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**Explaining variations in tripartism
– the role of social partners in regulating work and welfare**

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1. Introduction

After the classical corporatist theories (Schmitter 1979; Lembruch 1979; Cawson 1986) lost credibility in the late 1980s due to the spread of neo-liberalism and withdrawals from corporatist arrangements, the approach had a partial revival in the mid-1990s and have since then been part of a growing interest in tripartite modes of governance. These studies have shown that despite of a general weakening of trade unions, tripartite policy co-ordination still has an important role to play in welfare and labour market regulation at least in some European countries – and not always in those that fulfil the requirements for corporatism formulated in the classical theories (i.e. Bacarro 2003). However, most studies focus mainly on the tripartite *policy formulation* in the form of *ad hoc* agreements that have a very *broad scope* – often named ‘social pacts’.

These are arguably some of the most important forms of tripartism, but the narrow focus excludes other important forms such as: 1) tripartite ad hoc agreements that do not have the broad scope as the ‘social pacts’ have; these might not include pay issues directly and be limited to just one policy area or policy issue; 2) policy formulation from permanent tripartite bodies, whether these are cross-sectoral in nature (such as the ‘social and economic councils’ found in a number of EU countries) or related to a specific sector or policy area; 3) tripartite bodies related to the implementation of policies – these bodies are often found at sub-national (sectoral, regional or local) levels.

This paper includes these normally excluded forms of tripartism and *discusses the validity of various explanations for involvement of social partners* in policy making and policy implementation. The paper focuses on three important work and welfare related issues (activation policy, continuous training and occupational pensions) in three countries (Denmark, the Netherlands and the UK) that represent different welfare-states regimes and labour market models.

It will be argued that the exogenous pressures from globalization and Europeanization - emphasized many in the studies of social pacts – are of less importance for other forms of tripartism and more attention should be paid to endogenous drivers. The nine cases (three countries x three policy areas) indicate that path-dependence plays a crucial role, but that some changes have taken place that cannot be explained by this phenomenon. Where the role of tripartism has been diminished the reason has been changes in relation to the government perception of the social partners’ implementation capacity, whereas the cases of extension primarily can be explained by a combination of government incentives to privatize policies and the social partners need for legitimization, or change of government. Moreover, variations across policy areas seem to be as important as cross-country variation.

The understanding of tripartism in this paper will not only include arrangements where both the public authorities and the social partners are directly involved, but also a few where the public authorities act as a ‘shadow partner’. Furthermore, a limited number of the arrangements are multi-partite, including also NGO or some other organizations that could not be classified as social partner organizations.

2. Neo-corporatist theories – hypotheses on the role of social partners

A number of the explanations that the recent studies in corporatism offer on peak-level tripar-

tism and social pacts will shortly present below. The list includes explanations that emphasise exogenous as well as endogenous drivers, but the focus will be on the latter. The list is not exhaustive¹. Some – but not all - of the explanations will in section 6 be discussed against the empirical findings presented in section 3-5.

2.1 Exogenous drivers in the newer studies of neo-corporatism

The explanations for the re-emergence of corporatism given by the theories - classical as well as the newer ones - are dominated by those paying attention to forces exogenous to the corporatist arrangements and the actors. Rhodes (1998) has argued that the more intensive *international competition* has given the national core actors incentives to establish corporatist arrangements and explains the re-emergence. Rhodes suggests the term ‘competitive corporatism’ in this regard. Also Franz Traxler (2003; 2004) sees international competition as the main driver behind the corporatist arrangement, among which he focuses on those related to wages. Importantly, however, Traxler questions in one of his most recent studies the effect of these bi- and tripartite agreements in that he finds a positive correlation between these and a high level of overall public expenditure (Brandl & Traxler 2006).

A related type of explanations on the re-emergence is those pointing to *the role of the EMU*, but in the EMU-explanation the pressure is political as much as economic. The argument goes that the EU member states attempt to fulfil the EMU-criteria are associated with incentives to reach national tripartite agreements on wage-restraint as well as on social- and labour market issues linked to the state budget. The broader social pacts are well-suited to fulfil these aims, because they locate the responsibility among the actors, and because they include the various relevant welfare issues (including the wage issue) in one agreement. The argument is found in different versions (Pochet & Fajertag 1997; Sission et al. 1999; Ebbinghaus & Hassel 1999; Hassel 2003).

2.2 Endogenous drivers in the recent studies of neo-corporatism

However, not all of the newer corporatist studies emphasise exogenous drivers. Visser and Hemerijck’s (1997) attempt to theorise ‘corporatist institutional change’ is one of those that do not. They find two basic analytically distinct properties of corporatism: The ‘degree of institutional integration’ is an expression of the extension to which authorities are devolved to private interest organisations and to bi/tripartite bodies, as well as a demarcation of the policy scope of corporatism, i.e. the domain in which interest organisations are involved. The ‘degree of societal support’ is the degree to which the interest organisations are representative and supportive to the corporatist arrangement. The two dimensions are not correlated with each other, and the societal support tends to fluctuate more than the institutional integration.

Applying the two dimensions of institutional integration and societal support to the Dutch case, they construct a dynamic two-by-two rove model with four types of corporatism. The first is ‘innovative corporatism’, i.e. corporatist institution building that takes place under the circumstances of perceived mutual interests between state and organisations and strong support from the organisations. If sustained, the innovative corporatism might lead into a period of ‘responsive corporatism’, i.e. an institutionalisation of corporatism, where corporatist ar-

¹ Among others, the presentation excludes hypotheses that focus on the strength of the government (Hamann & Kelly 2003; Hamann & Kelly 2006) or the ideological orientation of the government.

rangements, able to deliver flexible adjustments to external challenges, become the routine. To reach this type, a high level of trust and consensus is important. Periods of responsive corporatism will properly - sooner or later - shift to periods where it is not possible to reach agreements on the way forward, since there is no common understanding among the key actors or rank and file on the nature and causes of the problems, and/or because the interest organisations block for reforms. This is called 'immobile corporatism'. A period of immobile corporatism could, if the problems are successfully solved, lead to new periods of responsive corporatism, or it could lead into the final type, 'corporatist disengagement' – a process of unwinding of corporatism. In this situation a return to corporatism has been given up and the future regulation form will be unilateral state regulation².

