DELIBERATE WINDOW DRESSING:
A case study of deliberative democracy enhancement by means of the Open Method of Coordination in the Czech Republic

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List of abbreviations

EU – European Union
CSI – Committee on Social Inclusion in Czech Republic
CZ – the Czech Republic
IMF – International Monetary Fund
MoLSA – Ministry of Labour and Social Affairs in the Czech Republic
NAP - National Action Plan
NAPSI – National Action Plan for Social Inclusion
NGO – Non-Governmental Organisation
OMC - Open Method of Coordination
OMC/SI - Open Method of Coordination for Social Inclusion
Abstract

The notion of deliberate democracy in political discourse seems to imply a profound normative message, unconditionally supporting justice and fairness. Similarly, the deliberative democracy theory asserts the power of public interaction to shape inclusive and fair social policies within the European Union. However, the paradox is rooted in EU instrumentally employed appeal to the deliberativeness which forces to reorganise national polity and alter normative position of its citizens in pursuit of more pragmatic EU interests. However, this tendency ultimately undermines the ideal principles of unconstrained reasoning in a public sphere. The ideational EU acclaim to be a strong player fostered exploration of a question how EU forges itself as a normative actor through multifaceted governmental tool - the Open Method of Coordination, and conceals empowered deliberation under the shield of ideal discursive interaction. Thus, the aim of this research is to contribute to the existent knowledge of democracy theory by analytically investigating an effect of the Open Method of Coordination for Social Inclusion on the deliberation practice and diffusion of social norms in the Czech Republic.

The process tracing as an analytical method was beneficial to trace political developments and identify that national institutions, inadequate attention to gender mainstreaming within social inclusion dimension and little knowledge of EU concepts as well as lack of grassroots mobilisation had effect on low change of social agenda in the Czech Republic. A single case study yields results suggesting that deliberation practice resembles empowered deliberation, undermining free, equal and amorphous discussion in a public sphere.

Key words: the OMC, norm diffusion, social inclusion, gender mainstreaming, deliberative democracy theory, empowered deliberation, the European Union.
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Introduction

The strife for a consensus on common social matters through continuous investment in a dialogue with civil society gains momentum in the European Union. In this light, the deliberative democracy is acknowledged as enabling to meet societal expectations associated with social and political justice as well as rearrange national institutional settings. Even though the lack of creativity, participation, effective cooperation as well as reduced capacity to mobilise people for collective political action appeared to be one of an impetus for the European Union to introduce deliberative mode of governance to complement binding Community legislature, the deliberative democracy is enshrined in new modes of decision-making procedures to increase social networking, partnership within civil society as well as on the European level. The novel soft law tool - the Open Method of Coordination with embedded dimension of deliberativeness - is fostering civil society to participate and reflect upon social issues through brainstorming sessions, conferences, workshops, media channels, while drafting and providing feedback on National Action Plans for Social Inclusion, National Strategies to tackle social and economic disparities. Nonetheless, the fundamental issue is rooted in the observation that the EU advances its economic and political interests while projecting itself as a normative actor by the means of instrumentally employed deliberativeness.

The OMC as a mode of multifaceted governance was firstly introduced to coordinate employment policies among member states. As the Lisbon Strategy (2000) envisaged the more dynamic and competitive Europe, this cooperation process was approved as beneficial for social inclusion policies, education, youth and training, migration policies, in order to foster greater interrelation among national governments and drive EU economy. Since then, Member States engaged in the process of setting common social objectives in order to coordinate their national policies, share experience and accumulate knowledge from the best practice to counter social issues. For this purpose, guidelines, benchmarking, statistics serve as a set of indicators to follow towards common goals, whereas peer pressure, exerted during the review of National Action Plans, evaluation reports is employed to strengthen compliance to raised objectives and social policy development trajectory. The application of this tool has been praised for the focus on flexible, amicable and nonbinding practice, integrating broader spectrum of actors in the policy formation, implementation and monitoring phases. Nevertheless, the dichotomy present in the OMC process in terms of the civic participation, interest articulation and strategic use of the deliberativeness for pragmatic interests encourages to analytically capture how this tool is
instrumentally employed to impose a set of societal values (e.g. with reference to equal gender status, work and education opportunities, pay, social status disparities, etc.), considered modern, progressive, universal, however, still distant for a number of political entities.

There is no abundant research up to date empirically engaging in the analysis of deliberation within the processes of the OMC, enabling to evaluate social policies based on common objectives among all EU member states. In fact, a body of literature questions policy outcomes generated by OMC processes or its applicability per se, ignoring a link between EU normative discourse and promoted social practices. Even though the OMC comprises of aspects and relationship which display dynamic interaction and have an effect on the incorporation of public participation in the decision making process, it is interesting to discover that the deliberativeness it declares to preach takes a form of manipulative empowered deliberation. Particularly in the social sector, the theoretical vacuum on EU normative aspirations and fostered framework of deliberative democracy allows to seek empirical evidence in the case study. For this reason, the Czech Republic is selected as a field to answer research question to what extent does the OMC live up to standards of deliberative democracy theory? In order to trace a connection between enhancement of deliberativeness in the EU governance and spread of social norms, the sub-question what is the effect of public deliberation on norm change in the Czech Republic? emerges to facilitate the conduct of empirical case study. Thus, aiming to critically explore the effect of OMC process on the norm diffusion through the deliberation practices and enhance knowledge on the application of deliberative democracy, objectives of the study are, firstly, to theoretically engage with the compatibility of deliberation and the Open Method Coordination as well as outline arguments suggesting EU normative position, secondly, empirically examine the social inclusion policy formation and implementation in the Czech Republic during the period of 2004-2010.

The gender pay gap in the Czech Republic is wider than 20% (EU Commission, 2014) and the women empowerment in terms of rate of employment, equal right to flexible occupation activity and pay is lagging behind in comparison to other new and old Member states (European Commission, International Cooperation and Development, 2013). This problem is more evident considering equal right to participate in political life and occupy senior positions in workplace. In spite of established political bodies such as the Government Council for Equal Opportunities of Women and Men, the Section for Social Inclusion and Equal Opportunities at MoLSA, a Permanent Commission for Family Issues and on Equal Opportunities, the adequate legislation, the gender mainstreaming, awareness of gender equality both within public and legal dimensions
are slow to materialise in practice. Taking this into account, naturally arises an interest to investigate this case in attempt to detect and understand the underlying reasons of failure to strive for equality.

The implementation of deliberative democracy through soft governance tools such as the Open Method of Coordination fails to incorporate norms into national discourse. Critical engagement with historic, political and social developments in the Czech Republic allows to argue that the OMC has a detrimental effect on the dissemination of social norms as the acclaim for ideational dominance seems to preclude an implementation of ideal deliberate democracy.

**Outline**

To position this research in existent body of literature and in order to identify its contribution to future endeavours, separate part discusses arguments of democracy theorists, scholars questioning the feasibility of social Europe as well as accentuates gap of theoretical observations on potentially destructive effect of imposed deliberation. The following part represents attempts to measure deliberativeness with respect to constituting elements such as reciprocity, inclusiveness, social learning and to identify limits as well as force of their explanatory power. Seeking to answer research questions, the third segment of the discussion provides theoretical tools enabling to approach the phenomenon of deliberativeness. Hence, the theoretical insights outline aspects of deliberative democracy theory, constituting parts and claims of the OMC as well as questions the normative position of the EU. In relation to this, the discussion involves methodological nuances of the process tracing as a tool allowing to draw inferences about the OMC integration into Czech political discourse and investigate how the deliberation practice affected norm diffusion in the selected case. In effort to trace causal relationship, the study focuses on primary and secondary sources, assuming that the narrative will enable to identify links between evidence. Finally, drawing on theoretical insights, empirical part seeks to trace how collaborative efforts between social society and government of the Czech Republic are successful to confront roots of social exclusion and particularly gender issue through multifaceted mechanisms.
1. The previous research

The democratic theory emphasising deliberativeness is chosen as one of approaches to understand and evaluate the effect of EU governance on civil society and potential contradicting impact it has on the social norm dissemination in the Czech Republic. There is a considerable literature on the deliberative democracy suggesting the ever present prominence of the direct involvement of citizens in policy formation processes (Gutmann and Thompson 1996, 2009, Ryfe 2005). Accordingly, the research question emerges in connection to the theoretical statements questioning whether promoted deliberation is capable to achieve process of learning and interchange of opinions, or it actually constrains output of deliberation (Fraser, 2003, Fung and Wright, 2001). The academic discussion concerning deliberation capacity had been previously developed by Borras and Jacobsson (2004), Steiner (2012), Gutmann and Thompson (1996), Mansbridge (2012) who contend that deliberative democracy entails potential for enhanced governance and level of legitimacy, springing from bottom-up. These arguments are important seeking to capture a view that has shaped the sequence of changes in an official EU position towards governance tools. On the other hand, the critical judgement embedded in articles by Radulova (2007), Sanders (1997) reflecting upon EU pragmatic steps to incorporate deliberativeness as means of latent interference with national arenas enables to identify tools which are employed or declined to affect the outcome – enhancement of deliberative procedures. In effect, the existent clash of arguments cultivates a perfect soil to test how theoretical framework and comprehension of good democratic governance correspond to accumulated empirical evidence, tracing incorporation of the OMC/SI in the Czech political domain.

The European Commission advocated for deliberation as a way to increase involvement of civil society in addressing common social matters. Therefore, the OMC as governance tool encapsulates mechanisms which allow to deal with manifested interests of citizens. However, scholars such as Caroline de la Porte (2002), Kröger (2009), Adnett and Hardy (2005) question if the OMC and deliberativeness it promotes is applicable to the politically sensitive areas. Indeed, given the tension between Social Europe project and national social policies ingrained in individual welfare frameworks, the deliberation practice acquires different semantics in specific contexts. Even though Hatzopoulos argues that the OMC is indispensable in policy areas which are delicate and diversity of attitudes is a virtue (Hatzopoulos 2007, Scharpf 2002), little attention has been paid to embedded power structures within EU governing bodies which
pressure to apply policy learning mechanisms in Member States and decline the demand for heterogeneity of interest. For instance, the gender dimension within social inclusion strategies is mostly studied as peripheral and thus present empirical research does not give a great account of either capacity building efforts through deliberative policy formation or importance of the issue *per se*. Building on claims that the full potential of the OMC in the area of social inclusion depends not only on the national policy legacies, political reality, there is growing need to address the opportunity structure for multiple actors to be included in the constitution and monitoring through channels provided by deliberative democracy. Cooke and Kothari (2001) argue that there is not enough evidence to suggest that active participation of grass-root actors in the formation of social policy outcomes exists. However, the body of literature engage in a study of the perceived responsibilities of societal actors, epistemic communities, and their role of representation (Finke 2007; Greenwood 2007, Kohler-Koch, 2010). Hence, as a result of the changing views in EU discourse towards the role of civil society triggered more theoretical insights (Lebessis and Paterson, 2000, Bellamy and Warleigh, 2001). This shift indicates the evolvement of conceptual framework of governance and focus on the interrelation of the OMC and the social platform. As a result, the academic debate fosters to study deliberation further in more specific contexts, interpret interest articulation practices, and identify unique causal mechanism that relate EU fostered social issue profiling with exercised right to articulate in a public sphere.

