### Title:

Analysing the discourse of a "regulatory" agency in contrast to a "monitoring" and a "cooperation" agency: the meaning and effects of the three agency models on the EU system.\_

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### **Abstract**

This paper analyses the role of three European agencies that operate in different policy areas, namely drugs (EMCDDA), vocational training 0100090000032a0200000200a2010000000a201000026060f003a03574d46430 10000000000100b75d000000001000000180300000000001803000001000 00000000000000001000000b10e00001e00000250000000c0000000e000 080250000000c0000000e000080120000000c00000010000005200000070010000012006cd012001000000d0d3120050d1120052516032d0d31200c8d01200 1000000038d21200b4d3120024516032d0d31200c8d012002000000091772f31c 8d01200d0d3120020000000fffffff6cce3a0118782f31ffffffffff0180ffff01800fff01 80fffffff00000f0000080000008000004e212000100000000000005802000025 000000372e90010000020f0502020204030204ef0200a07b2000400000000000 000009f0000000000000430061006c006900620072000000000c07f4d0370a0 6032720f60354cce3a016445c600fcd012006a3a2731060000000100000038d112 0038d11200a07925310600000060d112006cce3a01647600080000000250000 000c0000001000000250000000c000000100000250000000c00000010000001e0000001000000452087403f408740000000057000000010000004c00000 004000000000000000000000b30e00001f0000005000000020000003600000 046000000280000001c0000004744494302000000fffffffffffffb20e00001f00000 00e000080250000000c0000000e0000800e00000014000000000000001000000 01400000040000003010800050000000b02000000050000000c0205007d0 2040000002e0118001c000000fb02030001000000000bc020000000001020222 04000002d01000004000002d0100000400000020101001c000000fb02f0ff00 0000002d01010005000000902000000020d000000320a0f000000010004000000000007c020500205c090004000002d01000004000002d010000030000000

(Cedefop), and community trade marks (Ohim). More specifically, the analysis is focused on the everyday discourses of the selected agencies' staff in constructing the role of the EU agencies. The goal is to identify whether there are similarities and/or differences between the three agencies given that they represent different functional categories (monitoring, cooperation and (quasi-) regulatory). The paper also explores the theoretical paradigms that are used to study the agencies and provide the main repository of scientific ideas and discourses. This analysis aims to evaluate the agencies' function as regulatory and independent, monitoring or cooperation and also vis-a-vis a series of other important actors, such as the European Commission, Parliament, member states and other international organisations operating in the respective policy areas. In a nutshell, the paper will present the discourses of the agencies' self-images in an effort to juxtapose them with the theoretical frameworks that proclaim the role of the agencies.

### 1. Introduction

This paper studies the ways interviewees in three Community agencies construct the meanings of the role and nature of the EU agencies. The three selected agencies belong in three different functional categories. These are: the European Centre for the Development of Vocational Training (Cedefop), the European Centre for Drugs and Drug Addiction (EMCDDA) and the Office for Harmonisation of the Internal Market (Ohim). Following the example of the American regulatory agencies, a debate has emerged recently whether the EU agencies are, or should be, regulatory. So one can identify competing scientific frameworks regarding the appropriate role of the Community agencies. The analysis puts forward the argument that individuals' discourses in the EU agencies about the agencies could draw on some of the major scientific arguments and ideological dilemmas found in the scientific literature on the EU agencies. If this emerges to be the case, then we will be better able to understand the meaning attributed to the EU agencies by the agencies' discourses in

relation to the existing normative frameworks.

Below, we present what is meant by regulatory agencies in general, and how these arguments are used by different frameworks in the case of EU agencies. The theoretical framework and the methodology of this research investigation are then briefly outlined. In the last section of the paper the results from the discourse analysis are presented.

### 2. Normative criteria of Regulatory Agencies

By regulatory agencies we generally mean bodies possessed of legal powers and at least certain decision making powers. Usually they are either able to set binding rules (rule making), which is essentially 0100090000032a0200000200a2010000000a201000026060f003a03574d46430 10000000000100b75d00000000100000018030000000000180300000100000000000000000001000000b10e00001e00000250000000c0000000e000 080250000000c0000000e000080120000000c00000010000005200000070010000012006cd012001000000d0d3120050d1120052516032d0d31200c8d01200 1000000038d21200b4d3120024516032d0d31200c8d012002000000091772f31c 8d01200d0d3120020000000fffffff6cce3a0118782f31ffffffffff0180ffff01800fff01 80fffffff00000f0000080000008000004e21200010000000000005802000025 000000372e90010000020f0502020204030204ef0200a07b2000400000000000 000009f0000000000000430061006c006900620072000000000c07f4d0370a0 6032720f60354cce3a016445c600fcd012006a3a2731060000000100000038d112 0038d11200a07925310600000060d112006cce3a01647600080000000250000 000c000000100000250000000c000000100000250000000c00000010000 001e0000001000000452087403f408740000000057000000010000004c00000 00400000000000000000000b30e00001f0000005000000020000003600000 046000000280000001c0000004744494302000000fffffffffffffb20e00001f00000 0000000046000001400000080000004744494303000000250000000c00000000e000080250000000c0000000e0000800e00000014000000000000001000000 01400000040000003010800050000000b02000000050000000c0205007d0 2040000002e0118001c000000fb02030001000000000bc020000000001020222 04000002d01000004000002d0100000400000020101001c000000fb02f0ff00 0000002d01010005000000902000000020d000000320a0f000000010004000000000007c020500205c090004000002d01000004000002d010000030000000

subordinated to a superior (or supreme rule making bodies with legislative powers) or to reach binding decisions in particular cases (adjudication) (Coleman 2004; Yataganas 2001; Chiti 2000). Regulatory agencies could enjoy discretionary power to the extent that they establish, monitor and reform rules in their field of responsibility. Regulatory agencies have been initially founded within national contexts. The reasons for their creation are mostly due to the difficulties of the legislative processes to deal with the growing complexity of issues that require regulation and the rapid development in highly technical and specialised policy areas (Kelemen 2002). As a result, discretionary rule-making and adjudicative powers are delegated to bureaucratic agencies that are able to provide the necessary technical expertise (Kelemen 2002). This means that agencies are autonomous from their respective governments in order to enhance the credibility of their policy commitments.

In short, the normative characteristics attributed to regulatory agencies are the following: a) they operate at arm's length from the main hierarchical 'spine' of central institutions, b) they perform public tasks e.g. service provision, regulation, adjudication, certification at a national level, c) they consist of public servants, d) they are subject to public administrative law procedures and e) are financed by the state budget (Talbot et al. 2000). In addition, there is a common rhetoric regarding the agencies' goals and benefits in political, policy and administrative terms (Talbot et al. 2000). Politically, agencies are regarded as a method of enhancing the legitimacy of public institutions in the eyes of an increasingly sceptical and detached public. In policy terms, agencies are seen as a rational and strategic method for the definition of policy goals, means and outcomes. Finally, in administrative terms agencies are considered as less bureaucratic, performance oriented, consisting of flexible managers and motivated experts, who are accountable to the central institutions, avoiding, thus, the diffusion of responsibility.

Yet, in practice one can realise that the aforementioned normative definitions and characteristics attributed to regulatory agencies apply partially and in a quite differentiated manner in the case of the EU Community agencies. It is indicative, for example, that Coleman states that: "(...) the Community legislator has largely confined itself to creating Community agencies to provide technical in-put for the exercise of regulatory powers rather than exercise those powers themselves, except as regards adjudication." (Coleman 2004: 4). Following the theoretical framework of discursive psychology, the goal of this paper is: first to discuss the scientific discourses that explain the Community agencies and unfold the formal ideological systems that underpin them, which are known as "intellectual ideology" (Billig et al. 1988); second to analyse the discursive constructions in the three agencies or the informal common sense known as "lived ideology", that is intended to uncover the potential

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inter-relations, similarities and differences between the two "ideologies" (Billig et al. 1988)¹. This will help us understand the pervasiveness of some discourses and the strengthening of dominant ideologies for the agencies and the EU in general, or respectively their 'disarticulation' through the articulation of alternative lines of argumentation.