It is not possible to point at a single driver in Visser & Hemerijck's model, but *policy learning* is at the core. Corporatist decision-making provides the actors with longer time horizons and the possibility to build trust as well as to learn from past experiences and to redefine interests and seek 'win-win' situations. However, learning processes are according to the authors inter-vened with power relations. This is seen in for instance those reform-processes, where it has been possible to establish consensus only because of threats from the government to withdraw the social partners' privileges. In those cases the shadow of hierarchy is used in transformation of immobile corporatism to responsive corporatism. Power also plays a role in learning processes where the power-balance between the social partners changes. As an example the authors point out that trade unions during the liberal governments of the 1980s learned that the prize of non-corporation was lack on influence.

Avdagic's (2006) studies of corporatism – one of the few that exclusively focus on the new EU member states – also include power relations but have a stronger focus on these than Visser and Hemerijck. The starting point is a critic of the perception that outcomes can be read of from institutions as indicated in various approaches emphasising path-dependency, such as earlier studies of Crouch (1993). This relationship is especially dubious in the case of young institutions, such as peak-level tripartism in the post-communist countries that are her prime empirical focus. These institutions might, she argues, as well be effects rather than courses of particular behaviour.

In explaining how the interactions occur Avdagic focuses on four parameters: 1) the interplay between the structural context and strategic action; 2) actors preferences regarding institutional and policy outcomes and actors core objectives; 3) relationship between actors' rationality and the uncertainty of transitions; 4) the link between power perceptions and decision-making under uncertainties. However, in her view the actors' perception of their own and other actors' power are key to understand how tripartite arrangements develop. The choices they make in the course of interaction reflect their perceptions of their ability to attain preferred institutional and policy outcomes without compromising their core objectives. Moreover, the struggle is not so much over the formal rules as over the uses of the corporatist institutions.

² It is noteworthy that Visser & Hemerijck do not mention bipartite forms of regulation as a possible outcome of corporate disengagement. This might be so because they see bipartism too as some form of corporatism.

The government's perception of the unions' power is influenced by three indicators: 1) the degree of union concentration (united/fragmented); 2) the existence of formal union-party ties (strong/partial/non-existent); 3) the mode of inter-union dynamics (cooperation/conflict). Moreover, she suggests that the most union-favourable strategy (substantial inclusion in policymaking and policy concessions) takes place when a government is faced with a single, encompassing, and politically non-aligned union.

Among those study in corporatism emphasising internal dynamics are also some that simultaneously pay attention to institutions with long history and actions within them. One of these is Trampusch that criticise those welfare state researchers (i.e. Pierson 1994) that only see hollowing out of the welfare when the state withdraw from delivering welfare services. On the background of studies of occupational pensions, early retirement and continuous training reforms in Denmark, France, Holland and Germany she argues, that the social partners deliver parts of those services from which governments has withdrawn from.

She goes back to Marshall (1964) and his distinction between political and industrial citizenship and argues that the creation of collectively negotiated welfare systems strongly depends on, on the one hand, the degree of state activity in labour relations and, on the other hand, the timing of the institutionalisation of industrial and political citizen rights. Inspired by Ebbinghaus (1995), she expects public welfare schemes to be dominant to collectively negotiated benefits where the state is passive in industrial relations and where political citizenship predates industrial citizenship. The opposite is expected in countries where the state is active in industrial relations and industrialisation citizenship predates political citizenship. These countries will show a more developed system of collectively negotiated benefits (Trampusch 2005). This argument could be seen as a variation of the path-dependency argument.

Importantly, Trampusch does not only focus on the role of institutions, but also emphasises some more actor-oriented drivers. Trampusch sees some kind of political exchange in these relations (legitimacy for trade unions and wage restraint for employers in exchange for delivering welfare services), the core mechanism is *blame avoidance*, which in this connection happens when the government withdraw from unpopular reforms and transfer the responsibility for them to the social partners. Whereas the dynamics in the explanations described above focus on rational actors, others point at explanations more oriented towards norms and values.

In a study of 'social partnerships', Mailand & Andersen also emphasise the role of *legitimacy* as one of the reasons why trade unions and employers' organisation enter into tripartite arrangement with the state. In their view, membership loss has intensified the social partners' incentive for new sources of legitimacy, such as tripartite arrangements for addressing wider societal problems such as unemployment and marginalisation. Moreover, they argue that the social partners' confederations (peak organisations) have an additional incentive to enter into tripartite arrangements in that decentralisation of collective bargaining to some extent has hollowed-out the traditional *raison-de-etre* to and therefore led to search for new activities that could strengthen the confederations legitimacy (Andersen & Mailand 2002; Mailand & Andersen 2004).