With respect to EU advocated deliberativeness through the OMC within national constituencies, the point of concern is insufficient research on the norm backlash and reluctance to alter national institutional structures, reconstitute political discourse towards the standards of supranationally framed social wellbeing. (Finnemore and Sikkink 1998, Scharpf, 2002) Scholars find indications of superficial adaptation of norms, mimicking (Wakeford and Sing 2008). Nonetheless, the present gap in theoretical considerations on ‘pockets of resistance’ (Björkdahl, 2005) limits explanatory power on causal mechanisms that have effect on the internalisation of normative dimension through the OMC/SI in new member states in particular. On the other hand, scholars assertively question the externalisation of norms and the EU normative aspirations, its role as a norm–maker through non-coercive diffusion of European values. (Björkdahl, 2005) Taking this into account, the research is able to draw parallels with selected case and identify signs of norm acceptance as well as rejection.
1.1. Implications for the empirical case study

The extensive research on the process of deliberation, ever growing importance of Europeanisation and its effect on the national policies, institutional settings suggests the salience of EU role on domestic politics. However, there is an evident gap in theoretical explorations addressing the phenomenon of multifaceted government and its interaction with public in national constituencies. Even more so, civil society has achieved little attention as crucial actor in the process of norm diffusion through the OMC as an intergovernmental mechanism. The variety of welfare regimes suggests a wide range of strategies to engage in social policy formation, nonetheless, literature scarcely discuss the dynamics within public sphere, internalisation of European normative proclamations as well bottom-up influence onto the social policy sector. Moreover, most research questions how EU normative power is exerted in foreign affairs, the compatibility of its normative means and ends, thus ignoring the potential impact on the perception of social issues, conceptualisation of common affairs within its zone of influence. (Whitman, 2013; Diez, 2013, Manners, 2002). The existent study on the OMC and its effect on national level does provide insights on the success as well as failure to alter strategies affecting employment, social inclusion, migration as well as youth training, on the other hand, the element of deliberativeness has not been marked as significant just yet. Certainly, the methodological difficulty to capture and assess the normative influence has precluded the occurrence of empirical studies on this subject. Furthermore, it is challenging to make causal inferences taking into account confounding factors. (Lenz, 2013) In spite of impediments, the interlink between deliberative democracy, the OMC as an intergovernmental tool and civil society demands further elaboration given the increasing relevance of grassroots involvement, social networking in European affairs. Therefore, this research aims to contribute to the existent research while enhancing knowledge on the EU normative power exerted through promoted deliberative democracy practices with multifaceted governmental tool.

The combination of theoretical arguments on deliberation, norm dissemination and social profile of the EU is advantageous in a sense that it allows greater generalisation. As follows, divergent theoretical positions clarify cognitive frameworks used to understand political phenomena and allow to establish its relevance in relation to the issue of the EU advanced democratic governance. Even more, significant theoretical considerations included to observe if the deliberative mode of the OMC per se is actually empowering multiple stakeholders and
whether prerequisites such as opportunity to reason, inclusiveness, reciprocity, diversity and equal access to the deliberation arena, fairness are being attached to the politics on the ground. In effect, this thesis complements existent theory by providing in-depth analysis of an inter-link between the OMC/SI and deliberativeness placing focus on the process of EU advocated norm dissemination. Hence, the study aims to identify causal mechanisms which affect the incorporation of the OMC in a national context of the Czech Republic and, accordingly, distort the effect of deliberative democracy.

1. Theoretical framework

1.1. The conceptualisation of deliberative democracy

The intense academic debate on a good governance fosters to re-evaluate promises of the deliberative democracy. Given its increasing power to influence political affairs (Steiner 2012: 247), this mode of collective decision making brings to attention theoretical underpinnings which constitute the framework of this study.

The ability to deliberate policy issues is in the heart of this concept, nonetheless, it encounters criticisms for vagueness, lack of transparency, inability to incorporate public in the political interaction and, most importantly, is used instrumentally to accomplish broader goal which would satisfy political and economic ambitions of the EU (Sander 1997: 347). In effect, powerful member states as well as politicians representing EU governing bodies are able to employ the virtue of deliberativeness as normative aspiration to exert their impact and to disregard opportunity for citizens to dominate the policy formation process. Owing to the academic acclaim that the future of politics ought to pursue more deliberation and allow citizens to engage in the act of continuous moral disagreement (Gutmann and Thompson 1996: 12), there is a need to incorporate discussion on the definition and prerequisites that attach value to the deliberative democracy.

1.2. Aspects of deliberative democracy

Even though there are varying definitions of deliberation, political theorists accentuate prerequisites perceived as essential to determine a good deliberation. Citizens participation, rationality, common good, respect, public openness, truthfulness, to mention but few elements of power of the better argument, are attributes highlighted as central to initiate collective action
In pursuit of enhanced learning, the political system seeks to ensure right to just, egalitarian participation, address interest of all parties involved, and allow deliver unconstrained public speech act (Christiano in Parkinson and Mansbridge 2012: 27). Thus, the deliberation in itself is the process to produce knowledge which, in turn, empowers interlocutors to facilitate the mobilisation of activities and engagement in the overt political debates, formation as well as implementation of policies.

### 1.2.1. Participation

It is argued that the process of deliberation demands an opportunity to participate. The engagement of a broad spectrum of actors in the political discussion and acknowledged capacity to develop their persuasive arguments guarantees the mutual respect and right to express their will in the form of responsible political action (Pitkin and Shumer in Sanders 1982: 350). Thus, the discursive act empowers individual citizens to form a political community of interlocutors and endow the ability to share their observations and judgement. As follows, this form of governance seeks to heighten the weight of reasoning in considering policy questions. Hence, the dynamics in the deliberative arena presupposes the just and most well-founded outcome once citizens are allowed to bring-in their input (Ryfe 2005: 50). The niche to engage in political consideration of policy issues is closely related to what Gutmann and Thompson refer to as reason–giving requirement (Gutmann and Thompson 2009: 3-4). In pursuit of fair cooperation rules, deliberators are respected as political equals in spite of the moral disagreements provided they participate in political affairs and able to justify rights that organise their own life (Gutmann and Thomson 1996:18).

### 1.2.2. Equal access to the public sphere

Once acknowledged that the deliberative democracy can help to create a base for participating citizens, however, the question remains to what extent the current political and institutional conditions allow to follow this model. The barrier of complexity often reduce the number of actors involved to the minimum emphasising the importance of professionalism and competence (Dryzek, 2009). Thus, the equality of access to the collective discursive action is being undermined. The research conducted by Verba et al. 2005 and Burns et al. 2001 reveals that public participation is more common where the social networks are encouraged as integral
part of the processes targeting civil identities. Hence, the strong correlation between these variables creates motion for deliberation and enhances the likelihood of consensus on the policy issue (Ryfe 2005: 52). On the other hand, Nancy Fraser argues that informal relations constitute subordination given that the public setting limits or altogether eliminates opportunities to deliberate social, political preferences due to the existence of ‘bracketed’ social inequalities (Fraser 2003: 86). To be more precise, generated hierarchical structure reflects the faults of political liberalism which does not consider such social inequalities an impediment to political participation. As discriminative approach, neglecting social differences among deliberators, rather than overt and inclusive one constitutes mechanisms embedded in the public realm, justified social inequalities produce the unequal power distribution among social groups. (Fraser 2003: 88) In effect, constrained democratic practice has profound implications on the communicative practice.

1.2.3. Social learning

While claiming that the deliberation is able to reduce divisions among multiple actors given that their interactive milieu demands constitution of difference-based platform, inclusive public sphere allows to contribute to social learning which is essential in generating effective and continuous political processes. Political theorist John Dryzek aims to convince that the element of social learning contributes to the political reconfiguration (Dryzek 2009: 1392). Taking this scenario into account, one can compare social learning with the norm diffusion, when ideational concerns foster norms to be internalised after they pass a ‘norm life cycle’ (Finnemore and Sikkink 1998: 895). Unfortunately, a dominant power element and pressure exerted by strong interested parties undermines the principles of free, equal reasoning, consideration of different, though respected perspectives, and allows the attractive norm to be embedded in cognitive frameworks. Evidently, the EU constituted and advocated governing mechanisms attract little resistance from political units which are capable to stir the process and question the social norm diffusion. As a result, the practice of social learning becomes means-to-end to encapsulate the interest of supranational actor.
1.2.4. Inclusiveness

The critical remark by William E. Connolly that too much credit is given to public reasoning reveals a wider scepticism towards the role of public deliberators. Still, the deliberation theory does not aim to include the most competent on the policy subjects, however, it aims to augment the intellectual potency of public actors and increase resources which would enhance reflective capacity and urge to initiate transformation. (Livingston 2012: 270) As Miljana Milojević argues, deliberation per se is not in power to provide the right answer to what is the best way to decide or act upon emergent issue. Contrary, a communication and an interchange of information is enabling all actors to reconsider their choices and preferences without fear of judgement. (Milojević 2010: 73) Thus, the promise of deliberative democracy is a strife for the open, intellectually stimulating realm where all willing public activists together with politicians, practitioners realise their commitment to create consensus in a political domain.

1.2.5. Reciprocity

The ability to interact and deliberate gives public interlocutors legitimacy necessary to engage in democratic act. In essence, the deliberation encompasses a 'talk centric' component. (Chambers 2003: 307) The aspect of noncoercion, absence of manipulation and opportunity to provide channels in order to reflect upon certain individual preferences are important aspects of deliberation. Thus, the fact that reciprocity rather than unilaterally articulated content cultivates collective interaction, makes political debate deliberative. (Gutman and Thompossn, 2009) In this context, one may argue that political systems hinder the reciprocal collective action due to its dominant top-down approach. Therefore, the deliberative capacity to a great extent depends on the inclination to bend structures in order to stimulate discursiveness, openness and incorporation of decisions having effect on social outcomes. Once structures provide framework where deliberation springs out as a direct discursive act, the outcome may be internalised by policy makers as, e.g., recommendations. Even though there is a public will to alter status quo, political reality rarely displays niches for the grassroots to cross the threshold. For this reason, it is interesting to capture how instrumentally managed OMC process curbs the flow of perspectives from the bottom-up.
1.2.6. Dynamics

Sorens and Torfing, 2006, bring to attention the element of dynamics of political settings in terms of its locality and functionality. Social networks, forums, movements occur as an alternative form to formal institutions committed to initiate change in political and social arena. Evidently, new actors shake the settled routine and convey competing suggestions, however, grounded in their interest and value system. Ultimately, these actors bridge the gap present between the formal institutions and policy consumers and contribute to the development of quality governance. Moreover, multiple actors extend the conventional understanding of governance since they not only bridge the non-formal and formal public spheres. What matters is that symbiosis of governmental incentives and interlocutors, rising from public dimension, creates legitimacy in implementing public policy in deliberative democracy (Parkinson 2006: 166-173). Hence, the element of dynamics allows to continuously return to the dialogue, consider criticism and disagreements as a base for further interaction (Gutmann and Thompson 2009: 6).

1.2.7. Points of Critique

Although a large number of theorists endorse the practice of deliberation, it is also being criticized for fake, superficial enhancement of democracy (Sanderson 1997: 347). The assumption that deliberation as a good in itself may indeed have a negative effect since it imposes the democratic standard. Moreover, it is being questioned for its exclusive character, dominance of strong players which sustain asymmetric political game or allow the deliberation to be enacted under poor supervision (Parkinson, 2006). As the process of deliberation within the EU domain is acknowledged as the pillar of democratic society, it is necessary to glance at the questionable evolvement of this mode of governance.

1.3. Deliberative democracy versus empowered participation

The conceptual framework of deliberative democracy has become closely attached to other forms of public engagement. In this light, the empowered participation emerges as a form of governance promoting ideal principles of participatory and deliberative democracy. It could be defined as governance enhancing citizens’ participatory capacity within given institutional
structure, accountable autonomy, and ability to shape outcomes of deliberation (Fung and Wright 2001: 5). The clarification of conceptual prepositions suggested by this model is important in order to capture implications it has for further discussion of the OMC processes.

A novel form of citizen involvement advocate for fair, reasonable and effective outcome, when officials and citizens interact to mold policies adequate to their needs. In effect, inputs from central authority are balanced with preferences stemming from bottom-up in order to achieve mutually acceptable decisions (Carr, 2004). A central role is attributed to facilitators and organisers who instruct citizens on problem solving procedures as well as explanation of the issue at stake and, hence, contribute to the effective functioning of accountable autonomy arrangements (Fung and Wright 2001: 10). Ultimately, this practice aims to increase collective efficacy or ‘institutional performance gains’ through the access to new resources and opportunities. Indeed, there is a number of researchers who argue that empowered deliberation create favorable conditions for governance and help to reduce racial segregation, social exclusion through innovative institutions or support community action through project implementation (Birner and Mappatoba 2002, Rodriguez 2009).

