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**56<sup>th</sup> Political Association Annual Conference**  
**3-6 April 2006**  
**University of Reading**

**Scientific policy advice through think-tanks  
and their role in the Agenda 2010**

\*\*\*This is a very tentative sketch – please, do not quote without consulting the author. Apologies for untidy bibliography \*\*\*

**Introduction**

This paper presents the outline of a case study of think-tanks and scientific policy advice and their involvement in policy-making processes in Germany. The case presented is the Red-Green government's so-called modernisation programme Agenda 2010. It had labour market and welfare reforms at its heart, which resemble so-called Third Way or "progressive governance" concepts – key words in this discourse are the activating state, employability and civil society – and which amount to a third order change (Hall 1993) of long-term Social Democratic values and policy goals. The Agenda 2010 opened a legitimacy gap between the SPD's programme and its policies in government. With the Agenda 2010 being a product of intense policy advice under avoidance of "traditional" members of the tripartite policy community, especially employment policy and welfare reforms were heavily influenced by think-tanks such as the Bertelsmann Foundation and the Social Science Research Centre Berlin (WZB). Think-tanks involvement in this specific case shows that they are important in times of paradigmatic crisis as actors facilitating policy learning processes.

This paper will indicate how think-tanks were involved in policy change processes, how they interacted with members of the policy community and in how far the think-tanks were involved in discourses on social justice. Firstly I will briefly define think-tanks. Secondly, I will outline the core contents of the Agenda 2010, the so-called Hartz-Reforms. Then I will look at the Hartz-

Commission, understood as an “organised dialogue” (Gohl 2003) and the way think-tanks and policy advisors have influenced public policy through participation in this Commission. Subsequently, I will point out to the significance of scientific policy advice for the re-programming of the SPD. A few concluding remarks will end the paper.

## **What are think-tanks?**

One might state that they are non-governmental not-for-profit research organisations with substantial organisational ‘autonomy from government and from societal interests such as firms, interest groups, and political parties’<sup>1</sup>. Autonomy is the central marker that may be used to shed light on the blurry boundaries between think-tanks, lobby groups, single-issue pressure groups and university institutes. Autonomy though is relative; it does not imply total detachment from policy-makers, as think-tanks must have some ‘kind of engagement with government if they are to succeed in influencing policy’<sup>2</sup>. There are three dimensions of independence – legal, financial and scholarly. Legally speaking, think-tanks tend to be charitable non-profit organisations without formal or legal links to political parties, governmental bodies or companies. Their funding is non-project related and usually is not dependent on only one benefactor. Scholarly independence is constituted by certain ‘practices within the institute: for example institutionalised peer-reviewing mechanisms and open inquiry rather than directed research’<sup>3</sup>.

Pluralist researchers assert that think-tanks are able to ‘support and encourage policy pluralism, broad participation and involvement of policy actors, citizen empowerment’<sup>4</sup>. Pluralist analyses of think-tanks emphasise the free and diverse character of democratic societies, where think-tanks compete with their policy proposals in the marketplace of ideas. Ideas win because they are superior to others. Denham and Garnett, more cautious, concede that think-tanks have a yet to be realised potential to ‘enlighten the public on key policy issues’<sup>5</sup>, but admit that the proliferation of think-tanks itself does not mean a step towards a more pluralistic society, as ‘opinions which threaten vested interests will never get attention’<sup>6</sup>. Pluralists hardly ever address power asymmetries which hamper the competition for the popularisation of ideas. There is no simple correlation between the flourishing of think-tanks and the spread of democracy in industrially advanced democratic polities. For elite theoreticians think-tanks serve the long-term interests of the economic and political elites – policy becomes the result of elite values and preferences implemented by decision-makers knowingly or unknowingly<sup>7</sup>. They highlight the interlocking of directorates of the corporate, military and administrative hierarchies<sup>8</sup>. Elite theories state that through the agenda-setting power of think-tanks decision-makers simply execute what they are told. This approach appears methodologically problematic, as Stone points out: either the researcher focuses on those who formally hold power or they seek ‘to get behind these facades to identify the real power holders. The latter approach presupposes prior knowledge of the real elite in advance of the empirical research’<sup>9</sup>. This approach also assumes that elite consensus and cohesiveness are translated into strategies of control through think-tanks. Think-tanks, however, are relatively diverse and do not always sympathise with elite preferences of a particular administration or social group. Elite