### 3. Theoretical Framework

There are two aspects that are relevant to the theoretical framework adopted in this paper. The first is related to the discipline that has provided the analytical tools of this paper: 'discursive psychology'. The second aspect concerns the theoretical paradigms that are used, mostly in the field of political science, to study the agencies and provide the main repository of scientific ideas and discourses. Each are surveyed in brief below.

### 3.1 Discursive psychology

Epistemologically speaking, discursive psychology draws heavily on social constructionism. It is as an eclectic approach that combines a post-structuralist strand that focuses on discourse, power and the subject as well as an interactionist perspective that builds on an analysis of people's everyday discursive interactions. The basic principle of discursive psychology is the focus on language and not on individuals as in traditional psychology. One of the goals of discursive psychology is to study how people construct their understanding of the world in their social interactions and how discourse is constructed in relation to social action (Potter & Wetherell 1994). Discourse is defined "as all forms of spoken interaction, formal and informal and written texts of all kinds" (Potter & Wetherell 1987: 7). Language is not understood as a transparent mirror

<sup>1</sup> Intellectual ideologies are products of intellectuals or academics in a form of a system of political, religious or philosophical thinking (Billig et al. 1988: 27-28; Edley 2001). Lived ideology, on the other side, is society's common sense, way of life or culture (Billig et al. 1988: 27-28). These ideologies seek to describe the social patterning of people's everyday thinking and are often considered as the condensed wisdom of a society (Billig et al. 1988).

through which we can see reality, but as a medium orientated to action. Hence, for having an understanding of what discourse is doing, it is necessary to unpack and render visible the business of talk or the respective rhetorical struggle.

Four basic principles can be mentioned that structure the present analysis: a) language is considered as social action. People perform actions of different types through their talk, such as arguing, blaming, making a request. In order to make their talk more effective, they use factual and descriptive language. Therefore, it is worth looking at the way talk is organised rhetorically (Potter 2004; Billig 1990); b) People use language to construct versions of the social world (so discourse is constructed) while discourse also constructs the social world and versions

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of 'reality'. In this sense, there are various constructions of the world, some of which are preferable or more effective than others; c) Knowledge, whether common or scientific, is seen as social, intrinsically rhetorical, historically and inter-subjectively produced. Accordingly, the objectivity of scientific knowledge is doubted; d) In order to understand the meaning of a discourse, it is important to understand the socio-historical context in which discourse is produced.

The above principles underpin the three selected concepts, "interpretative repertoires", "subject positions" and "ideological dilemmas" that guide the empirical analysis. The focus of the latter is on the macro-discursive as well as the micro-discursive phenomena of talk-in-interaction. In other words, we will need to study the broader context of the agencies in order to make sense of the discursive patterns that emerge in the everyday interactions (Potter & Wetherell 1987).

### 3.2 Scientific discourses on EU agencies

The scientific theories on EU agencies are important because they can be used as discursive resources by the interviewees in the agencies. That is to say that when individuals speak about the role, nature, and relation of the agencies to the EU, they draw on the scientific literature. At least three strands of the scientific theories can be identified in the everyday discourse of individuals.

The first can be considered as a normative discourse since it employs very similar argumentation like the one which defines a regulatory agency in section 2. It frames EU agencies as 'independent regulatory agencies with power' and one of its chief advocates can be considered as Majone (1996; 2002a, b). According to Majone, an agency is defined as "a part of government that is generally independent in the exercise of its functions and that by law has authority to take final and binding action affecting the rights and obligations of individuals" (Majone 2002b: 300). As with their US counterparts, EU agencies are considered as fulfilling a very important public service function. However, the normative approach has been

challenged on a number of grounds. According to Shapiro independence in the US context means something particular and is used in different ways (Shapiro 1997). For instance, it is employed almost exclusively in budgetary terms and independence means independence from the immediate control of either of the two major political parties. The US experience, to sum up, is seen to have little relevance for the EU due to the peripheral role of political parties in the EU (Shapiro 1997). In short, agencies as independent regulatory bodies presuppose the EU as a "regulatory state" (Majone 1996).

The second scientific discourse presents the EU agencies through a pragmatic analytical framework. Here agencies are viewed as dependent bodies with limited power. The goal is to identify the "pragmatic" reasons

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for the agencies' creation, to provide a more "pragmatic" elaboration of the concept of independence, as well as a more "pragmatic" account of the forms and structures of the existing agencies (Kelemen 2002). In this account inter-institutional politics, intergovernmental dynamics, and ultimately power politics take the centre stage (Williams 2005; Kelemen 2002; Shapiro 1997). This discourse tends to undermine the notion of independence, although it does acknowledge EU agencies are granted limited autonomy and powers.

The last scientific discourse relates to the EU's own official discourse on the agencies. All agencies are assigned with a set of tasks which all aim at providing support to the EU and its member states. In many respects, the common goals of the agencies can be interpreted as promoting the Community's services as well as serving the supranational interest: on the one hand, by working for all member states to identify new needs that the EU should respond to, and, on the other, by serving the 'European public interest' (Groenleer 2005). It becomes clear that although the official EU discourse on agencies can be close to both the normative and pragmatic discourses it has broader political ambitions. The use of similar argumentation or jargon does not necessarily mean that it subscribes to either of the two previous discourses. Instead, what is distinct about this discourse is its emphasis on the symbolic role of the agencies as well as the importance of the EU as their founder.

## 4. Methodology

The empirical research focused on three out of the ten agencies that existed at the time (Cedefop, EMCDDA, Ohim). The selection was based on three different categories and subcategories that are used in the classification developed by Kreher (1997)<sup>2</sup>. The main tool used for collecting the everyday discourses in the agencies was through in-depth, semi-structured interviews. A total of seventy interviews were conducted that lasted up to an hour each. Nineteen took place in the agency in Lisbon, thirty-two in Alicante and nineteen in the agency in Thessaloniki<sup>3</sup>.

<sup>2</sup> See Annex 1 for further details on the breakdown of agencies by role-function.

<sup>3</sup> The process of data collection took place in the period between the end of April until

Sixty-eight interviewees agreed to have their interviews tape-recorded, and these were all fully transcribed.

Although various topics were discussed during the interviews, the interviewees were asked to answer the following questions:

- What do you think about the role of the European decentralised agencies within the EU architecture?
- What is the role of the agency in which you are working? Is it achieved?

the end of September in 2001, excluding the months of July and August due to summer holidays. In EMCDDA, the questionnaire and interview data were collected from 20th April until 23rd May, in Ohim from 25th May until 26th June and in Cedefop from 10th September until 11th October.

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- Why do you think agencies were created and what is their function?
- What do you think about the fact that agencies are referred to as decentralised or independent bodies of the EU? What is the meaning of this reference?

Following the premises of discursive psychology, the research sample was chosen according to the criterion of variety and differentiation of linguistic patterns rather than representativeness of individuals' characteristics (Marshall 1994). Nevertheless, the sample was designed to be broad by including participants with "typical" as well as "exceptional" formal characteristics (Taylor 2001; Wood & Kroger 2000). Annex 2 provides a statistical breakdown of the gender, nationality and socio-economic status of the interviewees.