However, one may be mindful of potential dangers of application of the empowered deliberation. To begin with, the definition does not provide an answer of who should be involved and which decisions require priority. The exclusive character suggests that the result may be detrimental for core of the public as raison d'être of deliberation - everyone’s equal opportunity to participate, - can become instrumentally employed to result in manipulative practice (Rafail, 2011). Consequently, the power asymmetry and bargaining over positions rather than the virtue to reach consensus through the process of learning and discussion may develop into the forums shopping, addressing pragmatic interests in a public sphere (Fung and Wright, 2001). Moreover, there is a discord with deliberative practices which perpetuate and promote affairs that do not explicitly demonstrate the difference between private and public affairs and which marginalize deliberators with different views. ‘Participatory plannings are themselves shaped by pre-existing relationship,’ knowledge is imposed by organizers and facilitators, thus deliberation follows the bureaucratic line, suggesting that only institutionally endorsed policy decisions dominate public sphere (Cooke and Kothari, 2001: 32).
1.4. **Discussion: an inherent tension within the OMC**

As earlier noted, the process of deliberation allows to address concerns of public matters and, above all, enhance their knowledge on social issues. The public realm may surely become an area for creative, critical citizens, fostering mindful culture of political participation (Healey et al. 2008: 379). Alas, the center of attention is an extent to which social incentives may substantiate into the force and have a deciding power upon the direction of impact. These considerations originate from the observation that the controlled rather than the free, dynamic and amorphous discussion is taking place in the execution of deliberation through the OMC.

By definition, the OMC is a tool to enhance deliberative practice within EU. However, an opportunity for citizens to engage and constitute environment for mindful social policy formation becomes the strategy to validate already constituted knowledge and decision making structures (Wakeford and Sing 2008: 6). Therefore, one may argue that the promotion of best practices among Member States, or ‘cherry picking of methodologies’, reflects implementation of accurately developed schemes to advance normative categories. The further analysis of the OMC effectiveness in Czech Republic seeks to investigate if the process of deliberation, as defined by deliberative democracy theory, in practice is transformed into empowered deliberation. Even though the OMC encourages overt, inclusive, non-hierarchical communication, the decision making process show signs of a power asymmetry which burdens the civil society.

As this research argues, the deliberation within the public sphere, where civil society aims to articulate their preferences, serves for the EU normative aspirations. Even though aspects of ideal deliberation may be compatible with participation practice in real life case, the deliberativeness is achieved within constituted and recognised frames. Moreover, often societies are considered as homogeneous, hence, neglecting the distinguished interests, cultural and historic characteristics (Williams 2004: 93). The discourse of participation provides legitimacy to the actual output of the process in spite the fact that it has been shaped by sourced institutional possibilities. Thus, mainstreaming the participation obtains pervasive form, limiting society’s rights to express social preferences.

Taking all into account, this indirect process of ideational diffusion encapsulates how EU acts to project itself as a normative power. (Lenz 2013: 213) Decisions made on the EU level have a direct effect on other units through increased interdependence of decision making mechanism (Simmons in Lenz 2013: 213). In effect, changes in conduct appear as a result of
modified cognitive and ideational structures, fostered by activation of the OMC processes. In particular, the set of norms presented as appropriate for the community and to be accomplished is an impetus to advocate for deliberativeness. In relation to this, negative and positive practices, naming and shaming of counterparts and persuasion accordingly, serve as an institutional channel to stimulate engagement in the common practice. Certainly, given different structural landscapes and historical legacy, the normative influence on national units varies. Moreover, the role and abilities of local actors, epistemic community – integrated social partners in the policy discussion, - in one constituency is difficult to compare and, even more so to draw broadly applied generalisations. Therefore, the outcome of normative diffusion is complex and may not be easily measured without the glance to the involvement patterns of societal interlocutors and institutional practice in a given context.

2. Operationalisation

The tension within the OMC is an interesting object of the research. It indicates how EU mechanisms pursue normative change, implying values of the Social Europe, through the promotion of deliberative democracy. The instrumentality of the OMC and employed element of deliberation may be *modus operandi* of EU officials to support preferred institutional mechanisms and declared social policy objectives. As a result, the deliberation practice takes form more of the empowered deliberation, undermining the ideal of deliberative democracy. On the other hand, the *problem* also arises observing individual cases where deliberativeness as a crucial prerequisite of the OMC is implemented without visibly affecting norm change. Taking this into account, this research is based on the case study which enables to understand the interaction between the OMC of Social Inclusion and deliberative democracy practice in the Czech Republic.

2.1. Research aim and questions

This aim of this thesis is to enhance knowledge on the exercise of deliberative democracy through the Open Method of Coordination. In relation to the deliberativeness, a research seeks to critically explore the impact of the OMC process on the social norm diffusion and strengthening of EU position as a normative player. The research is developed in order to answer *to what extent did the OMC live up to standards of deliberative democracy theory?* In order to
trace a connection between enhancement of deliberativeness in the EU governance and spread of social norms, the sub-question *what is the effect of public deliberation on norm change in the Czech Republic?* emerges to facilitate the conduct of empirical case study.

2.2. **Delimitation**

The empirical part aims to trace implementation patterns of the Open Method of Coordination in Social Inclusion (OMC/SI) during the period 2004-2010 and promotion of deliberation in the Czech Republic in order to address gender mainstreaming within social inclusion dimension. Hence, this segment focuses on the deliberation among civil society, namely NGOs, epistemic community, social movements, local and regional organisations which declaring interest in gender issues and government officials in articulating preferences to form social inclusion policies.

The research period has been limited to six years, covering launch of three NAPSIs: the onset in 2004 when the Czech Republic became an integral part of the EU coordination process and 2010, when the EU announced 2010 the European year for Combating Poverty and Social Exclusion (EU Commission, Employment, Social Affairs and Exclusion). The underlying reason to study this period is to observe how the EU factor stirred the social norms configuration in this country, capture the developments in policy formation and implementation practices in terms of deliberation before the overwhelming flow of pressure from EU.

When discussing social exclusion, the phenomenon is defined as a condition in society indicating ‘denial of resources, rights, goods and services, and the inability to participate in the normal relationships and activities, available to the majority of people in a society, whether in economic, social, cultural or political arenas’ (*Poverty and Social Exclusion*, 2015).

2.3. **Measuring deliberativeness in the Czech Republic**

This research employs indirect measures to assess conditions conducive for deliberation and outcomes of deliberative discussion (Black et al. 2011: 327) Thus, prominent features of the deliberative democracy will enable to assess conditions and outcomes of an interaction (Burkhalter et al. (2002), Gastil and Black (2008)). This type of indirect examination includes the consideration of conditions present at the time of communication and help to establish if the
process corresponds to indicators of reciprocal engagement, inclusiveness, learning opportunities suggesting the occurrence of the political phenomena. This approach allows to identify what facilitates or obstructs interaction, which factors reinforce deliberative practice through the OMC and if any counterfactuals emerge affecting the dependent variable. In effort to measure deliberativeness, indirect measures allow to trace how the aspects of deliberative democracy were met or, contrary, disregarded. Certainly, as James Bohman claim, good outcomes cannot be always expected even ideal democratic conditions are achieved (Bohman 1998: 422), nonetheless, this type of measurement allows to study an inclination to comply with requirements raised for deliberativeness and participation in the EU multifaceted governance.

2.4. Variables and definition of concepts

The small group deliberation can be defined as an egalitarian process encompassing participants with equal opportunities to express their perspective, engaging in the problem solving with other citizens. (Black et al. 2011: 325) Moreover, the deliberation features outcomes which reinforce shared practices, value system that, in effect, set a common ground for future action as well as strengthen their identification with a political community. Certainly, the context in which the deliberation is being organised can determine the extent to which participants are willing to cooperate and increase their comprehension of the policy issue and inclination to take the most appropriate decision. (Gastil and Levin, 2005) Given these aspects and varying degree to which the full deliberation can be achieved, the research seeks to measure the extent to which the process of deliberation has been implemented through the execution of the OMC/SI in the Czech Republic.

In order to trace and assess deliberativeness present in the process of the OMC/SI, empirical part analyses impact of three variables, which stem from the deliberative democracy theory as essential elements corresponding and indicating presence of dynamic, fair articulation of preference among reasonable citizens. In order to make this research more manageable and given the issue of data availability, the empirical study is conducted with the focus on three elements instead of five that were discussed in the theory section: inclusiveness, reciprocity and social learning.

Inclusiveness – the equality for individuals and groups to enter the OMC/SI process. Thus, case study seek to reveal who is involved in OMC/SI participation, what members of civil
society are excluded from policy formation, implementation, monitoring phases and in which ways, in case of barriers to participation, institutions obstruct diverse representation of society.

*Reciprocity* – the practice of exchanging ideas, which are understood and accepted without fear of judgement, coercion and in manipulation-free environment. Hence, the objective is to trace how the structure of communication is being affected seeking to guarantee mutually respected argumentation.

*Social learning* – the cognitive process entailing opportunities for people to observe, mimic, and enhance learning on the issue of common concern. Thus, empirical segment will emphasise the extent to which citizens are encouraged to engage in discussion of their affairs.

2.5. **Obstacles and challenges**

A number of scholars attempted to analyse how the deliberation practices interfere within the public sphere and to what extent they aid to achieve goals or are used as means in itself. In spite of interest in a measurement the effect of deliberative democracy, one must acknowledge that there is no vast empirical research conducted on this practice in small groups and, as political theorists agree, the empirical research on the benefits and shortcomings of deliberative democracy is visibly lagging behind the theory (Chambers 2003, Page 1996). Moreover, the difficulty arises even from the absence of clear definition of the deliberative participation which would unify researchers (Ryfe, 2005, Delli-Carpini 2009, Jacobs et al. 2009). Hence, it is difficult to identify the set of empirical research tools which would allow to assess the effect of deliberative projects that occupy central place in Western democracies (Black et al. 2011: 324).

This study excludes measurements that would give account of normative aspects satisfied during the discussion in municipalities, informal meetings organised by NGOs, open forums. Certainly, it would provide more knowledge with respect to the strength of arguments measured through the discourse analysis, systemic analysis would reveal the type of comments made as well as contribution made by particular individuals, groups or representatives of organisation, intensity of communication or occurrence of identity related comments, etc. However, it requires an access to documents, transcript of interactions which is delivered in the original language (the Czech, relevant to a selected case) (Black et al. 2011: 327). The communication act itself cannot be separated from the context it has occurred, thus, the extensive knowledge of historic, social as well as cultural underpinnings ought to be discussed in order to reveal the meaning of phrases and concepts involved (Krippendorff 2004). For these reasons, conditions present at the time of
drafting NAPSIs and discussion, participation patterns and results are major guidelines to
determine if independent variables had impact on the deliberation practice in the Czech
Republic.

2.6. Hypotheses

As a starting point of the research, the initial hypothesis is proposed:

The incidence of deliberation in the Czech Republic is a result of the OMC/SI.

In order to answer what is the effect of public deliberation on norm change in the Czech
Republic, the second hypothesis is raised:

In presence of a low EU norm diffusion, the deliberativeness enacted through the OMC
exhibits signs of empowered deliberation.

4. The European Union as a normative actor

The European Union continuously seeks to establish itself as a normative power, entailing
soft power mechanisms to bridge value systems between member states and neighbours. However, the extent and characteristics of norms that the EU is able to promote within and
beyond its territory may be questioned. The academic debate about EU’s role in international
and domestic affairs highlights the contradicting image of this player since its actions indicate
the lack of political determination to lead and sustain normative goals (Johansson-Nogués 2007:
183). Even more so, the inconsistency in conduct and ability to manage, reconcile or detach, and
project liberal and social values emphasise the interest rather than norm based approach.

Despite the absence of clear definition regarding what the normative leader is, Ian
Manners postulates that the historical context, the supranational-intergovernmental nature of EU,
and the cumulative legal foundation grants it the right to be defined as a normative power
(Manners 2002: 242). Joseph Nye, the founder of the concept ‘soft power,’ claims that normative
power could be defined in terms of capacity to attract. In other words, if there are entities that
seek to follow the example and mimic the set of values, the EU is able to strategically coordinate
their actions and influence their normative framework (in Johansson-Nogués 2007: 190). As
follows, the achievement of political ideal of coherence per se, as an expression of solidarity to
reduce inequalities and strengthen social bonds within society (Berger-Schmitt 2002: 403),
becomes an imperative for all involved constituencies rather than legal obligation in times of
discord. Similarly, François Duchêne offers to measure the EU potential in terms of its civil
power, expanding the zone of influence through non-military means, committing to the ideational dimension of affairs. (in Diez 2013: 197) However, the conflation of norms with interest suggests that EU identifies itself as a hegemonic power, thus perceiving conflicting values within as inherent prerequisite of its normative role. (Diez 2013: 206) Essentially, the political discourse indicates that the EU projects itself as capable to shape and force to internalise norms and consensus. Accordingly, the normative discourse affects identities and preferences of political units within EU influence zone. Thus, it is fair to argue that current relations between EU governing bodies and national constituencies inscribe a social practice based on normative statements and further EU status as an ideational actor. In this light, the assertiveness to alter Member States’ social character and their normative locus through enhanced deliberation practice would give explanation to internal social developments taking place within EU.