theory applied in this context also risks of drifting off into conspiracy theories which see an ‘invisible government’<sup>10</sup> at work. Neo-Marxian analysis of the role of think-tanks in bourgeois democracies, finally, emphasises think-tanks’ ability to bring problems of the political economy to elite attention and develop the ideology, and propose long-range plans, which convert these problems into manageable objects of public policy<sup>11</sup> with the consensus of the power elite. Think-tanks here are seen as organisations propagating the ideological hegemony – i.e. ‘when the political leadership of a group or a nation is exercised with minimal dispute and resistance’<sup>12</sup> – of capitalism. As Murray argues with Habermas, think-tanks fulfil a role in the survival of advanced capital which rests on its ability to ‘capture the imagination’<sup>13</sup> and legitimise itself in the cultural sphere<sup>14</sup>.

## Think-tanks and “Agenda 2010”

Before I talk specifically about the think-tanks involved in drawing up the employment policy and welfare policy proposals of the Hartz-Commission, let me say a few words about the significance of the Agenda 2010, in particular for the Social Democratic Party of Germany. Though the Agenda 2010 is first and foremost a governmental programme, emerging after the failure of the Bündnis für Arbeit, as Schröder said (FAZ 23.9.2004, 3), Heise (2005, 1) is correct when he labels the Agenda 2010 a third order change in the SPD’s “ideological objectives and a respective adjustment in its short term policy programme”<sup>1</sup>. It represents the victory of the “modernisers” over the “traditionalists”<sup>2</sup> in the party (c.f. Seeleib-Kaiser 2004, Heise 2003). The Agenda opened a legitimacy gap between the SPD as a *Programmpartei*, at its core the notion of social justice, and its labour market policies in government. It can be argued that the debate around the principle of social justice has moved from a Kantian understanding to a Rawlsian notion of justice. According to Wolfgang Clement, then “super minister” for employment and economics, increased inequalities work like a “catalyst for individual and social opportunities”<sup>3</sup> as they lead to a higher productivity. In the SPD’s debate, equality of outcome has been replaced by equality of opportunity, the solidarity discourse was pushed aside by an authoritarian “rights and responsibilities” discourse, the “more” in the equality of resource distribution has become a “more” of social inclusion through labour market participation. The role of the state, crucial for a definition of social justice has changed: it is no longer seen as paternalistic but rather as the enabling state (Hombach 1998; Nowak 2005) activating state. With the Agenda 2010, the relationship between the right to the inclusion into the labour market, the obligation to seek inclusion and the security of employment and the role of the state in this became central. Many of the Agenda 2010’s measures amount to a Third Way inspired redefinition of the welfare state.

The most debated and critical measures of the Agenda 2010 were the Laws for Modern Services at the Labour Market I-IV (Gesetze zu modernen Dienstleistungen am Arbeitsmarkt I-IV). These bills were based on what the

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<sup>1</sup> – i.e. not only policies, policy instruments but also basic values and fundamental normative goals were subject to change (Merkel on Policy Network Website).

<sup>2</sup> For the distinction see Padgett 1994 or Egle/Henkes 2004, 176ff

<sup>3</sup> „Katalysator für individuelle und gesellschaftliche Entfaltungsmöglichkeiten“

governmental so-called Hartz-Commission had proposed just before the elections of 2002. These proposals with their far-reaching consequences for the future of the welfare state were Schröder's most decided and concerted attempt to introduce a third order change not only in labour market and social policy, but also to his party. Much of the "Hartz-Laws", as they became known, was developed completely ignoring SPD, the social partners and also the civil service apparatus in order to propose policies which had a major transformative effect on the SPD and its governmental policies. Scientific *Politikberatung*, policy advice, from think-tanks and consultancies was important for the Hartz Proposals. In the following I will describe some of the institutions of relevance here, their input and their involvement in the policy network – bearing in mind that other actors within the Hartz-Commission and within government also had substantial impact and that think-tanks are not considered as "the" most powerful actor in this process.