### 5. Three Interpretative Repertoires on Community Agencies

In this part, we will discuss the meaning of an agency as this is constructed by selected small and representative extracts from the interviews with individuals in the three EU agencies. The analysis has shown that within every agency there are similar discursive constructions of the role of the agencies independently of the functional category to which every agency belongs. Only in one repertoire we find that there is a distinct line of argumentation that appears in the Ohim, which is representative of the so called category of the 'quasi-regulatory' agencies.

The selected extracts included in the analysis fulfil a series of criteria, concerning comprehensiveness, content, length and variety. Furthermore, as the three repertoires emerged in the discourse in all the three agencies, equally extracts have been selected from the interviews from all the three agencies. Yet for practical constraints regarding the length of this paper, just one extract is displayed for every line of argumentation<sup>4</sup>. The extracts are given a number according to the order they are presented here. They are also labelled by a pseudonym of the

<sup>4</sup>The rest of the material can be at the disposal of every interested reader.

interviewees in order to facilitate the reference to the particular extract as well as its discussion.

### 5.1 Agencies as "Community Agencies"

This first repertoire contains four lines of argumentation which represent the agencies as "Community agencies". This means that agencies are constructed as specialised EU bodies and are attributed with a function that is complementary to the rest of the EU institutions and the overall EU integration project either through the agencies' specialised task or by being close to the citizens of various member states. In three of the four lines of argumentation, agencies are represented positively, while in the last one they are described negatively mainly because they operate at a

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distance from the EU and in an independent way.

# 1. "Agencies as being closer to Europe and its citizens"

The first line of argumentation constructs agencies as carriers of the EU and, more broadly, the European idea. This normative goal of agencies' decentralisation is represented in terms of physical distribution of Europe's ideals and values in the country or city where an agency is situated. Agencies, thus, are constructed as means for increasing the visibility of the EU, disseminating the European idea, responding to the needs of the citizens and increasing the citizens' knowledge about the EU throughout the EU member states.

### Extract 1: Kostas<sup>5</sup>

- First of all there are (.) a quick result there are immediate results from the creation of
- these agencies (1) the possibility with people and also with the citizens and then for
- Alicante (.) people for Thessaloniki people for the London people or for Bilbao, Angers
- and so on. They know they know that the Community (.) the European Community
- 5 exists. This is because at least there are some bodies or at least there are bodies (.) there
- is one body in the need of citizens which a:h there are European civil servants (.) there
- 7 are European bureaucrats working here and they are doing something not just earning
- 8 money.

# 2. "Agencies as promoting integration through their specialised task"

In the second line of argumentation the agencies are presented as contributing to European integration. This is done mainly in terms of the harmonization of different areas of interest through cooperation, the exchange of information, and the production of outputs. The integration task of the agencies is presented in functional rather than in physical or symbolic terms as in the previous line of argumentation. It could be said

<sup>5</sup> All extracts have been transcribed based on a simplified "Jefersonian" style. See annex IV for the explanation of symbols used in the extracts.

that while in the previous line of argumentation agencies were part of an hierarchical model, in the present line of argumentation Europeaness or European unity is achieved in cooperation with the member states. Nonetheless, in this 'exchange model', agencies are still constructed as initiators and managers of the process of European integration through harmonisation in specific areas.

Extract 2: Dora

Question: What do you think is the role of the agency?

### Answer:

We are collecting information from fifteen countries (.) fifteen countries of the European

2 Union and in effect we try to come to one report which tries to analyse this data and

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- compares this data (.) that fact only makes the way we are European. I mean the fact
- that we are bringing together this data (.) analysing them together (.) comparing them
- and publishing one report with the view of the state of the drugs problem (.) that fact
- 6 well (.) is European integration.

# 3. "Agencies as maintaining the balance in the EU"

In the third line of argumentation of this repertoire, the interviewees focus on representing the agencies as European public bodies or services putting forward, firstly, their link with the EU and, secondly, their actual function. With respect to the first aspect, agencies are contrasted with the notion of a private company. Emphasis is placed on their links with the Commission and, in particular, the fact that they are under the Commission's control. This is actually constructed as a necessary condition for their effective operation. With respect to their function, this is described as the provision of "objective" information in their respected area of interest, by operating as an "interface" between various actors.

### Extract 3: Andreas

- But we are in the middle of a very big debate (.) because e:: some people want they
- think that it's more in (.) to transform us into a modern company which gives us what
- the hell with that (.) we are not a company (.) we could never be a company (.) we are
- 4 public service public service we have to to (.) I mean I have to apply the regulations the
- 5 (.) some wherever so efficiency on the one hand of course but (this) goes with the
- 6 European with the public function you know. Prodi gave a speech in November and I
- think in the European Parliament and he told that agencies should be (.) they have to be
- under the strong manner of the Commission. A:m::: strong (.) they mean they want
- 9 more control of the agencies and I think it's necessary as well. It's necessary you know
- 10 because otherwise we will have fifteen agencies which are working around and doing
- whatever they want because for example (.) yeah (.) but it's (.) where do you draw the
- 12 line e::h. Because we are more really kind an interface of...like a

- peacemaking force it's
- more like this. Member states are having problems with each other (.) we are in the
- middle of it to keep to keep things objective.

# 4. "Agencies as isolated organisations due to extreme specialisation and independence"

The fourth line of argumentation differs from the ones above in that it constructs agencies in negative terms. Agencies' independence and autonomy from the EU institutions are evaluated as problematic because they lead to the agencies' isolation from the EU. This produces a lack of visibility, a loss of their European mission or a sense of Europeaness. In other words, the interviewees evaluate the agencies negatively because

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they deviate from their appropriate role as European public bodies inextricably linked to and dependent on the bigger EU institutions.

Extract 4: Paul

Question: What are the agencies (.) their role (.) their function=

#### Answer:

- =Agencies are European without acting like this. [...] Maybe because they become too
- 2 much decentralized (.) too much specialised and in this manner independent. They only
- have contacts with scientists without really being interested in Europe or EU. Certainly it
- is clear that they wouldn't exist if EU didn't exist (.) because they are also funded by it.
- But it is an issue (.) because some of them they have already started to be even
- 6 financially independent. So it can be a serious problem.

### **Discussion**

The lines of argumentation discussed in this repertoire construct the EU agencies as agents of Europeanization whose goal is to diffuse the European idea to the member states either through their symbolic or technical role. The dilemma negotiated in this repertoire is whether agencies are dependent and close or independent and distant from the EU. The antithetical components of the dilemma were expressed in a series of dualities such as public versus private, service versus company, European versus independent. The interviewees built their argumentation by choosing the characteristics of these dualities that built the agencies "Community agencies" as а normative reality (European, decentralised, public services, subsidised by the Commission). At the same time the antithetical characteristics (non-European, independent, private companies, self-financed and profit oriented) are undermined. This is achieved by the use of a consistent rhetoric that is based on the use of a normativity jargon (organised either upon systematic vagueness, consensus and corroboration or footing). This jargon presents the arguments on agencies' role as a undisputable reality with reference to the agencies and to the overall functioning of the EU. The construction of the agencies as "European public bodies" is further reflected in the subject positions adopted by the interviewees. In order to construct their accounts objectively, the interviewees presented themselves as European civil servants, EU functionaries and experts.