With the exception of Avdagic and Mailand & Andersen, all of the studies presented above

either ignore characteristics of social partner organisation when explaining tripartism or directly refuse them as explanatory variables. However, some of the newer studies emphasise the organisational characteristics of interest-organisations as the classical corporatist studies of Schmitter, Lembrusch and Cawson did. For instance, the *implementation capacity* is one of three key explanatory variables in that Hugh Compston emphasises in his study of ‘social concertation’ (binding peak-level tripartite agreements) in seven European countries. Like Avdagic, he emphasises that it is the ‘perceived’ form that matters – in his case the perceived implementation capacity of the interest organisation. Together with the role of ‘war and economic crises’ and a common understanding of the main problems, the governments believe in the implementation capacity of the organisations explains why more concertation are found in some countries than in others – in the 1990s as well in earlier decades (Compston 2002).

2.3 Summing up - hypothesis on drivers of tripartism

As the presentation of the explanations – summarised in table 1 – indicates, the weight given to exogenous drivers in the study on social pacts does certainly not mean that there are not other possibilities to explain the dynamics of tripartism. The institutionalist or path-dependency argument of Crouch and other pre-1990 researchers of corporatism can hardly be said to be among the ‘recent studies’ of corporatism, but is nevertheless included as an alternative explanation to the other hypothesis, that focus more on change than stability.

Table 1: Hypotheses on tripartism in recent studies of corporatism

Endogenous drivers	Exogenous drivers
policy learning (Visser & Hemerijck)	international competition (Rhodes)
perceived power (Avdagic)	EMU-criteria (various)
blame avoidance (Trampusch)	
legitimation (Trampusch, Mailand & Andersen)	
perceived implementation capacity (Compston)	
state activity/timing of citizenship (path-dependency) (Trampusch)	
<i>state-traditions (path-dependency) (Crouch)</i>	

In the following some of the hypotheses will be discussed against the development in the three sectors and the three countries in order to find out which of the hypotheses best explain the development of tripartism.

3. Denmark

Denmark was not among the countries where governments and social partners signed social pacts during the 1990s and Denmark has never had a permanent general tripartite body. However, there have been plenty of other national level tripartite activities. This reflects the so-called Danish model of industrial relations, whose core is a bipartite and relatively centralised system of collective bargaining between strong social partners, but where the social partners are involved in the formulation of legislation with relation to the labour market and in the administration of it (Due et al. 1993).

In the 1990s, however, there have been attempts to set-up permanent general tripartite structures and to reach social pact-like agreements. Although these attempts did not lead to any social pacts or general tripartite bodies of the scope and scale as those known from a number of other EU-countries, the so-called Tripartite Forum and its affiliated Statistical Committee did nevertheless play a role for a short period in the late-1990s. Moreover, it could be argued that although no explicit social pacts were signed in the 1990s, the so-called tripartite 'Common Declaration' from 1987, that prescribed wage-restraint, has been a 'functional equivalent' to the social pacts in other countries during the 1990s because it has been internalised to a very high degree in the actions of the key societal actors. The Common Declaration was terminated in 1998, but a new bipartite agreement on wage-restraints was reached the same year in the form of the so-called Negotiation Climate Agreement ('Klimaafalen'). With the Common Declaration's general agreement on wage-restraints and with wages and employment conditions nearly solely regulated by collective agreements, remaining issues to establish tripartite dialogues concerned mainly welfare issues.

3.1 Occupational pension³

The first occupational pension fund was established in 1900, but no more than a third of the employees were covered in the 1980s. When the debate on occupational pensions began to take off in the 1980s it was an initiative of the government, but one that the trade union movement was interested in because they hope to have some form of control of the pension funds. The employers feared that the occupational pension would become 'economic democracy through the backdoor' and were especially worried about central funds dominated by employee representatives. Therefore, the trade union movement gave up their attempts to establish bipartite consensus with the employers and used instead unilateral lobbying for legislation in this area.

For some time it seemed as if the largest trade union confederation (LO)'s strategy to lobby for legislation would succeed. Following the Common Declaration in 1987, a long sequence of tripartite activity on occupational pensions took place in tripartite committees throughout 1987-88. Among other things, four specific models for the occupational pensions were proposed. They centred around, respectively, the individual wage-owner, the firm-based organisations, the sector-level organisations and the inter-sectoral level. The first model was unacceptable for LO while the Danish Employers' Confederation (DA) opposed the inter-sectoral model. The attempts to reach agreement on how to implement the occupational pensions failed, partly because some social-democratic leaders feared to provide the centre-right government with the electoral gains from such an agreement, and partly due to internal disagreement in the government.

The extensive tripartite work that was done on pensions prepared the ground and established consensus for a breakthrough in the collective bargaining round of 1991. In this round of bargaining, the sector federations played a stronger role than in previous negotiations. This - together with the fact that LO finally realised that the occupational pensions would not be introduced through legislation; that DA realised that some kind of occupational pensions would be introduced sooner or later; and that sectoral-based funds was one of the models within reach -

³ This section builds on Due & Madsen (2004)

led to the break through in 1991. The sectoral pension funds took the form of investment companies with parity and trade union chairmen - a form that also the employers could accept.

The percentage of the employees covered by occupational pensions, as well as the percentage of the employees' income paid to the funds, have increased during the 1990s. In 2003, it was estimated that 92 percent of all employees were covered, even though not groups of employees of these to the same extent. Referring to these calculations, the social-democratic government found no need to introduce the additional legislation as promised by the previous government. This would have extended the occupational pensions to all groups. Importantly, LO also accepted this decision.

In sum, the development of the Danish occupational pensions is the set-up of a new area dominated by bipartist relations. However, the state has played a role in this development too. The occupational pensions were extended due to too foreseen problems in a unilateral government financing of pensions and the government orchestrated the tripartite committee work. Moreover, the government planned follow-up legislation. The outcome of the process was also a clearer division of responsibilities has developed where the state is the sole responsible actor for regulating, financing and delivering old age pension, whereas the occupational pensions are subject to social partner self-regulation.