The construction of EU as a normative player in the academic debate is often presented as necessarily positive phenomenon, bringing conceptual and normative change. Within the liberal democracy narrative, the EU proclaims itself as advocate of peace, stability good governance, and liberty (Pace 2007: 1043). Hence, it is not surprising that internal mechanisms of European Union were driving towards single currency, interrelated governance as a strife for solidarity, pillar withholding European Community and initiating collective action. Since 2000, the EU is assertively extending its domain with acclaim to enhance social policy formation capacity in traditionally perceived national area of expertise. The question remains if this shift presuppose that the EU acts normatively, consistently addressing ideational objectives through means other than economic and military in order to achieve normative goals, and what tangible mechanisms are in place to see norm transmission or consolidation.

4.1. Normative aspirations of the EU. The interaction between deliberative democracy and the model of Social Europe

The increase of academic interest in the development of the European Social Model indicates the salience of the economic and social interrelation among Member States. Since the Rome treaty in 1957, founders of European Economic Community perceived bounded economic and social interests of EU citizens. (EEC Treaty of Rome, Preamble, 1957) Economic and monetary matters have progressed significantly through time further strengthening political integration of all member states, whereas the complexity of social issues has been marginalised until the
initiative by European Court of Justice to support enlarged Social Europe. To this end, social and employment policies appeared in the agenda since 1974 in a form of Social Action Programme (Adnett and Hardy 2005: 1), gradually questioning the national expertise in social affairs. In 2000, the Nice summit signified the importance of common social policies which could foster higher social cohesion and, ultimately, provide EU with the competitive advantage. Therefore, one may state that Member States are encouraged to lean on a set of fundamental values, such as democracy, individual human rights, equality of opportunity, social welfare, solidarity, and free collective bargaining – the normative dimension which reflects the EU acclaim to, firstly, deepen integration among national entities and, secondly, incorporate social issues in political agendas as well as stimulate economic performance of the entire EU. Having noted these developments, it may be argued that consolidated social dialogue is beneficial in order to secure social civil rights in national constituencies.

It could be argued that an urge to make the EU more progressive, competitive actor in the global arena serves as an imperative to impose guidelines of social policy formation. The Lisbon summit created an exceptional opportunity to employ concepts such as democracy, right to liberty and free speech in order to successfully bind actions of EU members. The Agreement on Social Policy (1997), Amsterdam Treaty (1998), Lisbon and Nice (2000), and further incentives reflected the aim to make policy generation, decision making process more open, inclusive, placing more focus on the role of social partners, advantages of social learning practices. (Adnett and Hardy 2005: 6) In spite of numerous examples exposing reluctance of actors to allow EU interference with national social frameworks and limit domestic competencies, emphasis on liberal values such as human dignity liberty, democracy, and interrelation with social disparities complement legal developments ultimately contributing to the normative diffusion among old and new Member states. In effect, opponents of the Social Europe raise doubts about the legitimacy of means to substantiate the project of dynamic, economically advanced and socially coherent union. (Kröger, 2009)

Certainly, multiple social challenges, the social exclusion and gender inequality in particular are at the centre of attention of the European Court of Justice, European Commission and other European bodies. Gender gaps in employment, unequal pay, discrimination on the basis of age, ethnic group, to mention but few, affect chances to enter labour market despite the politically legal status of all members of society. Even though the hard law contributed to the awareness of the need to provide substantive equality, it has attracted criticism from national, subnational
actors, grassroots for insufficient legitimacy to enact economic and social policies. (Scharpf, 2002)

In this context, the multilevel governance with mechanisms conducive to the integration of social partners, members of the public to reduce social disparities, acquired higher significance. The social dialogue and deliberation in public arena are tools providing more credit on matters of mutual concern and, essentially, public approval. Naturally, the OMC enters the scene to empower public space and deal with social issues. However, one could proclaim that the notion Social Europe and the process of socialisation is a move to promote an image of Europe as a normative actor with embedded pragmatic interests. Taking into account that the OMC embodies deliberativeness, higher public inclusion through an open reasoning in a public sphere is now considered of a paramount importance in ensuring legitimate decision making process. Thus, the OMC is instrumental in enforcing value system which imply that democratic governance with the deliberation as an essential element is a core pillar in modern Western hemisphere.

5. The Open Method of Coordination (OMC)

A governance tool, the OMC, is chosen as a middle-way between binding Community law and independent national action to implement European social policy within Member States. The coordination process is implemented in different policy practices, as a result, the varied nature of this mechanism presupposes different definitions and application results. Nevertheless, the further discussion of ideal type of OMC provides insights into how it works, who is involved in the process, main features of actors’ participation. In addition, this segment looks at pitfalls and advantageous that had been marked since it is being applied within the European Union as a tool to counter social exclusion. Moreover, it seeks to address the possibility to alter social norms through the active involvement in coordination practice.

5.1. Definition and characteristics

The OMC, as a soft governance tool, was designed to introduce multifaceted framework of partnership, enabling to transform Europe into a progressive and competitive market (Treaty of Lisbon, 2000). Hence, the OMC was approved by Member States in Lisbon, 2000, claiming that multilevel governance is a necessary mean to strengthen democracy within the EU (Benz 2007: 505). Certainly, a number of critics argues that the establishment of OMC process appears to
expand the EU powers in areas such as employment, social protection, social inclusion, education, youth and training, and serves the long term goal to forge dialogue with Member States (Kröger 2009: 2).

The OMC can be defined as a new cooperation framework between Member States, allowing to develop national policies in relation to commonly agreed goals. Lisbon summit in 2000 clarified that main instruments to accumulate knowledge, evaluate implementation of set objectives and choose best practice are guidelines, indicators, benchmarking, while periodic monitoring and peer review sessions are organised to evaluate and learn from each other (European Council, Lisbon European Council 2000, point 37: 12).

The OMC process begins with the Council of Ministers setting broad policy goals. As follows, national ministries show political commitment to transmit guidelines in their national agendas, engaging broad spectrum of participants in the discussion of their suitability and adjustability to unique political, social landscape. National governments are committed to prepare national plans on certain social issue, e.g. migration, employment, social inclusion, every two years. The generation of action plan is open for social partners interested in policy formation. Hence, it is a national interest to discover appropriate public platform for discussion and reasonable interchange of opinions on common social matters since the agreement between national authority and civil society facilitates reforms and monitoring of implementation (Radaelli 2003: 14-15). The intensity of participation at the domestic level depends on incentives as well as culture of deliberation present within the national constituency. (EASPD, European Social Policy).

As part of the process, Members States voluntarily agree to participate in peer review session in order to strengthen common practice. Representatives of national authority, delegated from ministries of issue of concern present and discuss their National Action Plans. The ability to identify weaknesses and opportunities to improve their social policy formation and implementation depends on competence and experience of delegates as well as their turnout. Even though it is expected to accumulate shared knowledge through the interactive analysis of their policies and setting common objectives, the steering groups in committees such as the Economic Policy, the Employment, the Social Protection Committee, are major EU Commission tools setting common objectives and indicators of progress, monitoring the implementation of NAPs and preparing final reports. Through top-down management, they actively contribute to construction of ‘community of views’ while reinforcing mutual learning and offering means to overcome social challenges in order to meet European targets. (Dehousse 2002: 10)
the Social Protection Committee is comprised of high level officials, two members from each member state elected for two years period (Council of Europe 2015, article 3). In terms of its functions, it works to structure European debate over social protection and inclusion issues, defend social inclusion position against employment and economic policy, enhance values among members such as solidarity (Pochet in Zeitlin et al. 2005: 66). As scholar Zeitlin argues, institutions, strategies or policies remain distinct in spite of common social concern, however, regulated on the EU level. Given the goals to develop common objectives agreed upon by all member states, national plans also differ in their content and determination to comply (Pochet in Zeitlin et al. 2005: 80).

To sum up, in theory, the OMC generates cooperation on various levels: starting from the partnership among ministries nationally, the process ought to include grassroots, comprising of social associations, NGOs, intellectuals. As follows, established committees of representatives of the EU member states engage in the practice of monitoring, discuss accumulated ideas and exert peer pressure in case of non-compliance. The European Council takes responsibility for guidance and coordination of policy choices as was envisaged in Lisbon, 2000. Thus, an emphasis on the policy results allows to seek convergence on outcomes showing more political determination at the highest level (Radaelli 2003: 14-15).

Practices and means as such, in contrast to the conventional EU practice of harmonisation, promote the diversity of perspectives and, ultimately, catalyse convergence of social outcomes. (Regent 2003: 191) Hence, internal mechanisms of the OMC are favourable to create participatory base for multiple actors, stimulate public discussions, cooperative behaviour and contribute to the social networking (Borrás and Jacobsson 2004: 189). In a template, the OMC suggests the interaction of different political levels that accordingly presupposes ongoing policy learning.

5.2. The interaction between OMC and deliberation: policy implications

The OMC emerges as a conceptual tool allowing institutional modifications through the practice of deliberation. In essence, it is believed that such mode of governance enhances policy process through the broader participation in the public sphere. As the OMC promotes interaction between different levels of power, the role of social movements, NGOs is acknowledged as having substantial influence in the discussion forums. (in de la Porte 2002: 40) Kohler-Koch and Rittberger claims that this ontological shift from the state towards the centre of civil society
strengthens the EU governance through broader participation and foster strife for more inclusiveness. (in Radulova 2007: 364)

In addition to positive remarks, the mutual learning, benchmarking, best practice and peer pressure were prescribed to counter what was considered as inflexible, top-down approach, enforced through sanctions. (Regent 2003: 205) Evidently, the European Council seeks to reveal full potential of multi-level partnership, corresponding to ideal core of deliberative democracy - inclusiveness and accountability. In this respect, processes of decision making and implementation reflects needs of various constituencies, whereas the principle of subsidiarity allows members states, regional and local governmental bodies, social partners, associations coordinate their practices following general guidelines. The advantage of independence from the Council and the Commission transfer more incentive powers to societal groups. A framework as such creates potential for participatory networks to share knowledge and engage in social learning. (Trubek and Trubek in Benz 2007: 510)

5.3. A dimension of deliberativeness within the Open Method of Coordination and potential to change national norms

The OMC is characterized as inclusive given the broad and diverse spectrum of actors it embraces. (Buch 2009: 3-4) In addition, the essential prerequisite is the capacity building through deliberation, which theoretically is encouraged on various levels of policy making (e.g., public dimension, committees, and intergovernmental discussions). Jacobsson and Trubek emphasize that policy learning, knowledge enhancement through the discussion of the issue of common concern that has an effect on our value system. Essentially, the attitudinal and normative change is inevitable due to dynamic and reasoned discussion giving EU power through the OMC over national governments. Ferrera and Rhodes, de la Porte, Pochet argue that gradual change in normative position appears through concepts such as European, modern, progress. Thus member states adopt schemes through the OMC ultimately adjusting national social policies to the EU vision. On the other hand, authors holding pessimist attitude towards the capacity of the OMC state that the presence of large gaps or great incompatibility of guidelines, targets with nationally set aims hinder the EU influence on the national level. (Bonoli 2005; Esping-Andersen et al. 2002; Tayler-Gooby 2004) Even though the interpretation of guidelines and recommendations also differ in national constituencies obstructing homogeneous
developments in social area, it is difficult to reject the ideational impact on social policies in member states.

The deliberative democracy theory appears to be accepted by the EU governing officials as favouring reasonable arguments, supported and articulated by free and equal citizens, where collective action stems from choices made after reasoning in public sphere rather than be a pick from certain aggregation of preferences approved by authorities. (Cohen, 1989) Alas, there is a considerable mistrust in citizens’ ability to reflect upon policy issues, consequently, political, economic affairs frequently omit the reflection component in the decision making. Nevertheless, political discourse on the EU level praise the OMC as fostering deliberative mode of governance in spite of negligence of the conditionality of argumentation, exchange of ideas, perspectives and a fact that deliberation principle is overwhelmed by the power struggle among states, undermining coordination based on the principles of fairness, respect and equality to express one’s interest.

