in meat from humans, the EU generated an alternative lesson. In the 1990s, animal welfare standards and questions of the social acceptability of meat production practices became the frames that mattered more than scientific findings regarding human health. This high-profile case is the tip of the iceberg of largely invisible, but nonetheless, consequential learning interactions with international forces and the EU.

Learning and actors

Decision-making venues at multiple levels and a wide range of policy competences (with the ever-present possibility of garnering more) combine to make the EU extremely open to an array of policy actors. Thinking about learning, regardless what type of leaning prevails, the actual process of policy learning is happening in a context which is dynamic, unpredictable and contingent (see Richardson, 1996 for the classic garbage can take on the EU). Without aiming for completeness, here we focus on the central policy actors who teach and learn in the EU policy subsystem: experts as epistemic communities; interest actors; and, EU institutions at all levels.

The emphasis on policy innovation and multiple access points means the presence and visibility of expert groups – epistemic communities (E.B Haas, 1990, 1991; P.M. Haas, 1992) – in EU policy arenas has always been particularly pronounced. Analytically, we can go back to work of Ernst Haas whose focus in the 1980s moved from explaining integration as spillover to foregrounding the impact of consensual knowledge produced by expert policy communities on collective learning in organisations. Cast as epistemic communities, Peter Haas refined our understanding of how authoritative groups of experts coalesce around issues and with the power of their belief system – a mix of substantive and policy-relevant knowledge – help shape transnational policy coordination.

Zito (2001) offers one of the earliest and best-known studies which examines how an epistemic community of scientists formed around the 'critical loads' approach to acid deposits in pollutants impacted the Commissions learning in acid rain. Learning was possible not only because of the technical uncertainty the epistemic community was able to mitigate, but also as a result of the advocacy stills of the scientists who engaged in 'collective entrepreneurship' (2001). Even in the most technical context where policy-makers' preferences are initially unclear to them, for learning to happen the epistemic community as teacher must be politically astute (Dunlop, 2013). Knowledge alone is not enough.

Following this impact of politics on policy learning, epistemic communities are not always evolutionary entities whose formation pre-dates their involvement in the policy process. In fact, epistemic communities are frequently created by policy elites. In the EU, this institutionalisation of expertise often takes the form of ad hoc advisory committees (a favoured instrument of the Commission, Christiansen & Larsson, 2007). One classic case is that of the Delors Committee on Economic and Monetary Union (EMU) (Verdun, 1999) created to supply the substantive knowledge needed to help deliver EMU. Assembled by decision-makers, these 'governmental' epistemic communities (Dunlop, 2010) exist more to support pre-determined policy goals than reduce uncertainty.

Though the presence of scientific experts around the EU polity is considerable, the learning epistemic communities generate has limits. Indeed, it has a built in 'shelf life'. Once the details of the phenomenon are grasped, the contours of the possible solutions take shape. At this point, epistemic communities' role as teachers begins to wane and the learning processes around policy formulation become dominated by institutions and interests (for empirical examples of this see Dunlop, [2017] on hormones in beef and Mazey and Richardson, [1992] on chlorofluorocarbons [CFCs]).

Lessons are not only generated by experts of course. To widen our view on learning beyond experts, let us consider that these actors operate in wider discourse (Hajer, 1995; Fischer & Hajer, 1999) and advocacy coalitions. And, policy learning as a special place in the advocacy coalition framework (ACF) (Sabatier & Zafonte, [1997]; on the EU Fender & Quaglia, [2016]). The huge array of interests engaged across EU policy arenas generate learning through their repeated interactions. Here, learning is less conscious a process – certainly as compared with the work of epistemic communities – and more a by-product of bargaining and collective exchange around an issue (Dunlop & Radaelli, 2013). Turning to learning in the context of bargaining, Dudley and Richardson's (1999) study of the interaction of advocacy coalitions in steel policy illustrates that where interests dominate, powering and puzzling are often fused together. Through continued interactions in advocacy coalitions over five decades, organised interests, political parties and governing institutions at national and supranational levels competed to elevate their economic policy frame in this foundational area of EU policy. Repeated exchanges and shifts in the balance of ideational power made learning dividends possible and the fundamental move from an interventionist to free market paradigm in this policy area.