This repertoire is informed ideologically by the official EU discourse on "Community agencies". The arguments deployed in this repertoire are similar to those put forward in the official EU discourse such as the agencies' goal to disperse the Community's activities<sup>6</sup>, develop scientific or technical expertise in specific fields, integrate different interest groups and thus facilitate the dialogue at a European (between the social partners, for example) or international level. Agencies are constructed as part of a hierarchical model of Europeanizing Europe, depicted in the

6 <a href="http://www.europa.eu.int/agencies/history\_en.htm">http://www.europa.eu.int/agencies/history\_en.htm</a>

<sup>010009000032</sup>a0200000200a2010000000a201000026060f003a03574d46430 10000000000100b75d00000000100000018030000000000180300000100000000000000000001000000b10e00001e00000250000000c0000000e000 080250000000c0000000e000080120000000c00000010000005200000070010000012006cd012001000000d0d3120050d1120052516032d0d31200c8d01200 1000000038d21200b4d3120024516032d0d31200c8d012002000000091772f31c 8d01200d0d3120020000000fffffff6cce3a0118782f31ffffffffff0180ffff01800fff01 80fffffff00000f0000080000008000004e21200010000000000005802000025 000000372e90010000020f0502020204030204ef0200a07b2000400000000000 000009f0000000000000430061006c006900620072000000000c07f4d0370a0 6032720f60354cce3a016445c600fcd012006a3a2731060000000100000038d112 0038d11200a07925310600000060d112006cce3a01647600080000000250000 000c000000100000250000000c000000100000250000000c00000010000 001e0000001000000452087403f408740000000057000000010000004c00000 00400000000000000000000b30e00001f0000005000000020000003600000 0460000028000001c0000004744494302000000ffffffffffffb20e00001f00000 00e000080250000000c0000000e0000800e00000014000000000000001000000 01400000040000003010800050000000b02000000050000000c0205007d0 2040000002e0118001c000000fb02030001000000000bc020000000001020222 04000002d01000004000002d0100000400000020101001c000000fb02f0ff00 0000002d01010005000000902000000020d000000320a0f000000010004000000000007c020500205c090004000002d01000004000002d010000030000000

motto "bringing the Union closer to its citizens". In this sense, agencies do not operate in an autonomous manner but under principles designed by the core EU institutions (Chiti 2004). Decentralisation/independence is described as a cleavage that relegates agencies to the political periphery, according to the last line of argumentation. According to the official EU rhetoric, agencies with increased independence can turn into entities dominated by technocracy. In order to avoid this situation the best solution proclaimed by the EU institutions has been the monitoring of the agencies' work to ensure the clear subordination of them to the core EU institutions (Coleman 2004). This is besides what is also promoted as the best solution in this repertoire.

### 5.2 Agencies as independent from "Brussels"

The second repertoire contains three lines of argumentation which are structured on the core argument that agencies are specialised, independent and decentralised. The reference to "Brussels", and in particular to the Commission, plays a crucial role in this repertoire. "Brussels" is represented as closely linked with politics, political interests, bureaucracy and other negative characteristics that usually accompany the notion of a public administration. Agencies are frequently compared to them in order to be presented as differentiated, distant and independent, specialised, efficient and better organisations. Therefore, agencies' positive representation is structured upon their efficiency and lack of politics. Following this argument, agencies are only represented negatively in the last line of argumentation where they are depicted as operating without independence, autonomy and flexibility.

# "Agencies as specialised and efficient organisations compared to other EU institutions"

The first line of argumentation presents the agencies as specialised and task-focused organisations. Agencies are evaluated positively in terms of their efficiency, which is the crucial characteristic that differentiates them

from Brussels and, in particular, the Commission. Therefore, agencies contribute to the EU institutional formation through being better and more efficient bodies than other EU institutions.

### Extract 5: Christopher<sup>7</sup>

- 1 I believe that someone could characterise most of these centres
- independent (.) as tanks of thought (.) as think tanks. The European Commission
- assumes the legislative initiatives (.) which it sets for approval to the
- 4 Council. The Parliament decides upon the reckoning of the costs and

### 7 Original text transcribed in Greek:

- Πιστεύω ότι θα μπορούσε κανείς να χαρακτηρίσει τα περισσότερα από τα κέντρα αυτά
- 2 Ανεξάρτητα (.) ως δεξαμενές σκέψης (.) ως think tanks. Η Ευρωπαϊκή Επιτροπή
- 3 αναλαμβάνει τις νομοθετικές πρωτοβουλίες (.) τις οποίες θέτει προς έγκριση στο
- Συμβούλιο. Το Κοινοβούλιο κρίνει τους υπολογισμούς και ζητάει και αυτό τα 010009000032a0200000200a2010000000a201000026060f003a03574d46430 10000000000100b75d00000000100000018030000000000180300000100000000000000000001000000b10e00001e00000250000000c0000000e000 08025000000c0000000e00008012000000c00000010000005200000070010 000012006cd012001000000d0d3120050d1120052516032d0d31200c8d01200 1000000038d21200b4d3120024516032d0d31200c8d012002000000091772f31c 8d01200d0d3120020000000fffffff6cce3a0118782f31ffffffffff0180ffff01800fff01 80fffffff00000f0000080000008000004e21200010000000000005802000025 000000372e90010000020f0502020204030204ef0200a07b2000400000000000 000009f0000000000000430061006c006900620072000000000c07f4d0370a0 6032720f60354cce3a016445c600fcd012006a3a2731060000000100000038d112 0038d11200a07925310600000060d112006cce3a01647600080000000250000 000c000000100000250000000c000000100000250000000c00000010000 001e0000001000000452087403f408740000000057000000010000004c00000 00400000000000000000000b30e00001f0000005000000020000003600000 0460000028000001c0000004744494302000000ffffffffffffb20e00001f00000 00e000080250000000c0000000e0000800e00000014000000000000001000000 01400000040000003010800050000000b02000000050000000c0205007d0 2040000002e0118001c000000fb02030001000000000bc020000000001020222 04000002d01000004000002d0100000400000020101001c000000fb02f0ff00 0000002d01010005000000902000000020d000000320a0f000000010004000000000007c020500205c090004000002d01000004000002d010000030000000

- poses its own
- requests. The agencies I can say that they are a part (.) of a think tank that puts forward
- 6 ideas-proposals (.) which are not certainly binding for the Commission (.) but
- they provide however according to my opinion (.) a valuable fuelling of viewpoints (.)
- opinions(.) perspectives (.) alternative proposals (.) which subsequently the Commission
- 9 examines and channels for implementation (.) through the Council in all member
- states. Certainly the ideas that the agencies produce are products of thought and
- work <u>independent from pressures</u> (.) and political interests. And that's why
- they [agencies] are useful. I think also it's [there is] <u>less</u> bureaucracy in the agencies than
- the Commission (.) it's more (.) you have much more manoeuvre (.) much more I think
- responsibility (.) much more variety because you have to take on much more [tasks].

# 2. "Agencies as independent from "Brussels""

As in the previous line of argumentation, here agencies are also constructed as specialised bodies, independent from Brussels' politics. In this case, however, independence is related to financial autonomy. This line of argumentation is found only in the talk of the interviewees in the agency of Alicante. This is hardly surprising given that this is the only self-financed agency of the three.

δικά του.

<sup>5</sup> Οι agencies μπορώ να πω (.) ότι αποτελούν μέλος δεξαμενής σκέψης και υποβολής

<sup>6</sup> ιδεών-προτάσεων (.) οι οποίες δεν είναι βέβαια δεσμευτικές για την επιτροπή (.) αλλά

<sup>7</sup> ωστόσο είναι κατά τη γνώμη μου (.) πολύτιμη τροφοδοσία με απόψεις (.) γνώμες (.)

<sup>8</sup> προοπτικές (.) εναλλακτικές προτάσεις (.) τις οποίες στη συνέχεια τις επεξεργάζεται η

<sup>9</sup> επιτροπή και τις διοχετεύει για εκτέλεση (.) μέσω του συμβουλίου σε όλες τις χώρες-

<sup>10</sup> μέλη. Οι ιδέες βέβαια που παράγουν τα agencies σαφώς είναι προϊόντα σκέψης και

<sup>11</sup> δουλειάς ανεξάρτητης από πιέσεις (.) και πολιτικά συμφέροντα. Γι' αυτό και είναι

<sup>12</sup> χρήσιμα. Επίσης νομίζω ότι υπάρχει λιγότερη γραφειοκρατία στα agencies από ότι στην

<sup>13</sup> Επιτροπή (.) είναι πιο (.) έχεις πολύ περισσότερο ελιγμό (.) πολλή περισσότερη ευθύνη

<sup>(.)</sup> πολλή περισσότερη ποικιλία γιατί πρέπει να αναλαμβάνεις πολύ περισσότερα.