Regarding the explanation of emergence of tripartism in this area the budget restraint hypothesis is obviously supported, but the strategy of the trade unions show that the legitimisation hypothesis has validity too.

3.2 Activation

The development of Danish activation policy started in the 1970s and initially reflected an attempt to respond to the prolonged unemployment crisis. The social partners have had a say in the formulation and the implementation of the policy from its hey-day, and this influence was strengthened with the 1994 labour market reform. The reform was prepared in 1991-92 in a pre-legislative committee, where social partners had the majority of seats. When formulating the reform, the following social-democratic led government followed the recommendations of social partners). The labour market reform increased the influence of social partners by upgrading the Regional Labour Market Councils competences from consultation (in connection to some issues) to decision-making (concertation) and in making the National Labour Market Council advisor to the Minister of Labour. However, already in 1996 a process began that partly re-centralised activation policy and rolled back some of the newly gained influence of the social partners. Regarding the content of the policy, individual action plans, continuous training and - to some extent - subsidised jobs became the core measures of activation (Jørgensen & Larsen 2003; Mailand & Due 2003; Winter 2003).

Simultaneously with the labour market reforms, that mostly, but not exclusively, focused on changing the behaviour of the unemployed (the supply side), attempts were made to get the companies (the demand-side) more involved. The campaign *Our Common Concern – the social responsibility of companies* was launched in 1994. So-called 'jobs on special terms and conditions' and 'flexijobs' for people with reduced capacity to work were introduced in two

versions - one administered by the municipalities and one by social partners through the so-called social chapters of the collective agreements. However, the collective agreement based jobs on special terms and conditions include no wage-subsidy and have therefore only been used to limited extent – which stand in sharp contrast to the version administered by the municipalities (Hohnen 2002). This does not mean the social partners have no role in delivering these the activation measures; however, their role is not to regulate these via collective agreements, but to convince their members of the value of using them.

The liberal-conservative government that came into office in late 2001 introduced a labour market reform that changed the content of the activation policy by emphasised more assistance in job search and to some extent also job training in the private sector, and limited the use of education as an activation tool. Moreover, after the reform social assistance and social insurance clients come under the same legislation and the tri- and multipartite bodies at the central level have been amalgamated. Finally, the reform opened up for increased use of new private actors such as temporary work agencies, private training institutions and consultancies in delivering the activation measures.

Hence, it could be said that the present liberal-conservative government at the national level continues its predecessors fluctuating involvement of the social partners that in an international comparative perspective might be strong, but still clearly ensure that government control is not lost. Consultation, rather than concertation, is the norm. This supports the path-dependency hypothesis. At the local-regional level, where the influence of the social partners previously might have been at the highest level, the social partners seemingly will be weakened in the near future, but it is too early to judge about the extent to which this will impact the corporatism in this policy area.

The development in the period shows the role of several of the dynamics from the hypotheses. That the role of the social partners where extended in the early 1990s is related to the perceived implementation capacity of the social partners. Without this belief, at a time when the tendency in the neighbouring countries was to reduce the role of the social partners, an extension of the role would not have been possible. Moreover, it was a weakening in the perceived implementation capacity of the social partners that led to the partial recentralisation and weakening of the role of the social partners in the mid 1990s.

But also the legitimacy thesis is supported. The social partners, especially the LO, have been eager to be involved in welfare related policies. On a number of occasions they have successfully used consultations and media debates to influence policy formulation. The strongest example of this was the consultation with regard to the ‘third phase of the labour market reform’ that took place in connection with the attempts to expand tripartite cooperation in 1998-99 in the aforementioned then newly established Tripartite Forum. To the surprise of the government, the social partners managed to agree on all matters on a bipartite basis prior to the actual consultation process, and agreed to a quid pro quo on a further shortening of the maximum benefit period and in exchange for improvements in the intensity of activation. (Mailand and Due 2003; Mailand 2006). However, it has been proposed that the social partners blue-printed what the government would have introduced in any case (Christensen et al. 2004), and

that the trade unions paid a high price in relation to the substance in order to have an important role to play in policy processes.

3.3 Continuous training

Continuous training took off when the labour market training centres – AMUs – were established in the 1960s. Over the years, a range of continuing training courses have been developed, some more vocational than others. The numerous courses can be divided into vocational adult education and training (in which AMU are one of the cornerstones), general adult education and training and general education ('folkeoplysning'). Continuous training - including training for employed - has to a larger extent than in most other EU-countries been publicly financed. The level of activity is the highest in the community. The so-called 'occupational self-governance' has been the governance model and bi- or tripartite bodies are found on all levels: An *inter-sectoral council* advising the minister, *sector-based so-called 'Further Training Councils'* as well as *boards on the individual schools*.

The latest continuing training reform from 2001 introduced the (tripartite) *Board for the Labour Markets Financing of Education and Training*. As part of the reform's aims to concentrate public finances on the less skilled and on formal or recognized competences as well as to include more companies in financing the activities, the board was asked to give advise on the total volume of continuous education and financing of the activities and how the different activities should be weighted. If the foreseen activities exceed the budgetary limit, the board has the opportunity to request for additional funding from employers. This is in line with another tendency to increase the role of the social partners in continuous training, namely the introduction or extension of employees' rights to take part in continuous training (Due et al. 2004).