The OMC allows Members States cooperate, share and complement their best practices. For this reason, benchmarking, peer pressure, cyclic evaluations were introduced to stimulate upward convergence. (Jacobsson and Vifell 2003: 5) Nonetheless, the number of requirements such as subsidiarity, flexibility, policy integration, inclusion and participation, knowledge-sharing is losing its significance. For instance, the work in Employment committee (EMCO) since its establishment has changed, transforming itself from the discussion forums to the considerations of already generated presidency’s rationale. Even more disturbing development is the demand to present written reports on the issues what had previously been the exchange of verbal opinions. (Jacobsson and Vifell 2003: 10) As a result, firstly, the official version tends to be approved, secondly, the element of the discussion is evaporating, eliminating the openness in the process. Even though there are signs that the OMC is conducive to the deliberative mode of governance at the level of committees, it is evident that delineation of position, obstacles imposed on the openness as well as inclusiveness of the discussion dominate. To resume, the procedure of setting guidelines and recommendations, indicators apparently brings more strategic calculation where relative strength of the national state appears to be decisive.

5.4. Empirical Realities of the OMC

The OMC has been praised for the elevated focus on employment and social inclusion issues on national and EU platforms. Once singled out from the block of issues, youth employment, education, gender equality, social disparities experienced by migrants, etc., go
through the separate policy formation, implementation and monitoring cycle. (Zeitlin 2005: 450)
The salience of the issue allows for the shifting of resources and reform of the sector in order to prevent further marginalisation of the most disadvantaged. Even though it is created to address separate social policy application cases, the politicisation appears to be unavoidable due to the goal to coordinate and achieve policy convergence at the European Council level.

The empirical knowledge on how the OMC works in reality remains limited. It has been argued that the ineffectiveness of this method is a result of low bottom-up participation as well as insufficient attention to varying political context (Radaelli 2003: 9). Thus, contextualisation and in-depth case study may give an account if this new mode of governance is able to achieve preferable results. As features of the OMC vary across policies and countries as well as between governments, it is difficult to draw inferences about its performance. In relation to its functional capacity, the current studies and political officers avoid taking into account the interaction of different forms of governance such as Community method and alternative instruments employed within the same policy area. In addition to this, studies mainly focus on employment issues, thus, marginalising other sensitive social issues.

At the level of ideas, scholars argue that the ideational convergence is more successful given the consensus reached by policy-makers on causal mechanisms which are in place in certain policy areas, definitions addressing policies as well as shared understanding of how policies have to be implemented. Thus, apart from being a learning tool and facilitating the dissemination of information among member states, highlighting importance of shared knowledge, the OMC is effective as a normative instrument. (Büchs 769) In words of Belgian politician ‘Open co-ordination is a “normative” tool because, necessarily, common objectives embody substantive views on social justice. Thus open co-ordination gradually creates a European social policy paradigm’ (Vandenbrouke in Radaelli 2003: 24)

However, as available evidence suggests, the OMC process is not able to convince having strong democratic elements. In particular, political participation is feeble, is not widely acknowledged by domestic audience, the transparency of deliberation is arguable since indicators and other coordination tools are not openly and comprehensibly established, deliberation practice is not sufficiently supported. Before guidelines, objectives are taken on board, national government organises platform for stakeholders to discuss their relevance as well as assist in preparation of national action plans, strategic reports. However, absence of clear rules of type of organisations that ought to be included and their role may sustain the discriminative
practice when one NGO or epistemic community is chosen over another (Berghman and Okma, 2002 in Büchs: 775).

The additional point of concern is the role played by the European Commission. Apart from proposing guidelines, indicators and benchmarks in order to achieve social goals, it engages in the process of socialisation of social partners, members of the civil society. The monitoring as well as a peer review processes are also regulated on the European level, essentially leaving little space for manoeuvre for national constituencies once national authorities set their targets to reach European policy requirements. Even though it is declared that the Commission through committees and their generated reports, recommendations is not obstructing the implementation of national policies, it is responsible for conformity with the subsidiarity principle. (de la Porte, 2002: 44) The critical analysis of the empirical OMC application allows to assume that national positions on social policies are also subject to the potency of the Commission to break their resistance and impose objectives. Consequently, national authorities either display adverse reaction or submit to the will of EU governing bodies.

The internal fault of the OMC is the absence of criteria which would indicate what this type of coordination is. As political theorists Borras and Greve argue, the multiplicity of policy areas, that this mode of governance has been applied to (e.g., employment, migration, social protection, social inclusion, youth and training, and education) suggests the divergent notions of the OMC (Borrás and Greve, 2004: 330). In terms of effectiveness, it proves to be a compromise having little if any problem solving capacity (Song 2011: 13). In the similar line, Erika Szyszczak is convinced that ‘a difficulty in analysing outcomes is the lack of any rigorous assessment as to how far policy coordination and policy transfer can be attributed to OMC processes, and how far it can be attributed to other externalities’(Szyszczak 2006: 498). A broad critical discussion indicate that the implementation of deliberative policy formation through the OMC is still surrounded by uncertainty and is subject to a number of conditions. Challenges such as introduction of deliberative democracy mechanisms and diversity management, to mention but few, forces cautiously reconsider its impact on the enhanced public participation in deliberating social issues.
5.5. The OMC – a niche for the norm dissemination

The cognitive shift during policy generation phases on national level originates as a result of EU reinforcement of new concepts and social categories. They constitute the package of objectives, guidelines, policy recommendations which, in effect, are incorporated in the National Action Plans, Joint Reports, Annual Reports, policy agendas, etc. Even though concepts such as social inclusion, coherence, subsidiarity often threaten status quo in Member States, they alter discursive practices due to pressure from other countries or due to the fear to lose financial support from EU structural funds. (Zeitlin 2009: 217) Discursive adjustments initiated through the OMC in policy agendas are more evident in new member states since issues such as gender mainstreaming, social exclusion, and children protection, to mention but few, are still salient and found a place in the national action programmes. Owing to the fact that the EU endeavors to strengthen social Europe through outcomes of the OMC such as eradication of social exclusion, stronger liaison with social partners (European Council 1997, article 18), focus on cognitive frameworks does help to achieve normative and behavioural changes.

On the hand, as Bunch rightly observes, the effect on the national social policies depends on the interpretation patterns as well as perceived power by older member states. (Bunch 2009: 7) The power element imply a certain pattern of conduct of Member States during the implementation of the OMC. For instance, strategies of avoidance to submit to guidelines, face-saving tactic to create affirmative image on the EU level are downplaying the significance of alignment within European preferences. Contrary, through the practice of blaming and shaming states seek to establish themselves as protagonists of Europeanisation. (Buch 2009: 2) Even though it may lack the substantial pressure to force national actors align with guidelines, the normative dimension is too appealing to underestimate importance of the OMC. Therefore, the OMC creates a niche to introduce and sustain deliberation practices on the national level, incorporating officials and society, intergovernmental bodies during peer review sessions as well as Committees on the EU level.

6. Methodological underpinnings

6.1. Process tracing: attributes and justification

The process tracing, as an analytical tool, is chosen to empirically test the effectiveness of deliberation in the Czech Republic. The use of this method is advantageous in testing theories
and, in doing so, it allows to address a complexity of changes that happened in the period of time. (Collier 2011: 824) The process tracing enables to examine constitutive elements of the discussions that took place during organised forums, within the Committee on Social Inclusion in Czech Republic, role of moderators, and assess if they support or overturn the initial hypothesis. Thus, the description of a chosen case, contextualisation and consideration of historic as well as ideological aspects of social policy development contributes to the theoretical completeness, characteristic to deductive approaches. Ultimately, this type of methodological approach helps to establish causal relationship between variables. (Kuehn 2013: 53)

The prior knowledge is instrumental both in confirming or overturning the initial hypothesis and in identification of relationship between EU fostered deliberativeness and formation of social inclusion policies in the relatively new EU member state. For this reason, the theoretical segment of the study engages with the deliberate democracy theory, explores concepts such as the Open Method of Coordination, social inclusion and the EU image as normative player. Building on the theoretical framework, the empirical segment of the research examines if there are similar participation and discussion patterns that tend to recur in the stages of social inclusion policy development during the period of 2004-2006, regularities present in deliberation practices which indicate the interlink between dependent and independent variables (Collier 2011: 824). According to James Mahoney, this methodological approach enables to be responsive to the prior knowledge and combine it with new observations and, ultimately, to establish if particular variable has impact on the outcome (Mahoney 2012: 570).

Following a research question, the process tracing enables to examine accumulated data and to address initial hypothesis as well as to incorporate other multiple assumptions. Thus, study introduces alternative explanations seeking to prevent drawing false conclusions. (Kay et al. 2015: 4) In this light, discussion of changes in political landscape, prominent events as well as role of social movements may indicate converse developments happening in a public domain in the Czech Republic. For this reason, process tracing gives power to compare theoretical arguments implying a certain outcome and inferences which are drawn from the empirical investigation of historical trace of events (Ulriksen and Dadalauri 2014: 8). In effect, the identification of institutional parameters, the profiling of actors are put in contrast to the ideational model and can significantly increase the knowledge on the subject, identify causal mechanism leading to the outcome. For this reason, empirically capturing interactions among governmental actors, civil society, NGOs, epistemic community, interest-based associations and social movements help to assess their relationships and contribution to the emergence or
weakening of deliberative democracy (Kay et al 2015: 2). In this way, the process tracing is also beneficial in identifying the counterfactual conduct of actors involved and their consideration of alternative perspectives other than delineated by the deliberative democracy theory (Kuehn 2013: 56).

6.2. Limitations

In spite of its prominence, the methodological debate questions the applicability of this analytical framework. It is argued that observable implication from the within case explanation may have less value in terms of internal validity in comparison to implications offered by the cross case examination (Kittel and Kuehn 2012: 1). However, Ulriksen and Dadalauri note that comparability between single case studies deliver valid results and can be used for theory building. (Ulriksen and Dadalauri 2014: 2) If validity refers to the ability to measure concepts it aims to assess (Seale 2002: 9), then this method allows to capture the deliberativeness embedded in the OMC through its essential elements, inclusiveness, reciprocity, and an opportunity to engage in policy learning. Furthermore, it provides plausible explanation of the result which is supported by evidence. Ultimately, tracing deliberation implementation contributes to the knowledge enhancement on the OMC and norm diffusion while maintaining integrity through the conduct of research. (Whittemore et al. 2001: 529) Critics also target possibility to offer multiple hypothetical assumptions. It is argued that broad interpretation may not meet the impartiality criterion and allow the researcher to choose preferred theoretical argument. (George and Bennett, 2005). In response, it is important to state that including alternatives rather than one dominant proposition grants more rigorousness to the theory testing, induces more validity through the reasonable doubt towards one dominant explanation and rejects the bias argument. The covariation of explanations 'could reveal that it is a combination of factors, which leads to certain policy decisions'. (Ulriksen and Dadalauri 2014: 8) Certainly, one must acknowledge that there is a risk that additional explanations may neglect more direct causal mechanisms and threaten reliability criteria. (Mahoney, 2012) However, it does not undermine the capacity to repeat objective causal observation and yield stable results.

6.3. Using process tracing: goals and steps of the research

The empirical part of the research, firstly, seeks to confirm or overturn the fact that the OMC/SI was incorporated in the Czech social policy formation process due to accession to EU
and increased attention to common social politics. Further, how deliberation was induced and unfolded in public domain while tracing for developments that precluded or stimulated the interaction among public officials and the civil society. In order to identify factors which stimulate deliberation, the empirical part includes description and analysis of actors, their identities, interaction with other participants in public sphere, institutional prerequisites that predominated and were active in shaping the deliberation processes and integration of the OMC/SI as well as social and political setting enabling to alter interactions among actors. In order to identify causal mechanisms which have an effect on the patterns of conduct and reoccurring set of ideas over the time, acceptance or refusal of norms suggesting changing gender roles as expected from EU, the study analyses primary and secondary sources of evidence to avoid drawing biased conclusions.