### Extract 6: Aris<sup>8</sup>

- 1 Here already the fact of being a technical agency let's say [...] because people are
- 2 mainly identified with business. If we have to, have to provide a service e::h for and also
- I don't know whether it is adapted for Europe because the problem here is that your
- 4 service here has as clients all the countries of the world. For our case let's say (.) I do not
- see this phenomenon that you can identify with clarity and explain in a coherent form.

### 8 Original text transcribed in Italian:

- 1 Qui gia il fatto di essere un'agenzia tecnica diciamo [...] perché la gente è
- 2 piuttosto identificata con col business. Se dobbiamo dobbiamo fornire un servizio e::h per anche
- non so adatto per l' Europa perché il problema qui è che il tuo
- 4 servizio ha come clienti tutti i paesi del mondo. Per il nostro caso diciamo (.) non vedo

questo fenomeno che si possa identificare nettamente e spiegare di forma coerente. 010009000032a0200000200a2010000000a201000026060f003a03574d46430 10000000000100b75d00000000100000018030000000000180300000100000000000000000001000000b10e00001e00000250000000c0000000e000 08025000000c0000000e00008012000000c00000010000005200000070010 000012006cd012001000000d0d3120050d1120052516032d0d31200c8d01200 1000000038d21200b4d3120024516032d0d31200c8d012002000000091772f31c 8d01200d0d3120020000000fffffff6cce3a0118782f31ffffffffff0180ffff01800fff01 80fffffff00000f0000080000008000004e21200010000000000005802000025 000000372e90010000020f0502020204030204ef0200a07b2000400000000000 000009f0000000000000430061006c006900620072000000000c07f4d0370a0 6032720f60354cce3a016445c600fcd012006a3a2731060000000100000038d112 0038d11200a07925310600000060d112006cce3a016476000800000000250000 000c0000001000000250000000c000000100000250000000c00000010000001e0000001000000452087403f408740000000057000000010000004c00000 00400000000000000000000b30e00001f0000005000000020000003600000 0460000028000001c0000004744494302000000ffffffffffffb20e00001f00000 00e000080250000000c0000000e0000800e00000014000000000000001000000 01400000040000003010800050000000b02000000050000000c0205007d0 2040000002e0118001c000000fb02030001000000000bc020000000001020222 04000002d01000004000002d0100000400000020101001c000000fb02f0ff00 0000002d01010005000000902000000020d000000320a0f000000010004000000000007c020500205c090004000002d01000004000002d010000030000000

# 3. "Agencies as executive and bureaucratic organisations without power"

In this line of argumentation, agencies are attributed with negative characteristics mainly due to the lack of the independence, autonomy and better operational principles such as flexibility. Therefore, this line of argumentation is the antithesis of the previous two. Although agencies are evaluated negatively, the aforementioned characteristics (independence, autonomy and flexibility or lack of bureaucracy) are considered to be necessary, significant and positive. In fact, it is the absence of these characteristics that generates the critique of the way agencies operate. To this end, this line of argumentation draws ideologically on the normative discourse, according to which agencies being dependent, bureaucratic and without power, does not constitute an appropriate model.

### Extract 7: Michael

Question: What do you think about the role of the agencies in the EU architecture (.) with other EU institutions?

#### Answer:

- 1 It's the same relationship like between being Christian and loving the Pope. I mean
- the Commission it's the kind of Pope (.) it says that represents the European idea but it
- does represent as well the idea as the Pope represents Christianity. That's the same
- 4 thing. Agencies the same. Because they are kind of (.) often they are kind of small
- replicates of Brussels and this [agency is a] serious a big replicate of Brussels (1) Yeah
- 6 (.) I think that it's not a problem of Brussels. It might (.) it's a good idea to do the
- decentralisation but it could (.) it depends on what (.) if the culture pushes around inside
- the agencies and if the agency is run by Brussels and is strongly depending on
- 9 Brussels and all its values. And there is no way of changing it (.) if you don't change the
- people inside (.) the attitudes (.) there is no way of changing anything. Even (1) it's (1)
- b:h this (.) and even it's some rumours people say (.) Brussels you are freer Brussels it's
- more at least (..) rules more democratic (.) applies at least to everybody. Here
- sometimes it's exactly like in the faraway colony (.) like colonies where defects to law

- exist from the mainland which has been implemented according to wish or non
- wish and the caprices of: of the governor.

#### **Discussion**

The dilemma negotiated in this repertoire is the same as in the first repertoire concerning whether agencies are independent from Brussels or dependent on the latter. The dilemma was resolved in the first repertoire ("Community agencies") by opting for constructing the agencies as dependent on Brussels and assigned with a mission of helping the EU integration process. We see exactly the inverse occurs in the present repertoire. The interviewees construct the agencies as independent bodies from politics and interests of "Brussels", specialised on their task, undermining at the same time the construction of agencies that was 0100090000032a0200000200a2010000000a201000026060f003a03574d46430 10000000000100b75d00000000100000018030000000000180300000100000000000000000001000000b10e00001e00000250000000c0000000e000 080250000000c0000000e000080120000000c00000010000005200000070010000012006cd012001000000d0d3120050d1120052516032d0d31200c8d01200 1000000038d21200b4d3120024516032d0d31200c8d012002000000091772f31c 8d01200d0d3120020000000fffffff6cce3a0118782f31ffffffffff0180ffff01800fff01 80fffffff00000f0000080000008000004e21200010000000000005802000025 000000372e90010000020f0502020204030204ef0200a07b2000400000000000 000009f0000000000000430061006c006900620072000000000c07f4d0370a0 6032720f60354cce3a016445c600fcd012006a3a2731060000000100000038d112 0038d11200a07925310600000060d112006cce3a01647600080000000250000 000c000000100000250000000c000000100000250000000c00000010000 001e0000001000000452087403f408740000000057000000010000004c00000 00400000000000000000000b30e00001f0000005000000020000003600000 0460000028000001c0000004744494302000000ffffffffffffb20e00001f00000 0000000046000001400000080000004744494303000000250000000c00000000e000080250000000c0000000e0000800e00000014000000000000001000000 01400000040000003010800050000000b02000000050000000c0205007d0 2040000002e0118001c000000fb02030001000000000bc020000000001020222 04000002d01000004000002d0100000400000020101001c000000fb02f0ff00 0000002d01010005000000902000000020d000000320a0f000000010004000000000007c020500205c0900040000002d010000040000002d0100000300000000

advanced in the first repertoire. Even the rhetorical organisation of this repertoire is very similar to the first one, consisting of vivid descriptions and the deployment of a normative jargon. As mentioned before, the consequence of such a rhetorical formation is the construction of the agencies as independent bodies, like a normative reality that cannot be doubted.