Parrish's (2003) case of sports policy regulation further exposes some of the learning mechanisms involved in bargaining. Unable to influence the single market ideas of the dominant advocacy coalition of interests, a rival group's venue shopping created the disruption and conflict necessary to show they and their ideas were serious. To avoid continued disruption, both coalitions gave ground and learned about the setting of different instruments in order to protect their fundamental deep core and policy core beliefs (on these concepts, see Sabatier 1998). Thus, exchange generates important lessons both functionally and normatively. In terms of policy outcomes, ongoing negotiation uncovers the set of resource allocations required to ensure that no one gains at the expense of another. In this way, the learning generated through the many processes of repeated bargaining encapsulate Lindblom's *Intelligence of Democracy* (1965) whereby policy stability is generated by increased appreciation and understanding of rivals' positions and when the time has come for that idea.

We should note, bargaining is good for certain things but not for others. Dysfunctional learning is always a possibility (Dunlop & Radaelli, 2018). Where radical or sustained power imbalances exist between interests, policies may lurch from policy inertia (same winner all the time) where innovation is stymied to destruction where policy instability becomes endemic (no winners prevail for long).

Moving beyond private actors, in the EU learning is a central feature of the complex institutional interplay that defines the polity. Comitology processes stand out as one of the most complex and institutionally diverse learning environments where bodies at multiple levels are engaged in the co-production of policy implementation. Ideally, learning in such spaces takes on reflexive qualities, where open dialogue generates new understandings and agreed policy pathways. Such dialogues do not occur spontaneously, rather they must be convened. In comitology, the design of committees, role differentiation, the power of the chair and style of interactions all fundamentally shape the quality of dialogue that is central to reflexive exchange (Joerges & Neyer, 1997). Similarly, in their study of the impact of European Convention as compared to the classic Intergovernmental Convention (IGC) on treaty revision processes, Risse and Klein (2010) underline the impact of how these fora are designed (diversity of roles, nature of leadership positions etc) for the quality of learning between multiple powerful institutional actors.

Learning in modes of governance and procedural instruments

Learning can also be the outcome intended by designers of modes of governance and procedures. The open method of coordination (OMC) is a form of facilitated co-ordination among member states that is supposed to foster learning by using network governance (Gronholm & Jetoo, 2019). Rich exchanges, guidelines, multilateral surveillance, peer-review of reforms via indicators, and shared final objectives, all empower member states to design their policies in the way that they deem best to achieve the objectives (Borrás & Jacobsson, 2004; Borrás & Radaelli, 2014; Sabel & Zeitlin, 2008). A large portion of the policy learning literature explores how OMC mechanisms enable sharing of best practices through mutual co-operation and knowledge transfer. The property that most distinctively characterizes the quality of learning in the OMC is reflexivity (Dunlop & Radaelli, 2013) or experimentalism (Sabel & Zeitlin, 2008).

At the risk of over-simplification, the first element in the logic of the OMC revolves around recognizing and exploiting the benefits of local knowledge (in a sense this is learning from the bottom), exploring and validating through peer-to-peer discussion what works in reforms, and diffusing innovative solutions from one country to another, and then to the whole of the EU. The method does not need a-priori convergence on norms and the final goals of the EU, but sets up a mechanism for discovering and exploiting convergence. Over time, the method is supposed

to allow participants to learn from evidence, adjust policy reforms and change priors about what works. In short, reflexivity means that the method can trigger a change in preferences. The implications for learning are therefore profound, because preference change can lead to deeper reforms and Europeanization (Radaelli, 2008).

Participation and network governance are the second element of the logic. Participation at different levels of governance (EU, domestic, regional) and across a vast spectrum of actors (including the civil society) is supposed to provide legitimacy and effectiveness. On the latter, the method deploys policy networks like radars that scan solutions in different policy sectors and places, at the local or national level. The more diverse actors participate, the more is the in-built intelligence in the system and potential for discovery of the network. Consequently, participation should not be limited to those who operate in EU-level committees, but it should be extended to constellations of domestic and sub-national actors, allowing policy-makers in different context to learn at their own pace. The OMC connects learning with the wider debate on the original democratic features that the EU exhibits (Borrás & Radaelli, 2014).

Another mode of governance is crisis management where it is thought that policy actors learn following shocks to avoid future failures (Brändström, Bynander & t'Hart, 2004; Keeler, 1993). It is indeed a big question whether and how the EU learns during or across the crisis. History seems to suggest that crises have worked as learning triggers allowing the EU to make quantum leaps and learn patterns, policies and institutional choices which lead to stronger integration. But a more theoretical and deeper look at the questions reveals that the 'big solutions' and policy architectures that emerge in moment of crises are incomplete, and prepare the ground for the next big crisis. This has now been theorized as the 'falling forward' proposition (Jones, Kelemen & Meunier, 2021).