The Bertelsmann Foundation is Germany's largest multi-issue think-tank. It has an international profile, has exclusive links into the realm of politics, business and media and has been increasing the size and number of projects remarkably since the mid 1990s. It is a private independent not-for-profit foundation "dedicated to serving the common good" in the tradition of its founder Reinhard Mohn, who established the foundation in 1977. Mohn, founder of what is now the world's fifth largest media corporation (Bertelsmann AG), created the foundation as a guarantee for the continuous family control of the AG, with the Foundation owning a non-voting majority of shares since 1993, which today stands at of 57.6 percent. Through this and a negligible amount of third party funding, the Bertelsmann Foundation finances its projects. Between its inception and 2004, it has spent 548 million Euros on non-profit projects. Of its overall budget of 69,6 million euros in 2004, 44 million euros were spent on project work. It is an operative foundation as opposed to most other foundations in Germany: only projects which are initiated and implemented under its control are financed. In 2004, it employed 320 staff with an average age of 33, focussing on topics such as education, health, economic and social affairs, international relations, corporate culture and philanthropy.

Like no other think-tank in this study the Bertelsmann Foundation has been accused of influencing policy-making processes to an extent no longer tolerable and legitimised in a parliamentary democracy. Some speak of it in the context of "controlled democracy" (gesteuerte Demokratie) and "neo-liberal elites" of loosely connected actors and strategies (Mueller, Giegold & Arhelger 2004, 7). Albrecht Mueller, ex-advisor to a number of high-ranking SPD leaders, argues that the Foundation succeeded in "imprinting their ideology on the reform Chancellor's Agenda 2010"<sup>4</sup> (in: Böckelmann & Fischler 2004, 227). The Frankfurter Sonntagszeitung labels the Foundation the „clandestine *Kanzlerberater*“ (FAS 10.3.2003). Certainly, the Bertelsmann Foundation has been closely connected to governmental departments and many of the ideas it too promoted in its policy proposals since the mid 1990s have been implemented. Here, in particular the Hartz-proposals and the subsequent Bills for Modern Services in the Labour Market can serve as a prime example for the involvement of a think-tank and generally scientific

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<sup>4</sup> „der Agenda 2010 des Reformkanzlers ihren Stempel aufzudrücken“

policy advice in a government's policy making processes. But even before the Hartz-Commission the Bertelsmann Foundation was heavily involved in policy-learning, policy transfer and policy implementation processes. Since the mid 90s the Foundation has been increasing its efforts to establish the concept of the activating state in public debate and through applied projects. A breakthrough came with the Foundation's participation in the Alliance for Job's Benchmarking Committee, set up in 1998 by the then Kanzleramtsminister and Third Way proponent Bodo Hombach. Bertelsmann employed scientists in the Foundation to deliver input, financed the Group's work and eventually even paid for the publication of the report against the wishes of the government. Though the Alliance for Jobs is considered a failure with only the Job-Aktiv Law and a number of limited model projects emerging from the tripartite talks, the Benchmarking Deutschland Report became what co-Benchmarker Wolfgang Streeck from the Max Planck Institute for the Study of Societies (MPfG) called the "bible for employment policies" and gave the Hartz-Commission a good basis for its work- even more important given that the Hartz-Commission only had little time (Streeck 2005).