The emphasis on efficiency through the provision of regulatory powers or the autonomy to take decisions, as described by the interviewees, is consistent with the essential thrust of this technocratic discourse (Meynaud 1969). The analysis brings about how this repertoire is informed by a technocrat discourse, which employs specialised knowledge as the critical resource in regulatory policy-making (Radaelli 1999). Agencies constructed in these terms concentrate on efficiency. Similarly, the normative discourse on independent, regulatory agencies promoted by several academic researchers (Majone 1997, 2002b; Everson 1995; Vos 2000a, b; Yataganas 2001) is built on the same argumentation. In particular, agencies are constructed as having distinct tasks from the rest of the EU institutions or as operating at arm's length because the bigger EU institutions lack the skills and abilities to undertake the agencies' specialised tasks (Kelemen 2002; Majone 2002a; Talbot et al. 2000). Moreover, in both the everyday discourses in the agencies, as well as in the normative scientific discourse, agencies are constructed as independent from political interests and pressures from the bigger EU institutions (Yataganas 2001; Kreher 1997; Radaelli 1999). Besides, this notion of independence of the agencies' scientific assessments and outputs from vested, political interests and pressures deriving from the bigger EU institutions, is one of the normative criteria for the definition of a regulatory agency (Talbot et al. 2000). It is this characteristic that permits the agencies being better organisations in administrative and organisational terms (efficient, expert, financially and organisationally flexible, objective and neutral) than the rest of the EU bodies (Majone 1996, 1997, 2002b; Yataganas 2001; Talbot et al. 2000; Radaelli 1999; Ahrendt 1996; Dehousse 1997). In the last line of argumentation agencies

are constructed by the interviewees in the Ohim, not only as independent from "Brussels" and other EU institutions but also as private, profitoriented companies with clients. The extra element that is added to the meaning of the independence is the self-financing capacity. This specific element functions as an important mechanism for the representation of the agency as an independent and technocratic body. Yet, given that interviewees in Ohim do not just construct their agency as an independent company but also as a community agency, we cannot assume that there is a differentiated discourse in this agency that derives either by their special functional characteristics, such as its capacity to generate its own resources, or by the fact that it belongs in a different functional category. Nevertheless, we should point out that the capacity of an agency to be

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self-financed is deployed as a warrant for an agency's independence, autonomy, specialisation and business orientation.

### 5.3 Agencies as "Political Agents"

The last repertoire contains two lines of argumentation in which agencies are represented in negative terms and are described as not being able to fulfil their goals. This is not considered as the agencies' fault. Instead, agencies are portrayed as the victim of inter-institutional politics and inter-governmental interests operating within an ineffective system that lacks strategic planning. The dominant concept that explains interviewees' discontent is the lack of agencies' power to act on their preferences. This inability is the result of power wielded by different and diverging interest groups. This is an argument that has been advanced by a pragmatic discourse on agencies.

# 1. "Agencies as victims of the conflicting interests of their multiple principals"

In the first line of argumentation, agencies are presented in negative terms mainly because they are not able to accomplish their assigned tasks. The responsibility is attributed to EU inter-institutional tensions and inter-governmental politics and interests, which put into question the reasons for the agencies' creation and the success of their overall mission.

### Extract 8: Frank<sup>9</sup>

9 Original text transcribed in Italian:

- 1 il fatto è che (.) se facciamo se permetti faremmo un po' di storia nel senso che tutto
- questo conflitto di interesse di vari attori (.) proviene dal fatto che e:h quando si è creato
- il fenomeno delle agenzie è stato creato il modo un consiglio europeo che faceva questo
- 4 show off (.) senza poi vedere pensare cosa sta dietro di conseguenza. E non parlo di
- 5 questa agenzia (.) parlo di tutte le agenzie. Il che è successo che e:h la commissione
- 6 come entità umana (.) ha visto un nemico nel fatto di fare agenzie. Perché sia detto
- 7 stiamo prendendo un alto (.) ci stiamo prendendo pezzettini tirandosi fuori da Bruxels o
- da Lussemburgo spezzatine di nostra competenza per fare agenzie più veloci autonome
- 9 rapide etc. Questo no va (.) dunque ci hanno sovra-carricato di burocrazia.

- The fact is that (.) if you permit [me] we will make a little bit the story in the sense that
- all this conflict of interest of the various actors (.) derives from the fact that e:h when
- there was created the phenomenon of the agencies there was created a way that the
- 4 European Council was doing this show off (.) without then seeing thinking what stands
- behind as a consequence. And I don't speak of this agency (.) I speak of all the agencies.
- 6 What has happened is that e:h the Commission as a human entity (.)

Capisci? E in

- genere e:h ci sono organismi di controllo come li chiamo io che secondo l'entità
- dell'agenzia (.) dunque secondo l'entità di lavoro di soggetto del lavoro dell'agenzia è
- 12 più che meno forte. Vedi per esempio prendiamo il caso l'agenzia e:h di Alicante. Fa un
- po' quello che gli pare. C'ha un potere (.) risorse economiche. Troppe (.) una parte

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- has seen an enemy
- in the fact of creating agencies. Because it was said that we are getting at the top (.) we
- are taking small pieces pulling them outside Brussels or Luxembourg parts of our
- 9 competence for making agencies more quick autonomous rapid etc. So this is not ok (.)
- so they have [...] they have loaded with bureaucracy. You get it? And in general
- e:h there are organs of control as I call them which according to the entity of [an] agency
- (.) so according to the entity of work of the subject of work of the agency is more than
- strong. Take for example we are taking the case of the agency eeh of Alicante. They are
- doing a bit whatever they want. It has power (.) financial resources. Too many (.) from
- one part <u>too many</u>. [...] It is not the same thing for Cedefop (.) the contrary (.) it is not
- the same thing for Torino and it is not the same thing for us and it won't be still at least
- for the others. So this conflict of interest (.) the fact that there are many actors is due
- also to I would say reluctance to give a bit speed to the things [...]. So
- troppe. [...] Non è la stessa cosa per cedefop (.) il contrario (.) non è la stessa cosa per
- Torino e non è la stessa cosa per noi e anche non sarà ancora almeno per le altre.
- Dunque questo conflitto d'interesse (.) il fatto che ci sono tanti attori è dovuto anche a
- direi riluttanza a dare un po' di lesto alle cose. [...]. Dunque è soprattutto (.) c'è anche
- secondo me ma questo è totalmente personale (.) e:h una certa e:h ambivalenza
- ambiguità contro al potere come lo vuoi con UNDCP nel senso che fino a quel
- 20 momento UNDCP era la parola franca. Sono loro che sono gli specialisti. Creando
- questa agenzia sulle droghe prima in commissione come entità e poi creando un'agenzia
- (.) il potere si è squilibrato un po'. [...] Dunque questo fa un: e che ci sono molte
- 23 sensibilità (.) molte. A parte di stati membri che di una parte lavorano col UNDCP di
- una parte con noi e stanno un po' in mezzo.[...]. Adesso secondo me paghiamo come
- agenzia in genere il fatto di una piccola guerra (.) tra Commissione Parlamento
- Consiglio perché (.) se tu vedi un po' la storia dell'unione da tre quattro anni c'è sempre
- 27 questo potere più del Parlamento. E il parlamento ha acquisito più potere autonomia è
- diventato di fatto il vero organo legislativo. La commissione mette in atto (.) propone in
- atto (.) chi decide è il parlamento. Il consiglio ha avuto un ruolo minore ha perso molto.

E dunque c'è questa guerra tra sempre le tre entità in un modo in un altro.