The preparation of the 2001 reform took place without the participation of the social partners in the pre-legislative committee that concluded its work in 1999. However, the white paper was discussed in the 'Tripartite Forum' and its affiliated Statistical Committee (see above). During the negotiations, the social partners agreed with most elements of the reform as proposed in the white paper, including the guidelines for the Labour Market Financing of Education and Training which later became one of the new features in the reform (Due & Madsen 2005). Hence, what started out as a process the social partners was excluded from, ended up in a concertation process. More recently, civil servants published in autumn 2004 an in-dept study of continuous training in Denmark, which formed the starting point for tripartite negotiations in early 2006. These negotiations led to a tripartite declaration of intent that might again led to an agreement on a large-scale reform in the area in the coming years in order to make the social partners carry a greater part of the financial burden of continuous training. In the private sector collective bargaining in 2007 was as planned established. So far the funds contain a relatively limited amount of money, but agreements on higher contributions to the fund could be agreed upon in later bargaining rounds (Due & Madsen 2007).

In sum, the role of the social partners is similar to the one in activation: consultation and occasionally concertation when new legislation is implemented and permanent involvement of the social partners in implementation of the legislation at all levels. However, the area differs from activation with the set-up of new tripartite bodies and the division of responsibilities even more in flux than in the case of activation. In the future, bipartite relations might become

more important for regulating the demand for - and financing of - continuous training.

The fluctuating division of responsibilities has as consequence that it is difficult to test the hypotheses. However, there is no doubt that the budget restraint hypothesis and the legitimisation hypothesis find some support in the most recent development. The days of tripartite pre-legislative committees are properly over, also in this area, but other forms of tripartism are still going strong. The relative continuity supports the path-dependence argument.

4. The Netherlands

The Netherlands is pertaining to the neo-corporatist ideal-type both in the theories of labour market models and welfare state regimes. It has been pointed to as one of the countries that in the 1990s successfully introduced a number of labour market and welfare state reforms, often with the participation of the social partners and sometimes in the form of social pacts. These have contributed to the so-called ‘Dutch employment miracle’ of sustained employment growth and reduction in unemployment during the late 1980s and the 1990s (Visser & Hemerijck 1997; Ebbinghaus & Hassel 1999).

The bipartite so-called ‘accord of Wassenaar’ from 1982 contains a political exchange between wage moderation and working time reductions and represents the first step towards decentralised bargaining within a framework of centralised coordination. The wage moderation and the introduction of part-time work have contributed significantly to the employment growth in the late 1980s and the 1990s (CPB 1991; Hemerijck et al. 2000). Other important agreements have followed in the 1980s and 1990s, for instance ‘Agenda 2002’ in 1997 which aimed at advancing the employability of older workers and pay particular attention to disadvantaged groups, such as ethnic minorities. Recently, however, the Dutch economy has run into difficulties again, and the importance of the Dutch social pacts have been seriously questioned (Becker 2005).

The involvement of social partners has also taken place in ad hoc negotiations as well as in permanent bodies: The bipartite Foundation of Labour (StAr) meets twice a year with a delegation from the government. One of the important outcomes from this body was an agreement, which lowered the dismissal protection of core workers whilst at the same time enhancing employment and social security for atypical workers (Hemerijck et al. 2000). Also the tripartite Social-Economic Council (SER) - involved in some 40 major pieces of advice every year - is of importance (van der Meer et al. 2005).

4.1 Activation

In activation policies, self-administration and self-regulation play a limited role. Regulation includes unilateral state regulation, consultation and concertation, and increasingly also marketization in the form of New Public Management.

SER has, among other things, a role to play in the development overall guidelines for activation policy (Visser & Hemerijck 1997). Although the central-left government, which came into power in 1994 abolished the obligation to consult and later often bypassed SER in the

pre-legislative work (Ebbinghaus 2002: 7), SER still has a role to play in consultation and concertation processes, also in relation to activation policies.

Before the 1990s, the social partners did not play an important role in activation policies, but an extension of their influence took place in 1991 in the Dutch employment service. Social partners were given seats in the Regional Employment Boards - connected to the public employment service - as well as in the Central Employment Board. Both were bodies for consultation as well as concertation. Furthermore, the role of the municipalities was enhanced due to their responsibility for social assistance clients and their respective labour market programmes. However, the reformed public employment service was met with criticism and an official evaluation report concluded in 1993 that stronger state regulation was needed, partly because of slow and indecisive decision-making, partly because the social partners focused on self-interest rather than the 'common good'. Subsequently, the government concluded that the state, and not the social partners, should be the dominant actor in ALMP and took action to re-centralise and 'decorporatise' the policies (Mosley et al. 1998; Visser & Hemerijck 1997).

Reforms of both activation and the social benefits have continued. These reforms have diminished the role of the social partners, but have replaced their roles with market mechanisms more than unilateral state regulation:

The public employment service was privatised in 2002 and a new system was established to co-ordinate activation and social benefit payment, containing both insured and uninsured unemployed. The Centre for Work and Income is a hub in this new system. It represents a 'one-stop-shop' for both unemployed and companies seeking potential employees and operates a job- and CV-bank. The Council for Work supervises the centre. The social partners are represented in this council, but their role is limited. It is the responsibility of the 113 local Centres for Work and Income to select those unemployed that without any further assistance are ready to be employed. The rest of the unemployed are passed on to the Administrative Agency for Employees' Insurance (UWV), if they are insured, or to the municipalities, if they are not insured. These organisations are responsible both for the payment of unemployment benefit and for the activation and job seeking assistance, that are outsourced to 41 different private companies and agencies that are paid by a 'no cure, lees pay- principle'. The largest of these companies is Kliq, the privatised former public employment service (Andersen & Mailand 2002; Beskæftigelsesministeriet 2002; van Berkel & van der Aa 2004).

All in all, the development in this area shows a clear decline in the role of the social partners to weaker forms of consultation at the same time as unilateral state regulation and market-simulating steering has been strengthened; collective agreements do not have any extensive role in activation, even though some cases can be found (Andersen & Mailand 2002). The substantial reduction in the influence of the social partners in this area has much to do with the state's perception of a reduced administrative capacity of the social partners.