### 6.4. Choice and analysis of data

The data comprises of policy documents released by European Commission, addressing social inclusion and gender issues in particular, reports by European Committees as well as issued by national Czech Government, negotiation reports, social inclusion policy papers, documented initiatives published by NGOs and other active members of civil society as well as their proclamations appearing in media, articles produced by academia to address democratisation, participation and social issues in new European Union countries. Moreover, it will incorporate available interviews with participants in peer review sessions, members of grassroots organisations involved in formation of NAPSIs during the defined period of time, rigorous analysis of the communication which had been organised during meeting, country reports. All primary and secondary sources are beneficial to answer how the OMC impacts the engagement of civil society in the advancement of social cohesion policies (See Appendix for detailed list).

The literature on the OMC in Czech Republic had emerged in line with arguments questioning or approving EU legal and political interferences with national preferences. Therefore, one could detect documents produced by scholars who support the national positions and their obligations to EU (Sirovátka and Rákoczyová 2007, Sleegers 2005). For this reason, primary sources dating back to 2004, 2005, 2006 and later lack critical engagement with the phenomena of deliberation and the OMC/SI. However, significant advances could be captured in publications by independent grassroots that enable to trace changes appearing in the civil
discourse and, on the other hand, complement the primary sources available on official websites, the EU and Czech databases, and published research assessing participation potential in Eastern and Central European countries. Noteworthy, that manifestos, exclamations by NGOs, social movements constitute a body of critical material enabling to identify causal mechanisms which sustain regularities and establish certain patterns of interactions.

7. **Empirical case study**

7.1. **An application of the OMC Social Inclusion in the Czech Republic**

Given requirements to reform institutional and legal institutions and adjust to dominant European ideological setting with the accession to the European Union, the OMC had emerged as innovative collective-decision making process which ought to transform traditional policy formation as well as comprehension and tackling of social issues such as access for women to active labour market, learning schemes, institutionalisation of gender mainstreaming, measures to counter labour segregation, address pay gap. If one considers that the process of norm socialisation implies that norm diffusion has been successfully adjusted to institutional dynamics in national and sub-national environments (Björkdahl 2005: 258), there should be abundant evidence illustrating changes in social trajectory. However, gender equality index in the Czech Republic reached only 44.4% out of 100% in 2010 encapsulating six core domains: work, money, knowledge, time, power, health and two satellite domains - intersecting inequalities and violence (EIGE, 2013), whereas gender inequalities in terms of pay gap remains high in 2015 (Eurostat, 2015). The gender inequality and the perception of this issue per se as having serious implication is less significant and described as ‘not at all serious’ by 71% of respondents. Under-representation of women and issue of undervalued work is believed to be left as national prerogative (45% of respondents) and only 30% support an idea to tackle gender pay gap on the European level. (Eurobaromètre, 2012). Taking this into account, it may argued that the norm backlash on the Czech national level is an example of the failed endeavour to stretch social terrain with the enhanced deliberative practice. This inherent tension in the Czech Republic allows to define this case as interesting and relevant. While investigating reasons behind prevailing low reception of differing norms, this research may contribute to the awareness of faulty governance mechanisms.
7.2. Claim for the deliberativeness

The main factor that constitute the mistrust towards dominant and imposing powers is often disillusionment and historic experience (Beneš and Harnisch 2015: 146). Even though lack of trust could be identified in both, governmental and public realms, the object of contempt differed as there was an increasing demand from the grass-root actors to address social civic rights and expand the base of their representation in the policy formation, implementation and monitoring processes within the time frame of 2004 -2010.

“They call it a “government of fiscal responsibility,” but they are actually implementing policies that are irresponsible to nature and to society. It is incumbent upon us, the citizens, to take responsibility back. We shall therefore raise our voices in protest, and stimulate a broad discussion of alternatives. We will galvanize public action to show that society cannot be left out of economic calculations and political strategies”.

ProAlt, 2010

The excerpt from the Czech civic initiative ProAlt (2010) Manifesto indicates the tension present in the public discourse: society is not willing to be excluded from the deliberation of issues of common interest, however, opportunities to participate, share experiences, express preferences are subject to political decisions on the national level. In this context, it is important to capture to what extent the OMC Social Inclusion (OMC/SI) was enabling broader public participation and cultivating abilities to reflectively engage in the social policy formation. For this reason, case study reaches out to examine to how the National Action Plans on Social Inclusion (NAPSIs), period 2004-2006, 2006-2008, 2008-2010, and their preparation addressed the gender mainstreaming issue and how the OMC/SI process satisfied criteria raised to substantiate deliberative democracy. In an effort to measure deliberativeness in the OMC/SI process, as discussed earlier, empirical study attributes value to inclusiveness, reciprocity, social learning - independent variables enabling to explain how effective occurrence of public deliberation was in the period of 2004-2010.

7.3. The deliberation practice in the Czech Republic

An important factor that has effect on the internalisation of EU objectives is the mobilisation of grassroots activists. As a result of their activism and incentives to raise awareness, national
institutions usually do feel more obliged to commit to the resolution of social issues. During the period 1989-1997 no public discussion addressed the issue of gender equality or the issue itself was considered as trivial in contrast to the economic development in Czech Republic (Frič 2009: 156). This neglect had a negative effect on the role of women’s NGOs and other civic bodies, reducing their activity scope, reach to politicians, recognition, and expertise (Kuzvart, 1995). In the line of these developments, the woman empowerment was marginalised whereas the cooperation between social partners, non-governmental bodies had not materialised until 1998 when transformation in political settings occurred, increasing foreign funding and augmenting the number of feminists activists (Císař and Vráblíková 2010: 5). Even though pre–accession preparation helped to accelerate development of social movements, as one of women activists Marksová-Tominová state, the potential of civil society had not been fully used until after 2004 when civic mobilisation strategies, cooperation among partners has evolved and the pressure from EU started growing to open the relatively closed domestic political system.

The fact that members of governmental institutions lacked interest in the expertise and know-how of grassroots aggravated the NGOs’ capacity to mobilise and to apply considerable pressure from the onset of the OMC introduction into the Czech Republic (Koldinska 2008:133). Looking from a different angle, still in 2010, less than one third of the population trusted in courts, domestic legal system, and only 17 % of public considered that the state administration is transparent (Falkner 2010: 110). Insufficient human resources in institutions, no trust in public bodies and respect of law, lack of enforcement bodies - all suggest that communist legacy and discontent seemed to be detrimental to the bottom-up incorporations of deliberativeness in the public domain. The most recent OECD Better Life Index indicate the low Czech satisfaction with their wellbeing, only 6.5 in the scale of 10. In fact, moderate sense of community and public engagement, considerably low voting turnout is closely linked to mistrust of political elite and reliance on personal contacts (OECD, 2014). Alas, this tendency confirms lack of material opportunities to initiate change and manifest support for a civic participation.

Retrospectively, still an increase in a number of of citizens demanding to create a niche to enhance discursive capacity of society, new modes of engagement and movements highlight contribution of critical public in the public policy formation from the 2004 (OECD, 2005). Hence, the inducement of deliberativeness in public sphere through the OMC might have been acknowledged as an effective way to address social issues by the Czech national government. Yet practical, institutional, ideological challenges undermined the communication in conferences, workshops until the more assertive role of international NGOs such as the European
Women’s Lobby (EWL) boosted non-state actors’ capacity and helped to design the rules, create favourable condition for activism (EWL, 2004).

### 7.4. Historical and political implications for social inclusion policies

The gender mainstreaming has been regarded as central in the EU social inclusion policies. From the right to equal pay in employment sector, gender perspective has developed to directives enforcing member states to provide equal access to services, free movement, and citizenship (Council of Europe 1998: 10). In accordance with gender equality law, member states were constitutionally committed to remove disparities among women and men (EU Treaty, Article 157). In addition to the hard law, the EU Commission started advocating multifaceted governance which created channels to promote gender equality policies in areas previously marginalised by national authorities such as healthcare, education, and domestic violence (Beveridge and Velluti 2008: 2). In effect, the entire process of tackling discrimination issues was questioned seeking gender discrimination, inequality combat measures transform into proactive model, incorporating participation of social actors through the OMC (Rubery 2005: 391).

The Czech Republic had been modifying its welfare model since the collapse of Czechoslovakia due to the dynamic international interaction and sharing experiences with other foreign entities. Essentially, major changes happened between 1993 and 2003 as a result of the implementation of pre accession to EU requirements (Sirovátka and Rákoczyová 2007: 2-3). Since 2004, when ten Central and Eastern European states joined the EU, the OMC/SI was integrated to reduce social exclusion and achieve other social goals, raised in Lisbon and confirmed in Nice, 2000. In endeavour to enhance policy learning, common objectives, practice of mimicking, benchmarking meant to facilitate the process and unify all Member States in the development of social policies.

In spite of observable EU influence, there are divergent reflections on the political and economic developments prior and after accession which had an effect on the social norm internalisation. However, it is important to capture the role prescribed to the OMC/SI. Following the Nice requirements, the Czech Republic introduced strategies to counter social exclusion focusing on the school drop-outs, young people and obstacles to enter labour market, integrate minorities, mainly Roma, to broaden prospects for unemployed people through training schemes (Sleegers 2005: 86). Despite the fact that measures were new, institutions declared aim to align with guidelines shaped within the framework of the EES (European Employment Strategy). In
2003, the government has released *The Joint Inclusion Memorandum* (JIM) to address poverty and social exclusion issues. After accession to EU in 2004, the first NAPSI (National Action Plan for Social Inclusion) aimed at reducing unemployment and economic, social disparities (Beveridge and Velluti 2008: 2). However, issues affecting gender mainstreaming had not yet been explicitly mentioned in 2005. Little attention paid to political use of the integral concepts fostering the EU social politics meant that any policies related to social inclusion were concealed in other policies, mainly targeting foreigners, disabled, and minorities.

It could be argued that if political ideology of the country has effect on the compliance with EU legislation, the gender equality issue is of more concern for social democratic line of policies. (Sedelmeier, 2009: 6) Conversely, it is evident that the gender issue within the social exclusion dimension was depreciated in the Czech Republic from the outset of the OMC. Even though the first NAP (2004-2006) overtly acknowledges the necessity to mainstream gender, there is no mention of measures to fight gender discrimination. Hence, it is fair to argue that the gender issue has never occupied necessary attention on the political platform and the reluctance to internalise the set of values and mechanisms advocated by the EU prevented smooth incorporation of counter measures such as facilitated access for women and men to any employment, penalties for showing disrespect for equality, transparency in pay, reporting on cases of mistreatment and unequal pay for the same work, etc.

### 7.5. Discussion: in search for deliberativeness

One of crucial elements in the OMC process is the discursive formation of National Action Plans on Social Inclusion (NAPSI). They are submitted every two years to indicate achievements, failures to accomplish raised objectives, future goals, and measures that delineate actions. The deliberation is a principle that governs NAPSI generation, therefore, analytical approach to the interaction between social partners and representatives from national government may indicate how effective the OMC is in relation to three deliberation criteria justified and discussed in the theoretical part as well as *Operationalisation*.

**Inclusiveness.** Since the first NAPSI in 2004, a social inclusion strategy was a prerogative of the Ministry of Labour and Social Affairs (MoLSA), which, in an effort to increase coordination of national and sub-national entities, their activities, established the Committee on Social Inclusion (CSI) (MPSV, 2004). In contrast to other countries like Poland which stimulated horizontal public discussions and, hence, equal interchange of perspectives from the onset of the OMC, the
Czech Republic established the CSI created from representatives of civic associations, unions, NGOs, delegates from municipalities (Zielenska 2010: 14). The Committee was organised from forty members representing government ministries, other public administration institutions such as Government Committee for the Handicapped, Government Council for Roma Affairs, Czech Statistical Office, Ombudsman’s Office, Association of Regions of the Czech Republic, social partners including Czech-Moravian Confederation of Trade Unions, Industry and Transport Union; Czech and Moravian Production Cooperative Union, Czech Catholic Charity Association, People in Need, etc., as well as members from epistemic community (Charles University Faculty of Social Sciences, Sociological Institute of the Academy of Sciences of the Czech Republic) (National Action Plan 2005). The immediate pitfall of this Commission that remained within the research time frame was vertical dimension of power – hierarchy, which established institutional order with rigid communication rules. Moreover, owing to the fact that it only gathered for consultation before presenting NAPSIs, it avoided to engage in dynamic, thus, continuously developing, overt process of discussion and, in doing so, undermined the principle of free, equal and dynamic reasoning. In effect, the first and preceding action plans could not be effectively endorsed as they were products public administration work, without wider support to value women’s work and skills, encourage equality to leadership positions, flexible work hours, etc.