- and principally
- there is also according to me but this is totally personal eeh a certain ambivalence
- ambiguity regarding the power as as you want with UNDCP<sup>10</sup> in the sense that until this
- 21 moment UNDCP was the parola franca. It is <u>they</u> the specialists. Creating this agency on
- drugs (.) before in the Commission as an entity (.) and then creating an agency (.) the
- power has been unbalanced a bit. [...]. So this makes a: and there are many sensibilities
- (.) many. On the part of the member states that on the one hand they work with UNDCP
- and on the other with us and they stand in the middle. [...]. Now according to me we pay
- as an agency in general the fact of a small war (.) between the Commission the

10 UNDCP: United Nations Agency responsible for Drug Control Activities. "The United Nationas International Drug Control Programme" whose aim is to strengthen international action against the production and trafficking of drugs. 0100090000032a0200000200a2010000000a201000026060f003a03574d46430 10000000000100b75d000000001000000180300000000001803000001000000000000000000001000000b10e00001e00000250000000c000000e000 08025000000c0000000e00008012000000c00000010000005200000070010 000012006cd012001000000d0d3120050d1120052516032d0d31200c8d01200 1000000038d21200b4d3120024516032d0d31200c8d012002000000091772f31c 8d01200d0d3120020000000fffffff6cce3a0118782f31ffffffffff0180ffff01800fff01 80fffffff00000f0000080000008000004e21200010000000000005802000025 000000372e90010000020f0502020204030204ef0200a07b2000400000000000 000009f0000000000000430061006c006900620072000000000c07f4d0370a0 6032720f60354cce3a016445c600fcd012006a3a2731060000000100000038d112 0038d11200a07925310600000060d112006cce3a016476000800000000250000 000c000000100000250000000c000000100000250000000c00000010000 001e0000001000000452087403f408740000000057000000010000004c00000 00400000000000000000000b30e00001f0000005000000020000003600000 046000000280000001c0000004744494302000000fffffffffffffb20e00001f00000 00e000080250000000c0000000e0000800e00000014000000000000001000000 01400000040000003010800050000000b02000000050000000c0205007d0 2040000002e0118001c000000fb02030001000000000bc020000000001020222 04000002d01000004000002d0100000400000020101001c000000fb02f0ff00 0000002d01010005000000902000000020d000000320a0f000000010004000000000007c020500205c090004000002d01000004000002d010000030000000

- 27 Parliament and the Council because (.) if you see a little bit the story of the union since
- three four years there is always more power of the Parliament. And the Parliament has
- acquired more power autonomy it has become indeed the <u>true</u> legislative organ. The
- Commission puts [proposals] for action (.) proposes for action (.) who decides is the
- Parliament. The Council has had a more limited role it has lost a lot. And so there is this
- war between always the three entities this way or another.

# 2. "Agencies as operating in a system that does not work"

Here, agencies and their objectives, mainly those regarding the need to be closer to the cities and member states where they are situated, are negotiated in negative terms. This is attributed to a general lack of planning or a deficient system designed and implemented by those who take important decisions about the agencies' creation and function.

### Extract 9: Andreas

- there's still this problem that nobody knows exactly what an agency is. You go to (.)
- down down to see (.) the bottom line and you don't see the bottom line. Because
- they are spread around (.) and you know it has been a hastily (.) and in big meeting like
- for a year last last agreement signature at the end everybody is tired and then they
- 5 create fifteen agencies you know (.) which were necessary some of them but very
- 6 different areas very different (.) no clear regulations and so on.

#### **Discussion**

The third repertoire, apart from representing the role, function and, in some cases, the agencies themselves in negative terms, offers an alternative negotiation of the dilemma whether agencies are independent or dependent on the EU. More specifically, the focus is structured upon the notion of politics and interests. Agencies in this repertoire are constructed as not operating properly, helpless and weak for addressing their problems, independently of the normative role attributed to them (whether they are represented as "independent" or as "Community

bodies"). The dilemma in other words, is negotiated by an argument that moves beyond the appropriate role and function of the agencies because this is attributed to factors and actors outside the agencies. More particularly, agencies cannot fulfil their goals because of politics, which result in the formation of an ineffective system consisting of various actors, such as the EU institutions and the member states. Consequently, agencies are described as lacking the power to escape from or alter this problematic situation. More than in any other repertoire, the notion of power and its distribution is negotiated as a principal concept. Power is, therefore, the source of the conflicting situation occurring in the agencies and explains to a large extent the struggle of every implicated actor. Rhetorically this repertoire differs from the two previous ones as it is

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structured on devices that provide evidence for the agencies' malfunctioning based on vivid descriptions and the use of historical narrative. In this way, the accounts are organised around the provision of truthful and objective facts that verify the problems occurring in the agencies.

The present argumentation deployed by the interviewees is informed ideologically resources in the pragmatic discourse on agencies according to which the creation and functions of the EU agencies are the outcome of politics (Kelemen 2002). Moreover, agencies are perceived to operate in the "grey zone" between pure administration and politics and are faced with serious difficulties for the achievement of managerial, technical and information-gathering tasks and for their contribution to policy-making (Vos 2000a). In particular, the arguments raised by the interviewees regarding the decisions taken for the location of the agencies are described by the pragmatic analyses as an outcome of long intergovernmental debates in which the various member states have ulterior motives for having a branch of the European public service in their territory<sup>11</sup> (Geradin & Petit 2004). Moreover, the conflict between the Council, representing inter-governmental interests, and the Commission, representing the Community interest (Coombes 1970), refers to a common tension within the literature of EU studies and emphasises the dilemma of the distribution of power in the EU. Nevertheless, the pragmatic discourse does not represent agencies only in negative terms. It also sees them as creating a new complicated order, offering a different organisational, functional and political point of view, which has its negative but also positive and innovative aspects. However, such arguments are not found in this repertoire.

### 6. Conclusion

This paper explored how individuals working in an agency, as competent

<sup>11</sup> Union Syndicale Fédéral (USF), *Organismes Décentralises et Gouvernance,* Document de travail, Brussels, May 2003.

members of the discursive community, comprehend and judge the different dimensions of their work and their organisation in a variety of ways or whether they express uniform and well-established arguments. Based on the premises of discursive psychology, the interviewees in the three agencies were expected to draw on a variety of interpretative repertoires in order to construct the meanings of the roles and functions of the EU agencies. Indeed, the analysis of the selected extracts from the EU agencies confirmed this expectation. It is striking that agencies are described in very different terms regarding their roles, tasks, missions and powers. These findings reinforce the argument that discourse is a contingent entity without any taken-for-granted, natural or absolute components (Wetherell & Potter 1992). It is also demonstrated that there

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are many ways of speaking about EU agencies and not just a single dominant discourse concerning the agencies and the EU. Hence, we cannot perceive reality as presented by the EU in official documents as unique or objective. Equally, a popular representation of the agencies as new and promising organisations in the EU institutional architecture is contradicted since the agencies are also constructed as traditional public services. Accordingly, a regulatory agency at the EU level is not represented with distinct characteristics from other national agencies. Yet the self-financing capacity of an agency appears to distinguish an EU independent agency from the rest of the EU, since the former is represented a profit-making business where the latter as traditional bureaucracies.

The constant search for an appropriate role of agencies in the everyday discourses brought to the fore the antagonism between various ideologies: a) the ideology of Europe as a non-politicised, regulatory state and b) the ideology of a Europe of strong political and national cultures. These dilemmas are a common feature of discussions on the EU and are rooted in the 'dilemma of power' between the centre and the periphery. Similarly, these dilemmas also pervade the scientific theories on agencies as well as the everyday discourses of the agencies thereby limiting the representation of agencies in novel ways.

Finally, the study of the everyday discourses provided a useful insight into the extent to which constructions of our world combine linguistic elements in novel ways, or whether they largely reproduce the prevailing rationalities. Thus, we were able to identify the ideologies that constrain the emergence of new discourses while also searching for new ways of talking about Europe and its institutions within the EU agencies. New ways of speaking about Europe and its institutions within the EU agencies can be seen as the seeds of novel discourses that signify a social change, since the latter can occur when individuals start speaking differently of their social world (Billig 1991). This is not unconnected to the contention that institutions cannot be separated from the discourses they are

embedded in, and rather than a formal change of institutions, what seems necessary is a change in the discursive construction of these institutions (Diez 1999). Put simply, agencies cannot escape the cleavages already dividing Europe.