How did the close involvement of the Bertelsmann Foundation with German labour market and social policy emerge and how was it structured? The Bertelsmann Foundation had previously been involved in numerous projects which fostered certain ideas for labour market (de-)regulation and the reform of the welfare state into an activating state and had been very active in publishing reports, papers etc and organising conferences on this topic. The failure of the Alliance for Jobs and with it the failure of Bertelsmann's commitment to the Benchmarking Group made the Hartz-Commission the next opportunity to communicate its idea of a paradigmatic policy change to decision-makers through a forum which, through its different structure and different political setting, promised a more successful way to change policies. Though no one from the Bertelsmann Foundation was actually member of the Hartz-Commission, the Bertelsmann Foundation had considerable influence through its previous work on the Benchmarking report which was a blueprint for many of the Hartz-Commission's proposals and through the input that Bertelsmann gave to the Hartz-Commission. The researchers, who had already worked for the Benchmarking Group – Eric Thode, Frank Frick and Werner Eichhorst – accompanied the Hartz-Commission with scientific input by e.g. presenting their expertise to several working groups of the commission. Though Thode says that "the direct cooperation with the Hartz-Commission was only punctiform"<sup>5</sup> (Thode 2005, 5), the services of the Foundation went as far as organising research trips for members of Hartz-Commission subgroups to countries such as Austria, the UK, Switzerland and the Netherlands in order to demonstrate the success of other countries' reforms. The consultancy consensus was subcontracted by the Bertelsmann Foundation to work on the subsequent country reports – this consultancy would later be embroiled in the scandal about the commission of consultancy work on the restructuring of the Federal Employment Agency. Frick himself assesses that Bertelsmann delivered "incredible input"<sup>6</sup> (Frick 2005, 3). One

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<sup>5</sup> "die direkte Zusammenarbeit mit der Hartz-Kommission war sehr punktuell"

<sup>6</sup> "wir haben einen unglaublichen Input geliefert"

of the lasting legacies of Bertelsmann's involvement with the Hartz-Commission is its cooperation with McKinsey and the Bundesanstalt für Arbeit in the development of the infamous Personal Service Agencies. This emerged, when neither of the three actors was satisfied with the preciseness and the actual form of these new instruments in the eventual Hartz Report. The good understanding between Bertelsmann and the BA dates back to 1995, when the Bertelsmann Foundation was invited to join the Project 'Leistungsorientierte Führung in der Bundesanstalt für Arbeit'. Since March 1995 the BA had been trying to restructure itself with the organisational concept „Arbeitsamt 2000“. The Bertelsmann Foundation had been involved in this since the summer of the same year. Initially, the project was limited to the core areas of job placement services/finding jobs for people (Arbeitsvermittlung) und job counselling (Arbeitsberatung). In 2003, the Bertelsmann Foundation evaluated the success of the Arbeitsamt 2000 strategy as unsatisfactory ([http://www.bik-online.de/download/Dokumentation\\_04\\_07\\_03\\_stand\\_250703.pdf](http://www.bik-online.de/download/Dokumentation_04_07_03_stand_250703.pdf)). Though this initial commitment of introducing new concepts to the BA failed in the eyes of many and provided evidence that reform cannot come from within a public service provider such as the 90.000 employee BA, the Bertelsmann Foundation remained interesting in this topic and its interest came to fruition with the Hartz-Commission.