In relation to the access to the deliberation arena, the Czech national government invited activists organised in umbrella organisations, however, paradoxically, it had omitted major NGOs working in the social exclusion field and other interested parties, creating a niche for NGOs working with handicapped, homeless, and elderly (Zielenska 2010: 15, National Action Plan 2005 ). The random selection of participants rather than broad spectrum of players with diverse perspectives on the issue dominated and may be identified as organisational pattern. As a result, the prevailing opinion determined the direction of social inclusion policies, observing much of the information from economic development programmes and joint reports on social services whereas homogeneous consultation sessions in terms of their membership precluded the development of more inclusive participation (NAPSIs, 2004-2006, 2006- 2008, 2008-2010). Certainly, the innovative mode of governance appeared to be a challenge given a long unilateral decision making practice. Therefore, a question who participated and which interests require exertion of force in the process was subject to the jurisdiction of national authority. Even the absence of names of participants, identification of present NGOs in the reports, NAPSIs indicate only the formal role and input from social partners.
The history factor, growing pressure from grass-root actors, as well as open opportunities to access structural EU funds, strengthened the Czech commitment to induce more deliberation in public domain. This pattern of activity in face of financial incentives is similar to other new member states (Rubery, 2005). With the second NAPSI (2006-2008), the state administration declared the promotion of active cooperation of NGOs, public associations in seminars, workshops, encouraged comments through more frequent brainstorming sessions, mailing services provided in the information site the European Gate. (Stakeholders’, 2008) Indeed, government claimed to take concrete measures to restore gender balance in allocation of resources, to raise awareness about the social disparities and identify legal inconsistencies embedded in the labour market. In effect, central administration announced the intention to support social partners, research groups, NGOs in order to stimulate discussions, strengthen social networking, thus, to guarantee more inclusiveness as well as transparency. For this reason, newspapers such as Work and Social Policy, trade union run Sondy, Pohledy, bulletin Pro Futuro, supervised by National Training Fund, Civil Society Development Foundation were at the centre of attention as a tool to advocate for social inclusion and, secondly, to reflect diverse public opinion on the issue (Beveridge and Velluti 2008: 19). In order to smooth the inclusive process and help new Member States to align with the OMC objectives, the EU provided financial assistance through the PROGRESS (the Programme for Employment and Social Solidarity) (European Commission, 2007). This funding appeared to be an impetus for the stakeholders’ networks to flourish, exert pressure on national institutions and, in doing so, to engage in broader discursive interaction on issues of common matters.

The EU emphasise the role of stakeholders in the OMC as crucial in strengthening the dialogue between NGOs, local authorities, independent experts and public. (European Commission, 2005) Hence, the Czech government showed good will to attribute more attention to participants, especially, on the local level. This purpose is evident in the second and third NAPSI (2006-2008, 2008-2010) when the promotion of community aspect seemed relevant to the quality of social services. Evidently, the intention to involve wider spectrum of participants in the discussion on the quality of social services was approved as having a positive effect. In the case of social service planning and cooperation between local and regional bodies, governmental actors such as MoLSA, representatives of municipalities, few NGOs, academics from the university were formally involved (Rákoczyová 2009: 3). Even though it allowed to increase links between local stakeholders and national government, procedural problems, financial matters, growing mistrust and reluctance to participate appeared crucial in decline of further
cooperation. In fact, media discourse neither questioned direction of social policies nor escalated the problem of gender equality. As a result, the focus on gender mainstreaming within social inclusion strategy had been marginalised, giving more relevance to the social service sector to the extent it has been supported by the Ministry and grassroots-based organisations stimulated by EU financial incentives, whereas the quality of dialogue had not been nurtured allowing governmental actors to prevail (National Report, 2008-2010).

**Reciprocity.** Even though the reciprocity is a virtue advocated by the OMC, the prevailing top-down approach towards public matters was detrimental to the evolvement of active discursive interaction in Czech Republic. Deliberative democracy theory emphasises that discursive process requires egalitarian structure to be in place for a civil society to seek just outcome (Christiano 1997: 244). In fact, the willingness to achieve consensus performs as a binding element for solidarity and reciprocal attitude. Differences in opinion matter and may not be removed given that it is a foundation of any society which is heterogeneous in terms of interest, social background, experience. Essentially, differing positions on the issue is valuable to realise justice and fairness in deliberation process among equals. However, the institutional element hindered generation of open and critical public sphere as all social policy nuances where discussed within the Committee on Social Inclusion and the final decision power was attributed to national authority. As a report from the Stakeholders’ Involvement indicate, brainstorming sessions claiming to stimulate discussion on policy issues raised targets that ministers need to work with during their term of office rather than be open for modifications. (Stakeholders’, 2009) Moreover, actors met four (2004-2006) five (2006-2008) and only 1 (2008-2010) time during the NAPSI’s preparation period, and all communication including the comments on certain opinions among interlocutors substantiated through emails rather than direct and open discussion forums. Evidently, the requirement to adhere to the EU social agenda diminished the aspect of deliberativeness and, instead, highlighted the importance to finalise the NAPSI. This development indicate strategic face-saving move, when government seeks to maintain good image of a state conforming to EU objectives. However, while displaying power and imposing decisions, public officials underestimated the deliberative capacity of the Czech social partners.

As at the launch of the OMC/SI the institutional setting had not been developed, naturally, central authority dominated in the decision and implementation processes. Thus, it is more understandable why participatory practice, dialogue between social partners, administration, unions were still weak at the time of first and second NAPSI (2004-2006, 2006-
2008). However, doubts related to transparency, credibility of local and regional municipalities, and the equal standing among participants also contributed to reluctance to engage on the local, regional and national levels (Beveridge and Velluti 2008: 3). In addition, Jalušič and Antić indicate weak or absent incentives from social movements, NGOs or politically engaged members of society who would have raised awareness of gender rights (in Sleegers 2005: 94). In this light, it is evident that a chain of communication was defective: none of the parties showed explicit intention to commit to the mutual interchange of ideas either due to the lack of trust, organisational force or political will to alter static institutional setting and decision making practices. It could be argued that imposed formality of participation, as compulsory prerequisite of the OMC/SI, maintained the insufficient enabling power of civil society and did not allow to display genuine signs of deliberative democracy even during the generation of the third NAPSI (2008-2010). The detrimental practice to the achievement of deliberation is lack of transparency. The analysis of NAPSIs and official website of Ministry of Labour and Social Affairs in the Czech Republic could give explicit account of names of participants, procedures how comments from public were addressed and included in the drafts or final versions of documents. The asymmetric power structure, when public officers had upper hand on the discussion and the rationale, demonstrated vivid enactment of bargaining rather than consensus seeking. Least surprising to witness, that, since the first NAPSI preparation, the Czech government is the party that withdraws from cooperation unwilling to create value from equality based reasoning (European Women’s Lobby, 2010).

**Social learning.** It may be argued that the biggest negative effect on acknowledgment and exercise of deliberation had the failure to disseminate information on the OMC and to clarify concepts mainly used in European official encounters, reports, however, having little if any significance for public. Thus, words such as social exclusion, cohesion and, in particular, their relation to gender issues and mainstreaming met resistance from the bottom up. Accordingly, any attempts to change social preferences through social learning, familiarise with EU rationale on gender equality and, hence, modify common perception within Czech society were doomed (Checkel 1991, EU FRA 2015). Given that social exclusion as a social issue started to be presented in the agenda just after the accession to the EU, further escalation through the opportunity to deliberate and amend common practice were received with mistrust in a national setting (National Report, 2010). Naturally, as a result of insufficient communication, social policies orientated towards gender mainstreaming were treated as inadequate to the framework
of common perception, not to mention as an underlying reason for mobilisation. For instance, women right organisations due to prevailing tokenism, ‘in inverse relation ‘the higher level of political decision the lower number of women’ and negative attitude towards women participatory practice were not able to change their position and actively participate in decision-making processes (Country Report, 1993-2013).

On the other hand, national government responded to the spread of new norms and imperatives to alter traditional national programmes while assessing the value of increased relationship with social partners and other stakeholders. In order to achieve participatory effect, MoLSA used short-lived material incentives for public to engage within Social Economy dimension such as the EQUAL, NESEA rather than created continuous learning opportunities (Peer Review, 2008). In spite of declarative conduct, there was no positive example of an open public dialogue in the Czech Republic even in 2010 which could benefit public purposes. (Peer Review 2010: 3) The inability to foster political participation had a direct impact on the willingness to enhance knowledge on social exclusion in local and regional constituencies. Certainly, the fact that social exclusion was not in the priority list of political and public discourse determined the underdevelopment of liaison networks among social partners, NGOs, and undermined their input in the process. As finalisation of NAPSIs was more instrumental in declaring the alignment with common EU Member States’ position, the deliberation of representatives of the NGOs, academia, municipalities, and trade unions under the Commission for Social Inclusion was accepted only as a formality without increasing social resources. Furthermore, there was limited information disseminated among public, especially on the local level, informing about the existence of this consortium, objectives and outputs (Potůček et al. 2006: 22). Evidently, lack of legitimacy undermined the cumulative effect it might have had on the mobilisation of public, strengthening networks of stakeholders, and cultivation of policy learning abilities and, ultimately, increased the gap between public sector and societal actors.

In spite of governmental efforts to stimulate participatory practice, they were too sporadic and without long lasting effect on high public awareness on social exclusion issue. Moreover, the insufficient nurturing of activities aiming to create channels and opportunities to participate in the social policy formation sustained public’s inadequate cognitive framework and, ultimately, hindered public’s determination to be included in the policy formation process. Nonetheless, in response to the activity vacuum, the Association of Branch Conference of Non-Governmental Organizations (SKOK), Foundation of the Development of Civic Society (NROS), together with the Union of Towns and Municipalities, started to disseminate information regarding the OMC
and NAPSIs. Alas, this consortium and multiple other bottom-up incentives stopped existing once they exhausted funds supplied by EU structural funds. Taking these facts into account, it could be argued that communication practice was conditional and dependent on development of institutional, political arrangements and financial incentives by the EU who evidently played the role of catalyst of deliberation in the new member state.

The positive development had occurred only when the Czech national authority launched the *National Program of European Year for Combating Poverty and Social Exclusion* in 2010 to express their political will in support of efforts to combat social exclusion in Europe (National Programme, 2010). The underlying idea – to foster implementation of the OMC/SI through mobilisation of public administration and civil society projects. However, the fact that the National Programme addressed an issue of gender mainstreaming only with one sentence illustrates the inadequacy of EU social expectations and commitment from the Czech government (National Programme 2010: 19). Furthermore, neither the Commission for Social Inclusion, the MoLSA publicly acknowledged the inconsistencies present in already three NAPSIs (2004-2006, 2006-2008, 2008-2010) nor questioned prevailing national perception of concept *social exclusion* and measures to fight it.

In similar line, National Inclusion Reports, which started to be issued from 2005, failed to address measures which would enhance development of structures to reduce discrimination. The Czech case demonstrates inconsistencies embedded in reports addressing EES and social inclusion. For instance, whereas in the former there are measures identified which help to reconcile family life and work, social inclusion policies are difficult to advance due to absence of the same mechanisms. Discrepancies indicate deeper problem than only inadequate human resources. As Koldinska suggests, the lack of clarity, vagueness of the OMC objectives and guidelines may affect the systematic variances in reports from new member states (Koldinska in Beveridge and Velluti 2008:135). The major point of concern in terms of the OMC implied deliberativeness is the fact that reports are not explicit on the activity, engagement level of stakeholders. In essence, reporting does not include social actors whose input could be beneficial in addressing cross-cutting nature of gender mainstreaming. For instance, the third NAPSI was prepared for 2008-2010 as an integral part of National Report on Strategies of Social Protection and Social Inclusion. It had highlighted the importance of dialogue and active communication between multiple actors through the engagement in conceptual decision making practices in order to design comprehensive grounded policies. (NSR 2008: 21-28) However, the structure embedded in the Committee had not been altered in order to create greater inclusiveness and
cultivate opportunities for public to directly interact and build consensus in issues of common concern. Meanwhile, it can be argued that the traditional mode to tackle discrimination precluded incorporation of means which would help to deconstruct prevailing power relations and comprehension of social values (Potůček 2007: 151). Indeed, analysis does not only indicate lack of strategic thinking in implementing political missions. It does suggest that paternalistic governance placing little value in the public participation. As a result, the real potential of the OMC has not been realised and, ultimately, proves to be too weak to address issues such as the social cohesion, social justice, and social inclusion in Czech case. Furthermore, the manner of presentation and implementation of social EU agenda fostered norm–breaking behaviour as there are signs of disapproval to conform to new norms.