4.2 Continuous training

Like Denmark, the Netherlands is among the EU-member states with the highest VET-activity and the highest level of public spending in this area. Social partners play an important role at all levels. SER, among others, is involved in pre-legislative work and the long-term strategies

on continuous training. The latest strategy is from 2003 and concerns the role of vocational training in bringing forward the knowledge economy. At sector level, the tripartite organisation Colo is the association of expertise centres on vocational education, training and the labour market organisation that have committees for each branch. These committees define occupational profiles, which are subsequently elaborated by educational institutions into educational profiles (Maes 2004).

Courses for the unemployed as well as adult education and general secondary education for adults are mainly publicly financed and supplied through the Regional Training Centres, which have tripartite boards. However, private training providers have entered the area. Training for the employed is financed by non-public sources and delivered through a greater variety of providers. The collective agreements play an important role for the funding of this training through earmarked funds connected to the collective agreements; the funds are mostly sector-wide, but are in some sectors limited to specific companies. In 1999 around 40 percent of the companies were associated with sectoral funds that have gradually grown during the 1990s (Maes 2004: 61). In 2004 the large majority of the collective agreements contained provisions related to training and skills development and provided paid leave in connection to training (Grünell 2005).

The division of labour in this area seems to be that concertation and consultation are important in policy formulation as well as in implementation in the supply of the training, whereas self-organisation is important in the demand, even though unilateral employer regulation properly also take place in some areas. Public funding is mainly targeted at the unemployed and those with a lack of basic skills, including immigrants.

Ongoing tripartite relations in this area at national as well as the local and regional level support the path-dependency hypothesis, whereas the extended role of collective agreements – and the reasons behind it – supports the budget restraint and the legitimacy hypotheses.

4.3 Occupational pension

Pension systems are often debated in SER and Star. Moreover, in 1952 the tripartite Social Insurance Council was set up to oversee bipartite Industrial Insurance Act. In the early 1990s, one-sixth of the labour force received full or partial disability benefits. The rapid increasing number of benefit receivers was explained by the social partners' misuse of these benefits to divert redundant workers from overt unemployment (Visser 1998). Following a public debate on the collusion of the social partners in using disability funds for labour shedding, the self-administration was remoulded in 1995 and 1997. An independent public supervisory agency was introduced and replaced all the bipartite sectoral funds (Ebbinghaus 2002: 10-11; Visser & Hemerijck 1997: 140-50).

Although the social partners' role in disability pensions' has been eliminated and taken over by unilateral state actions, the social partners still run the occupational pension funds after self-organising principles. The Dutch occupational pensions are among the most developed in EU. Membership of the schemes is mandatory; they follow the pattern of sectoral agreements and cover around 90 percent of all employees. The board of sector schemes consists of equal amounts of representatives of unions and employers organisations. The board of company

schemes consists of representatives appointed by the employer and representatives appointed by the works council and/or the employees. Social partners are not involved in the insurance schemes. The government aims at gradually extending the coverage to all employees, eliminating the so-called white spots - however this has not happened yet (van het Kaar 2004).

In sum, both social partners and the government support the present system. But the occupational pensions are still a major issue in the Netherlands. The financial shortfall of pension funds (explained by the fact that a large share of their resources are invested in the weakly performing stock market) has confronted employers and employees with higher contributions, eating into the scope for pay increases and placing pressure on collective bargaining (Grünell 2005). Tripartite relations are important on the national level since these issues are debated in SER as well as in other bodies. The role the social partners are playing through the funds linked to the collective agreements could be explained by the legitimisation and the budget restraint hypothesis. It still remains to be seen if the problems that the funds recently have experienced will reduce the perceived implementation capacity of the social partners as was the case with the disability pension schemes in the 1990s.

5. The United Kingdom

Traditionally, the division of labour between state and social partners has been relatively sharp in the UK, with a limited role for the state in industrial relations and very limited involvement of the social partners in welfare policies. Nevertheless, the UK experienced a short period of closer tripartite cooperation in the 1970s, most importantly with the appearance of the Manpower Service Commission, related to education, training and employment policies. During the years of conservative rule (1979-97), the Manpower Service Commission was winded-up. There was hardly any tripartite activity in this period.

In 1997, the newly elected New Labour government put social inclusion high on the political agenda and partly re-recognised the role of trade unions in society, even though parity (with employers) was far from established, and much of the anti-trade union legislation remained in place. Since then, ad hoc bi- and tripartite agreements on single issues have been signed and the social partners have more often than before been invited to take part in the policy making process and in the implementation of different programmes at different levels. At national level the role has often been in connection to the so-called 'task forces', and maybe most important, the tripartite Low Pay Commission.

5.1 Activation

One of the task forces is directly related to activation: The permanent multipartite body New Deal Task Force was set up in 1997 to support policy formulation and strategic thinking in relation to the New Deal programme. New Deal is the most important activation programme in the UK. It aims at improving the employability of the unemployment clients through individual guidance and a choice between different activation options.

The New Deal Task Force (know the National Employment Panel) is a consultative body and has no decision-making power and moreover no statutory basis. The trade unions, the em-

ployers' associations and the NGOs are all represented, but the employers associations have most representatives. In 2001, NDTF was renamed the National Employment Panel and its focus was widened to include employment policy in general.

Other consultative bodies in relation to activation were established in 2001 in connection with the amalgamation of the public employment service and the benefits' agencies into one organisation (Jobcentre Plus). Two advisory committees were established: one for employers and one for other stakeholders. The latter so-called Stakeholder Forum has 19 representatives from civil organisations and one from the Trade Union Congress (TUC). These two advisory committees have a more down-to-earth focus whereas the National Employment Panel focuses on general strategic decisions.