Another important player in the field of employment and welfare state policy is the Wissenschaftszentrum Berlin für Sozialforschung (WZB). The Social Science Research Centre is, however, of quite a different nature. It is dedicated to “problem-centred basic research” (WZB brochure 2005). It is a “university without students” think-tank type (Weaver 1989). It was founded in 1969 by 15 members of the Bundestag respectively members of the Berlin House of Deputies; six of them were members of the SPD, the remaining nine were members of the CDU or the CSU. In 1976 the Federal Republic and the city-state of Berlin agreed to finance the institute to 75% respectively 25% and negotiated cooperation with the FU and TU universities. Altenmüller says that in the 70s it became a “Parade-think-tank der sozialliberalen Planungseuphorie” (Altenmüller 1994; in Gellner 1995, 189). It had a “spezifische WZB-Kultur aus linken, sozialdemokratischen, aber auch aus durchaus bürgerlichen Bestandteilen heraus”, said ex-president Wolfgang Zapf (1994). It lost its think-tank function at least partly in the 1980s when the conservative government of Berlin reduced its policy advice consultancy work and stressed the WZB's task to provide “sozialwissenschaftliche Grundlagenforschung” (Gellner 1995, 190). Though the term think-tank sits uneasily with WZB employees, its president Juergen Kocka encourages involvement of his researchers with the political sphere. Since 1998, he in conjunction with his colleague Wolfgang Merkel, have been trying to transplant the notion of civil society into the programmatic of the Schröder government and the SPD, for example through the Progressive Governance Conference in 2000, by advising Schröder on his article about civil society in 2000 (Schröder 2000) and ever since then through involvement in the SPD's Programme Debate. Wolfgang Merkel has been particularly involved in the SPD's debate, has been publishing intensely about the need for programmatic modernisation and cooperates closely with the Friedrich-Ebert-Foundation's chief thinker Thomas Meyer – where Schröder's article was published in the

Neue Gesellschaft/Frankfurter Hefte journal. Kocka said that since 1998, there has been a trend to involve more external expertise in governmental decision-making procedures and that the WZB notably has profited from this development. The WZB's representative on the Hartz-Commission was Günther Schmid, a renowned proponent of transitional labour markets and the activating state – he also became a member of the Benchmarking Group in 2000. As all members of the Hartz-Commission, he was officially invited because of his personal capacity and not because of his institutional background. However, the WZB formed an important background for his scientific input into the Commission, as its research output from the last 15 years could be used for the provision of expertise. The WZB differs from Bertelsmann in the way it engages with decision-makers. It is less continuously involved in policy making processes as contacts are established via particular persons.

Another major provider of policy advice were consultancies. Generally speaking, consultancy companies have been discovering administration and public authorities as new fields of activity over the past years, after the public hand got used to the high remuneration of the business. Though not think-tanks in the strict sense of the definition, they have been increasingly gaining a foothold on the policy advice market. The public sector is a profit-promising business field, and “die Berater wetteifern darum, wer sich als führender think-tank positioniert”, says Wigan Salazar, Public Affairs head at consultancy Agentur Publicis (in: Meck 21.12. 2003 FAZ). In fact, between 1992 and 2003 the turnover of Germany's consultants has increased from 5.9 billion Euros to 12,3 billion. Since 1997, public spending on consultancy is measured separately: whereas public bodies spent 750 million euros on consultancies in that year, in 2003 it had risen to 1,1 billion euros. Not only has spending seen a rise, the services of consultancies have become more popular among decision-makers.. Politicians such as Wirtschaftsstaatssekretär Alfred Tacke commented that he preferred private consultants over scientific institutes when concepts are needed quickly (Tacke, Tagung des Vereins für Socialpolitik spring 2004).

It is methodologically difficult to include Roland Berger Strategy Consultants and McKinsey & Partners into this study, as they are for-profit private consultancies. However, over the past years consultancies have become more interested in working with the public sector. Both consultancies were involved in the Hartz-Commission on a non-commercial basis – they invested between 600.000 and a million Euros – and have a long history of cooperation with Laender governments, especially those led by SPD governments. Berger has enjoyed a friendly relationship with Schröder, whereas McKinsey's activities have tended towards the CDU. Roland Berger is the world's fourth biggest consultancy and has a special unit dedicated to public sector reform headed by Jobst Fiedler, who sat on the Hartz-Commission. How did Berger and the Kanzleramt come into contact? Certainly, it was the particular shape of the Hartz Commission with its explicit aim of ignoring the traditional tripartite structures which made the involvement of consultancies in a governmental commission possible. According to Berger's Jobst Fiedler, the consultancies were originally invited only because the Commission was meant to restructure the Federal Office for Employment – and only consultancies would have the experience to do this: “Da sind die grossen