Be that as it may, the presence of multiple crises in the last decade or so (sovereign debt, migration, and pandemic) has solicited a reflection on how the EU learns. Under conditions of surprise and crisis, learning is not the product of an alteration of policy beliefs triggered by a consideration of evidence or social interaction. It is instead behavioral change that causes learning via a succession of fast-paced stimuli-response dyads. First, actors change behavior by responding in novel ways to stimuli, then, when the feedback confirms the correct choice, they make sense of what they have done. Hence, they learn afterwards. It is a bit like saying that Merkel and other leaders made paradigm-changing choices in the governance of the Euro without changing their preferences and consciously choosing the new paradigm (Kamkhaji & Radaelli, 2017). The pandemic may have been another case of first changing behavior, and then learning (on policy learning and COVID-19 see Ladi & Tsarouhas, 2021).

Beyond modes of governance, learning can be embedded in procedural instruments. This is the case with the panoply of policy instruments that make up the better regulation agenda to advance the quality of regulation as well as check the quantity. These instruments have procedural qualities, meaning that they set up processes and methods for appraising policy. Examples in this family of procedural instruments are consultation, impact assessment of legislative and non-legislative proposals of the Commission, regulatory offsetting and policy evaluation (Dunlop & Radaelli, 2022). Although one can argue that governments use these procedural instruments to control the Commission (Radaelli, 2010 on controlling the regulators via impact assessment), the Commission has a good record of learning how to deploy them to support its proposals (see the indicators in OECD, 2018).

Instruments such as impact assessment should not be taken as neutral instruments. Like all policy instruments their form and use is economically and politically contextual, and the prescribed format may inhibit wider deliberation that diversifies knowledge inputs (Hertin et al., 2009). As such the lessons they generate can be contingent on the challenges of the moment (Dunlop & Radaelli, 2016b, 2022).

Take for example *ex ante* analysis of the 2003 EU Biofuels Directive from a time when, admittedly, the Commission's usage of impact assessment and policy appraisal tools was still in the early days. Though its ambitious biofuel targets were framed as an environmental policy to support emissions reductions, first generation biofuels were also seen as a way of using set-aside land in some member states. This focus resulted in an impact assessment oriented toward the domestic implications of using food crops and land for fuel downplaying the considerable international risk transfers and transformations of the technology (Anderton & Palmer, 2015). The impact assessment generated learning, but arguably of the 'wrong' lessons. Impact assessment and more generally better regulation, then, are a good testing ground to probe propositions about the type and quality of learning.

Conclusions

Our account of leaning in EU public policy is by no means exhaustive. Certainly, readers may want to push further and fruitfully explore the differential learning forms associated with different issue areas or the normative implications of learning in the EU or the array of contextual determinants of EU policy learning. But, by focussing on specific dimensions, this account captures some of the central concerns that recur in the literature.

So, what have we learned? First, learning mechanisms underpin the pre-eminent explanations of European integration which treat the emergent polity as one which has built considerable learning capacities to be deployed and adapted in the face of new challenges.

Beyond the integration classics, learning logics are central to Europeanization and policy transfer ideas where socialisation, norm internationalisation and conditionality are all key causal mechanisms supporting learning. Of course, we have noted, learning may not always be a good thing. The 'wrong' lessons that do not fit the policy context are an ever-present possibility. Learning may even fit the policy context but nevertheless not empower citizens, and deteriorate the democratic legitimacy of the EU polity. The challenge for the EU is to unlearn ways of doing things that are dysfunctional in a context of multiple crises, learn new paradigms such as the ecological transition, and demonstrate that this learning is not yet another pathway towards more distance between elites and citizens.

Focussing on policy actors emphasizes the power dynamics of learning. What activates policy learning is contingent on who dominates an issue. Where epistemic communities lead, learning is activated by authoritative knowledge. By contrast, in issues areas characterised by interests, negotiation and exchange create learning as by-products. Where EU institutions interact, dialogue or scrutiny mechanisms work to expose norms or the scope of rules.

Our fourth and final theme of learning as held in and enabled by modes of governance and procedural instruments in many ways takes us back to our conceptual starting point; the EU as a system which, for better or worse, has learning capacity baked-in.

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