At local and regional levels, local task forces have been established with the same representation as at the national in order to support the public employment service that has the overall responsibility for implementation of the New Deal. Local partnerships have also been responsible for the planning and implementation of the New Deal in 144 delivery unit areas across the country, with provision most often co-ordinated by the Employment Service in partnership with other key actors such as Learning and Skills Councils, local authorities, voluntary sector organisations, education and training providers and careers services (Lindsay & Mailand 2004). However, these partnerships were mostly de facto contractual relationships between PES and the service providers and they have stopped operating in most areas (Mailand 2006). The social partners' role has been strengthened as the trade unions are now guaranteed a seat in the Learning and Skills Councils, but the majority of the representatives remain business representatives. Despite of this strengthened role of the social partners, it is important to emphasise that market forces are still very important for the steering of the policy in that contracting-out on market-based conditions is still a crucial mechanism in the delivery of the active measures.

In sum, the Blair government has taken limited, but noteworthy, steps in the direction of greater involvement of the social partners in activation policy, even though the rhetoric about 'partnerships' might exaggerate the extent of the involvement. Employment policy remains very much controlled by (national level) public authorities and concertation hardly ever happens. Bipartite process play no role in relation to activation policy, but Confederation of British Industry (CBI) and TUC have, inter alia, signed agreements on inclusion of ethnic minorities that could be classified as self-governance (Mailand & Andersen 2001).

Because the changes that have taken place in relation to the role of social partners in this policy area are minor, the path-dependency hypothesis is supported. The minor changes in role of the social partners still respects the British non-corporatist state tradition, where the social partners have privileged access to the governments vis-à-vis other interest-organisations. The changes might first and foremost be a result of the change of government. Even though it is not always so that social-democratic and labour governments involve the social partners more than liberal and conservative governments, the former might rarely exercise a near total exclusion of the social partners as the conservative governments did in the UK from 1979-1997.

5.2 Occupational pension

The old age pension is in the UK steered by the state, but social partners and NGOs are normally consulted before new legislation is introduced (Larsen & Daguette 2003). Occupational pensions schemes were first introduced in the 1970s, but the schemes established since then are largely company-based; collective agreements at sector level (where they exist) and at company level do not play any important role in these. With the exception of the public sector, trade unions have been unable to influence the occupational pension schemes (Ebbinghaus 2002: 11). Even now, there is little evidence to suggest that the setting of premiums is being set off against wages, for example. Nevertheless it is becoming more common for negotiations between employers and employees to resolve particular crises over the pension schemes (Newell 2004).

44 percent of the working-age population contributes to one of the schemes, making the UK occupational pension schemes one of the more extensive in EU, with public administration and the formerly public-owned energy and transport showing the highest figures and professional workers showing more than double the coverage of unskilled workers (EIRO 2004).

The role of the state is relatively limited in the regulation of the occupational pension schemes; nevertheless, the law of Trusts governs the pension funds. This places responsibility for running the schemes with a third party that is legally separate from the employer and its members. Scheme members have the right to choose at least one third of the trustees. The government has introduced a bill to Parliament to limit the amount of money that can be paid into pension schemes. At the moment, there is no limit on how much employers and employees can pay into a scheme each year, tax-free. The bill introduces a lifetime limit of 1.5 million £, to be index-linked (Newell 2004). More importantly in relation to the division of labour between state and social partners has been that pension has been added in 2004 to the list of core bargaining issues under the statutory procedure (Hall 2005a).

TUC has welcomed the fact that the government plans to maintain a role in a second-tier provision, but is concerned about the plans to turn it into a flat-rate benefit in the near future (EIRO 2004: 18). CBI, which had lobbied strongly against compulsory employer contributions, has been pleased by the majority of the proposals and encouraged by what they describe as the government's "light touch" approach. Their main concerns relate to the new GBP 1.5 million limit.

In sum, the occupational pensions are largely left to the market, but the state is through the limited legislative framework calling for greater role for collective agreements – something that the social partners seem to accept. The social partners are also involved through consultation and in commissions, but without being able to change much. The pension industry seems to have been much more influential (Larsen and Daguette 2003).

Being a new policy area path-dependency can hardly be an explanation, but the still limited role of the social partners still there is not much to explain in terms of tripartism.

5.3 Continuous training

The UK has been known for its skills-deficit for years, and succeeding governments have

taken various initiatives to improve supply and demands of skills. These include, among other things, a united certification system (British National Vocational Qualifications), a new apprenticeship system (Modern Apprentices), the programme University for Industry and the now abandoned training vouchers, Individual Learning Accounts.

After the winding-up of the Manpower Service Commission in the 1980s and the set-up of the employer-led Training and Enterprises Councils trade unions were for years not involved by the government in this area, but in recent years partnership has been strengthened by the set-up of a number of bodies with the trade unions as well as employer representation: Trade unions are guaranteed membership on these in the Sector Skills Councils that were set-up in 2003. The Councils are informed by a national Sector Skills Development Agency, and overseen by the national Skills Alliance, which has membership drawn from both TUC and employers, and is led by the relevant government ministers. Its main role is to provide strategic direction on skills policy and to assist Sector Skills Councils to reach agreements on targets and funding for training.

The (national-level) Learning and Skills Council is another important body, where both employers and trade unions have a voice (even though employers have more representatives than trade unions). The Learning and Skills Council has the responsibility for funding and planning all post-16 education and training other than at universities. Also local Learning and Skills Councils were set-up.