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### Annex

I. An evolved version of the 1996's classification of the agencies by Alexander Kreher (1997).

ROLE-FUNCTION	AGENCIES

#### A. "INFORMATION FUNCTION CATEGORY"

Agencies in this category provide information, they are charged with coordination and supervision of this information and the creation of networks.

A1.Analyse, collect and disseminate information in their specific policy areas.	-Cedefop (Thessaloniki) -EUROFOUND (Dublin) -ETF (Turin) -CdT <sup>12</sup> (Luxembourg) -EEA (Copenhagen) -EU-OSHA (Bilbao) -EMCDDA (Lisbon)		
A2. General information function, create and coordinate networks of experts. They offer influence to Member-states.			
B. "EXECUTIVE AGENCIES"			
Provide specific services and specific measures to implement Community regimes by executing registration procedures and keeping public registers.	-CPVO (Angers) -Ohim (Alicante)		

<sup>12</sup> This agency is not included in Kreher's classification. However, the agency's characteristics coincide with this category.

<sup>010009000032</sup>a0200000200a2010000000a201000026060f003a03574d46430 10000000000100b75d00000000100000018030000000000180300000100000000000000000001000000b10e00001e00000250000000c0000000e000 08025000000c0000000e00008012000000c00000010000005200000070010 000012006cd012001000000d0d3120050d1120052516032d0d31200c8d01200 1000000038d21200b4d3120024516032d0d31200c8d012002000000091772f31c 8d01200d0d3120020000000fffffff6cce3a0118782f31ffffffffff0180ffff01800fff01 80fffffff00000f0000080000008000004e21200010000000000005802000025 000000372e90010000020f0502020204030204ef0200a07b2000400000000000 000009f0000000000000430061006c006900620072000000000c07f4d0370a0 6032720f60354cce3a016445c600fcd012006a3a2731060000000100000038d112 0038d11200a07925310600000060d112006cce3a016476000800000000250000 000c000000100000250000000c000000100000250000000c00000010000 001e0000001000000452087403f408740000000057000000010000004c00000 004000000000000000000000b30e00001f0000005000000020000003600000 0460000028000001c0000004744494302000000fffffffffffffb20e00001f00000 00e000080250000000c0000000e0000800e00000140000000000000100000001400000040000003010800050000000b02000000050000000c0205007d0 2040000002e0118001c000000fb02030001000000000bc020000000001020222 04000002d01000004000002d0100000400000020101001c000000fb02f0ff00 0000002d01010005000000902000000020d000000320a0f000000010004000000000007c020500205c090004000002d01000004000002d010000030000000

C. "A COMBINED MODEL"	
Provide information, expertise, services are compulsory basis for decision-making but do not have decision-making powers. This category is a mixture of the categories 1 and 2.	-EMEA (London)

### II. Interviewees' individual characteristics

		<b>EMCDDA</b>	Ohim	Cedefop	Total
Number of interviewees:		19	32	19	70
Characteri interviewe	stics of the es:				
Sex:	Male:	52.6% (10) <sup>13</sup>	53.1% (17)	61.2% (12)	55,7% (39)
	Female:	47.4% (9)	46.9% (15)	36.8 % (7)	44,3% (31)
Grade	A:	57.9% (11)	56.3% (18)	47.4% (9)	54.3% (38)
	B:	21.1%(4)	25% (8)	31.2% (6)	25.7% (18)
	C:	21.1% (4)	18.8% (6)	21.1% (4)	20% (14)
Working Position:	Heads, managers, supervisors:	26.3% (5)	21.9% (7)	15.8% (3)	21.4% (15)
	Experts, Scientific administrators:	36.8 % (7)	40.6% (13)	31.2% (6)	37.1% (26)
	IT, Translators, Specialised assistants	15.8% (3)	18.7% (6)	26.3% (5)	20% (14)
	Administrative/ technical staff:	21.1% (4)	18.7% (6)	26.3% (5)	21.4% (15)
4	20.20	21.10/ (4)	10.70/ (6)	10 50/ (2)	17.10/ (12)
Age:	20-30 years:	21.1% (4)	18.7% (6)	10.5% (2)	17.1% (12)
	31-40 years:	26.3% (5)	40.6% (13)	31.2% (6)	34.3% (24)
	41-50 years:	42.1% (8)	21.9% (7)	31.2% (6)	30% (21)
	51-60 years:	10.5% (2)	18.7% (6)	26.3% (5)	18.6% (13)

### III. The nationalities of the interviewees'

Country of origin	Rate of participation		
1. Austria	2.9% (2)		
2. Belgium	11.4% (8)		
3. Denmark	2.9% (2)		
4. Finland	1.4% (1)		
5. France	15.7% (11)		
6. Germany	14.3% (10)		
7. Greece	11.43% (8)		
8. Italy	8.6% (6)		
9. Netherlands	5.7% (4)		
10. Norway	1.4% (1)		
11. Portugal	5.7% (4)		
12. Spain	10% (7)		
13. Sweden	1.4% (1)		
14. UK	5.7% (4)		
15. Mixed	1.43% (1)		
Nationality			

### IV. Transcription notation

<sup>13</sup> The number in brackets indicates the number of the interviewees.

(.) Short pause of less than one second which is too short to measure but

noticeable

(1.0) Time pause indicated in seconds

[...] Transcript material that has been deliberately omitted from the analysis by

the transcriber

[text] Clarificatory information provided by the transcriber; it is used also to

indicate laughter

text Word(s) emphasised by the speaker usually with a louder or more intensive

voice intonation

A: yes but= The end of the speaker's utterance runs straight into the beginning of the

next

B: =okay utterance, indicating that there is no noticeable pause between the two

speakers' turn

Wo:rd Stretching of the preceding sound or letter. The more colons, the greater

the extent of the stretching

? Rising questioning intonation. It is rather used in its grammatical sense to

indicate a question

010009000032a0200000200a2010000000a201000026060f003a03574d46430 10000000000100b75d000000001000000180300000000001803000001000000000000000000001000000b10e00001e00000250000000c000000e000 08025000000c0000000e00008012000000c00000010000005200000070010 000012006cd012001000000d0d3120050d1120052516032d0d31200c8d01200 1000000038d21200b4d3120024516032d0d31200c8d012002000000091772f31c 8d01200d0d3120020000000fffffff6cce3a0118782f31ffffffffff0180ffff01800fff01 80fffffff00000f0000080000008000004e21200010000000000005802000025 000000372e90010000020f0502020204030204ef0200a07b2000400000000000 000009f0000000000000430061006c006900620072000000000c07f4d0370a0 6032720f60354cce3a016445c600fcd012006a3a2731060000000100000038d112 0038d11200a07925310600000060d112006cce3a016476000800000000250000 000c000000100000250000000c000000100000250000000c00000010000 001e0000001000000452087403f408740000000057000000010000004c00000 00400000000000000000000b30e00001f0000005000000020000003600000 0460000028000001c0000004744494302000000fffffffffffffb20e00001f00000 00e000080250000000c0000000e0000800e00000014000000000000001000000 01400000040000003010800050000000b02000000050000000c0205007d0 2040000002e0118001c000000fb02030001000000000bc020000000001020222 04000002d01000004000002d0100000400000020101001c000000fb02f0ff00 0000000000900100000000440002243616c69627269000000000000000000000000002d01010005000000902000000020d000000320a0f000000010004000000000007c020500205c090004000002d01000004000002d010000030000000

Ending intonation. It is rather used in its grammatical sense to indicate an end in a sentence

Unclear talk because it is either inaudible or there is doubt about its accuracy. If a phrase or a word is included in brackets then it is about a guess at what might have been said (word or blank)