7.5 Considerations on possibility to practice deliberation

The compliance with the OMC procedures and criteria fostered deliberators to formally articulate upon steps necessary to reduce social exclusion in the Czech Republic. In effect, it supports the claim that EU advanced new tool to national constituencies and had impact on occurrence on deliberative democracy. Nevertheless, the faulty deliberation practice and ineffective adaption of key components and foundation for protection of equal rights fosters to consider counterfactuals which brings closer to the second hypothesis that deliberativeness enacted through the OMC is actually empowered practice of participation. The Czech case–orientated discussion allow to identify factors which indicate impediments for deliberative democracy to occur.

The allusion to EU level deliberation process may enhance knowledge on developments within Czech national constituency. Scholar Egidijus Barcevičius has conducted interviews with participants in peer reviews and mutual learning exercises addressing social inclusion on the EU level during 2004-2010. Even though participants were satisfied with administration and evident improvement of the sessions addressing social policies in Members States during the mentioned period, the time cap on the discussions, lack of interactive approach to the exchange as well as application of bargaining approach on the adequateness to apply certain good practice methods to other national contexts did not meet the criteria of public learning. All papers, reports, comments merge with other documents eventually constituting Joint Reports and other papers appearing on the Commission’s website. (Barcevičius 2014: 56-58) Indeed, this tendency indicates that peer reviews and the discourse of good-practice is decreasing in significance in real political life and, thus, opposes declared goals of transparency, inclusiveness, and publicity.
Moreover, limited communication on the EU level and insufficient effort to disseminate information to stakeholders prevents national, sub-national actors engage in the monitoring of the policy implementation not to mention the deliberation on the adequateness of policies. Furthermore, constrained in depth discussions allowed to develop practices when mutual learning enactment sessions are used as supportive evidence to advance EU agendas. (Barcevičius 2014: 58) Thus, the interrelation among member states and amendment to National Action plans could have produced different results if communication platform had more resemblance with requirement raised for ideal deliberative democracy.

The organisation of policy discussion, implementation and monitoring phases involving broad public encounters challenges which are also present in Czech public domain. The rejection of genuine deliberativeness in Czech political and social affairs sustained pre-existing normative structures since all examined NAPSIs were reluctant to explicitly respond to gender mainstreaming and include other gender related measures. Even though stakeholders seek to become integral part of the policy formation, implementation processes, they faced institutional and political barriers. The report on gender and social inclusion strategies produced by European Commission in 2010 serves as a good example of internal tensions fostering adversarial relations among two poles, public and government. This report emphasised that NGOs in Czech Republic are active and, in some cases, even the only actors which provide support services, e.g. for women experiencing violence. Competences and accumulated power allow NGOs seek to impact legislation process and policy formation through engagement in consultation with governmental bodies. (European Commission 2010: 14) On the other hand, continuous cooperative ties still could not be captured even though government had recognised the importance of the NGOs in reducing disparities. To resume, although there are signs of networking among public institutions and civil society, the multidimensional approach had not been approved by governing bodies which sustained framework of national welfare model. One may assume that broader representation of civil society, transparency on selection criteria could have enhanced the inclusiveness of the process and changed the trajectory of social policies.

Unfortunately, a number of scholars assert that greater convergence of responses to social exclusion and the OMC initiated systemic changes could not be expected due to domestic political and cultural fora. The analysis of interviews of public servants on local, national levels revealed that the issue of social inclusion was downgraded as having little or no significance in the Czech public domain. To be more precise, employment, social services, healthcare are major issues which dominate, marginalising the respect to social rights and opportunities to deliberate
on social matters of the society (Strategy of Social Inclusion 2007: 19-20). Local and regional actors are not familiar with EU concepts such as social cohesion, inclusion, thus, are not able to reflect upon gender dimension within social rights. Insufficient mainstreaming, dissemination of information to society had a counterproductive effect on the public evolvement. Clearly, if new social paradigms were not perceived as a threat to Czech welfare model, the European normative dimension would have generated stronger appeal to civil society.

Further considering a role of the civil society in the Czech Republic, it is worth highlighting that NGOs, religious groups focus, for instance, on women’s reproductive rights or domestic violence rather than on EU law regulated discrimination in labour market, social civil rights. The cross-issue variations in the rationale of mobilised groups has a considerable impact on the success of social policies in national arena, therefore, the fragmented focus on social civic rights undermines efforts to consolidate stakeholders’ network (A Report on Socio-Economic Policies and Structures 2009: 57). It appears that incompatibility of European and national perspectives, declarative nature of social objectives, and absence of measures to unite activities to fight social exclusion as well as ad hoc cooperation impeded the development of mechanisms to mainstream gender. Taking into account that public is not aware of its capacity to influence policy formation, the social capital as a public good enabling to nourish relations and build trust is feeble. As a result, the gap between central government and grassroots is expanding, allowing to individualise, fragment social problems and do not address social civil rights (The Strategy of Social Inclusion 2007: 21)

In 2009, a welcoming incentive came from the grassroots to alter the status quo - *NAPSI SPOLU!* (English: *NAPSI Together!*) In order to initiate the in-depth study of the inclusion issue and find common solution rather than take for granted imposed decisions, the campaign incorporated more stakeholders, changed the mode of communication, organised seminars, forums, and broadened the list of non-governmental actors. Alas, *NAPSI Spolu!* and other similar public manifestations such as *We are Citizens* (2007) were financially supported by the EU structural funds. For the same financial reasons, the website of *NAPSI Spolu!* had not been updated from 2012. In this context, there is no unambiguous assessment of deliberation. Institutional, political barriers from the government side preclude broad communication, whereas public associations, organisation are still amorphous, without clear leadership and constructive rationale for their actions, financially unstable. Eventually, the commitment to the discussion and resolution of the issue may be questioned. Thus, if there were no financial stimulus from the EU, it could be questioned if there would have been any bottom-up support for public discussion.
National Strategies for Social Protection and Social Inclusion - NSSPSIs (2006-2008, 2008-2010) did not deviate from the course set out in the first Action Plan, resigning namely to the use of the concept of social rights as a key prioritizing criterion for policy making. However, the discourse surrounding and empowering the cognitive schemes set different meanings to social rights, having no reference to social justice, social cohesion, the Welfare State, did not take full account of the Lisbon treaty. Contrary, it had explicitly highlighted the difficulty to fulfil all social obligations and carry financial burden. Naturally, new governments insisted on introduction of more liberal approach to governance. „It is well known, that it is only the commercial sector which generates the wealth of the nation” (Potůček 2011: 12), this official remark from officials in 2010 comes in a sharp contrast to the Lisbon measures, fostering of the social sector to achieve dynamic, competitive and wealthy society. Evidently, existent discrepancies allow to question to what extent public discourse is willing and capable to address societal issues and to uphold EU normative endeavours.

In comparison, the 2011-2015 action plan to combat social exclusion explicitly identifies the means to involve third sector. Representatives, amounting to one hundred, from municipalities, academic, NGOs, institutions, departments were coordinated by the Agency for Social Inclusion to prepare the actual plan and define roles as well as responsibilities. (Strategy for Combatting Social Exclusion, 2011) However, the gender issue is still anchored in the active employment policies as the programme does not even single out any of the measures to reduce pay gap or address their social and economic disparities, which have a direct effect on the political identification of women and men (Potůček 2011: 3). In terms of the participation of NGOS, interest associations, their role is not delineated and allows just to assume their involvement in the supervision of the project implementation. Having this in mind, one could state that this document is declarative by nature and does not allow to capture exact responsibilities and role prescribed to the civil society. It is indicative that social inclusion agenda does not acquire the necessary legitimacy to reduce implementation deficit, disparities among local, regional and national policy formation levels. Thus, in spite of signs that grassroots are willing to participate in policy learning processes and that bottom up process function to some extent, barriers embedded in institutional setting and political discourse impede further efforts. The past and present analysis of the mainstreaming of social inclusion indicate that the national government tend to underestimate the importance of this issue. Therefore, traditional issues such as social security and services prevail in the agenda, setting ground for an inadequate support for disadvantageous.
Conclusion

The exploration of fundamental aspects of deliberativeness and their compatibility with the practice of Open Method of Coordination in the Czech Republic during the period 2004-2010 allowed to answer research questions and rendered notable results.

(I) Empirical finding confirm the initial hypothesis that the incidence of deliberation in the Czech Republic had occurred and was a result of the OMC. The social dialogue prior the accession to the European Union was weak, whereas participation and articulation of social interests together with public officials were not enacted due to rigid mode of governance, inflexible institutions, absence of political and financial support to movements, NGOs. Moreover, the social exclusion issue, as a reason for mobilisation, had not been escalated and carried different meaning and significance in the Czech society. Due to a political commitment to the EU, the Czech government induced elements of deliberative democracy in order to demonstrate solidarity with other Member States, advocating for the increased open coordination of national social policies.

(II) To what extent does the OMC live up to standards of deliberative democracy theory?

Given that alignment with reciprocity, inclusiveness as well as social learning criteria was addressed to certain extent to induce deliberativeness and the public sphere acquired a meaning for gatherings and unconstrained discussions, it may be claimed that there were manifestations of deliberation practice. However, within the time frame of 2004-2010 the brainstorming sessions, drafting of NAPSIs, discussion of social disparities, gender mainstreaming issues remained a political decision. The study suggests that internal constrains such as institutional setting, inadequate knowledge of concepts and focus on issue of social exclusion as well as tension between civil society and public officials limited the functional capacity of the OMC to implement ideal form of the deliberative democracy. Thus, the deficit of implementation determined only the formal compliance with the OMC process.
What is the effect of public deliberation on norm change in the Czech Republic?

The intergroup dynamics between NGOs, epistemic community, and interest based associations was detrimental to bottom-up mobilisation for collective action, whereas subordinating powers of national authority, namely Ministry of Labour and Social Affairs, allowed to bend deliberation processes to its advantage. Findings allow to assume that norms embedded in social inclusion policies with gender dimension could not enter Czech discourse, therefore, the effect was low.

As a result of insignificant change in gender mainstreaming and equality in the Czech Republic, the second hypothesis, in presence of a low EU norm diffusion, the deliberativeness enacted through the OMC exhibits signs of empowered deliberation, is confirmed. The research claimed that diffusion of social norms, related to enhancement of the Social Europe project, is an integral part of the EU normative agenda essential to project itself as an ideational actor and spread unifying social practices within its influence zone. Taking into account negative reception of normative changes in the Czech Republic, the conducted analysis encapsulates confrontation between empowered deliberation and unconstrained articulation of social preferences. One may argue that as assertive empowered deliberation practice substituted a process advocated by deliberative democracy theory and obstructed the genuine exercise of the right to deliberate. It is crucial to highlight that an absence of opportunities for the social learning appeared to be of paramount importance for the norm – breaking behaviour. In this light, the research allows to suppose that the OMC-constructed framework designed to discursively formulate social inclusion policies distorted the deliberativeness and resulted in rejection of normative agenda.

The captured issue of norm backlash is significant for potentially fruitful future research in identifying factors which have an adverse reaction to attitudes and conduct in national constituencies. In particular, this research emphasises the importance of political and historical context, cultural uniqueness and diversity of social rules. Therefore, the intention to apply the OMC as a ‘one fits all’ is
doomed to failure. The assertiveness to unify perceptions on gender role in attempt to eliminate social exclusion fosters imposition of prearranged social agenda. In effect, this thesis contributes to the existent knowledge of deliberative democracy by questioning its function and argues that exploitation of appeal to legitimising deliberativeness falsifies the discursive participation. Hence, it provides ground to further examine mechanisms which subordinate particular status groups and neglects an opportunity to deliver authentic position during the public debate.
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### Appendix

#### Table 1 Data used to conduct case study

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<th>International Organisations</th>
<th>European Union</th>
<th>NGOs and social movements</th>
<th>National Authority</th>
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