Despite of initiatives such as the TUC's Bargaining for Skills, collective bargaining over training is still a relatively rare phenomenon, but joint work, consultation and other forms of employee involvement in training provision are more widespread (DTI 2003). In the 2004 revision of the Employment Relations Act, the government did not add training to the core bargaining issues on the list of the statutory bargaining arrangements that potentially can be imposed on employers (Hall 2005a).

All in all, the British system includes tripartism on the supply of continuous training, but not bipartite self-administration as is seen in other countries. The demand for training is mostly employer-led, but collective bargaining on training and weaker forms of employee involvement does take place. With similarity to the development in activation policy, the role of the social partners has been strengthened, but only to a limited extent, and again in a form that does not provide parity between employers and trade unions. Therefore path-dependency seems to be important in this area too and the minor changes that have taken place could be explained by the change of government.

6. Conclusion and perspectives for further research

The findings from the three countries and the three sectors lead to three general conclusions. Firstly, it is remarkable that the nine cases include no path-breaking change. The most dramatic change in the sample is the severe reduction in the influence of the social partners on Dutch activation policy, but with only a very short period of strong social partner influence in this area the change can hardly be described as path-breaking. With no case of path-breaking

change, *path-dependency must be concluded to play a crucial role* – even though the development of occupational pensions is so new that this sector not really fit a test of this hypothesis.

Table 2 Explanations for development of tripartism in the three countries

	Denmark	the Netherlands	the United Kingdom
Activation	path-dependency perceived implementation capacity legitimization	perceived implementation capacity	path-dependency government change
Continuous training	path-dependency budget restraint legitimization	path-dependency budget restraint legitimization	path-dependency government change
Occupational pensions	budget restraints legitimization	budget restraints legitimization	

Secondly, even though it is not possible to point to only one or two dominant explanations for the changes in tripartism that have taken place, some of the explanations seem to get more support than others. Where the role of tripartism has been diminished the reason has been a reduction in the government’s believe in the *implementation capacity* of the social partners, whereas extended social partner influence primarily can be explained by either a *change of government* or a combination of government incentives to privatize policies because of *budget restraint* and the social partners need for *legitimacy*.

A number of hypotheses are either not supported by the cases or cannot be tested because the case-stories do not include sufficient information. The drivers emphasized in the literature on social pacts, such as international competition and the EMU, do not seem to be of any great importance for the policy areas analyzed. This is maybe not so surprising because the sample exclude wage bargaining and pays as much attention to regional and local forms of tripartism as to peak-level tripartism.

The blame avoidance hypothesis does not get much support from the cases either. The reason might that the content of the three policy areas/reforms in focus is mostly about what could be called ‘positive’ issues and about granting citizens with ‘more’ benefits rather than ‘less’ (see also Due & Madsen 2003). This is especially so in continuous training and occupational pensions, whereas activation policy is a mixed case, because tripartite agreements on activation sometimes include reductions of unemployment benefits in addition to active measures. A case in point is the aforementioned 1998 tripartite agreement on a third phase of the celebrated Danish labour market reform of the 1990s. The agreement contained a political exchange on a reduction in the maximum unemployment benefit period for a guarantee, that unemployed people would be offered more intensive activation. However, the then largest Danish union – the general workers union SiD – rejected this exchange and opted-out from the agreement, as they believed the quit-pro-quo would be unconvincing for their members.

It has not been possible to test the power hypothesis with the present sample. With the thesis’

emphasis on organizational strength, it shows some overlap with the implementation capacity hypothesis, but it is still somewhat different. The power hypothesis is properly relevant for some of the cases and a deeper analysis might show that what are here called changes in perceived implementation capacity in reality are changes of power relations.

Thirdly, the nine cases show *differences between policy areas in addition to the national differences*. National variations are found in the explanations for changes in the level of tripartism. Most importantly, the absence of the budget restraint/legitimization explanation in the UK reflects that the social partners are usually not delivering welfare state service, as they do in Denmark and the Netherlands. Again, this fits well expectations from path-dependency explanations.

Policy area specific dynamics are especially evident in Denmark and the Netherlands. In the Netherlands, there has been a decline of tripartism in activation and disability pensions, but continuation - and even strengthened role for the social partners - in continuous training. This means that the doubt about the implementation capacity of the social partners is not found in all policy areas. Denmark also shows different patterns where the involvement of social partners simultaneously has been extended in continuous training and weakened in activation policy within the last two or three years.

The variation between the policy areas might be explained by a difference between activation policy on the one hand and occupational pensions and continuous training on the other. Whereas the social partners increasingly take part in the financing of pensions and continuous training, activation policy is so far nearly exclusively financed by the state – and there are no signs of any change in this regard in spite of the contracting-out tendencies. As a consequence the budget restraint dynamic plays no role in activation. The increased involvement of the social partners in policy formulation of continuous training policies - as it has been seen in Denmark and to some extent in the Netherlands - could be the price the government pays in order to make the social partners take part in the financing of the training.

This indicates that the role of the social partners not only varies across countries and policy areas, but also according to different ‘functions’. Research on tripartism could properly benefit from systematic analyses of the role of social partners according to these different functions. A preliminary division could be established between 1) policy formulation, 2) financing, 3) delivery and 4) take-up of a particular ‘service’ or ‘benefit’. The third functions refer to the ‘fine-tuning’ of policies that takes place in tripartite boards at sectors, regional or local levels as well as to the point where the system meets the clients and the service is delivered. The fourth function refers to the regulation of the demand of the services, where the social partners might play a role, for instance through the collective agreements.

The analysis in this paper is only a ‘first hand’ evaluation of the dynamics behind the changes in the role of the social partner. Deeper and broader research is needed to test the different hypotheses properly.

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