Beratungsfirmen um Lichtjahre voraus. Auch im öffentlichen Sektor. Weil sie die gesamte deutsche Privatwirtschaft schon umgebaut haben" (Fiedler 2005, 4). After the perceived failure of the internally-driven reforms of the Arbeitsamt 2000 project, this mistake was not to be repeated. Personal contact was established through cooperation between Hartz himself, Frank-Walter Steinmeier and BMW Parlamentarischer Staatssekretär Andres in the Bundeskanzleramt, which made "the right phone calls" (Fiedler 2005, 1). Fiedler himself was chosen because „ich selbst hatte mal früher eine wichtige Rolle in der Arbeitsmarktpolitik [...]. Ich war eine hybride Figur. Ich kannte das System von innen ziemlich gut und kannte ein paar moderne Ansätze und hatte außerdem Beratungsskills" (Fiedler 2005, 2). McKinsey has been trying to follow Berger's footsteps by establishing itself in the market for policy advice to Germany's public institutions. It participated in the Hartz-Commission as well as into the CDU's Herzog-Commission. McKinsey's Hartz-Commission member, Peter Kraljic, was involved in the Wolfsburg-Projekt – a local employment policy project in cooperation with Volkswagen, through which he knew Peter Hartz.

Finally, a few words about the role the Hartz-Commission and its relationship to Social Democracy. The SPD did not remain untouched by the Hartz-Commission. The Friedrich-Ebert-Foundation, which fulfils among others think-tank functions, has been quite active since the mid 1990s to promote a dialogue about the modernisation of the SPD – though its ideas only began to slowly trickle through with the start of the SPD's' *Programmdebatte* in 2000. The debates around the Agenda 2010 gave the Foundation more momentum to increase its discursive activities. As its nature is that of a bridge-builder between different groups in the policy community rather than a proper research institution itself, it did not contribute to the Hartz-Commission – and was never asked to. However, it accompanied the Hartz-Commission's work and many leading members of the FES saw it as a new window of opportunity to finally out-manoeuvre the SPD traditionalists. In this it had support from members from the commission: After all, the Hartz-Commission was – if not an SPD commission - full of social democrats. Berger's Jobst Fiedler explicitly endorsed the commission's proposals as modern social democratic policies of justice and public service provision (Fiedler 2005, 3) – he had also been on the FES's Managerkreis, which has been promoting the activating state, the mobilisation of human capital and the idea of rights and responsibilities since the mid 1990s – a journalist's comment from May 1998 read that these ideas would hardly make their way into the SPD's programme.

## Conclusion

The aim of this draft paper was to indicate how scientific policy advice has been sought after and has become more and more important in German labour and social policy making. The perceived need for paradigmatic change had led to the crumbling of neo-corporatism which opened new possibilities for outside policy advice, which mostly argues with "best practice" methods and its "uninterested objectivity". I argued that the red-green government started to introduce third order policy changes in welfare and employment policies with the traditional neo-corporatist arrangement of the Alliance for Jobs, but supplemented it by the new element of the scientific technocratic

Benchmarking Group. However, this advisor group's proposals remained ineffective when the coordinated policy discourse of the Alliance collapsed. The next attempt to introduce paradigmatic policy changes to German employment law was the Hartz-Commission. As much as the Hartz-Commission was an electoral manoeuvre – it certainly started out as Schröder's media-savvy attempt to perform symbolic political activity – it symbolises the crisis of the German tripartite system. The Hartz-Commission was a new discourse arrangement, which – when its initial task was expended and it designed the blueprint for far-reaching changes – created a public debate about policies and bypassed traditional players. It demonstrated that the influence of expertise from outside the civil service has become more significant for government. Bertelsmann's role has become invaluable in Germany's policy making arrangements, it seems. With the power of its resources and network it has promoted many projects that tested out policies. Berger and McKinsey have made further inroads into the public sector and have managed to combine their pro-bono commitment in the commission with follow-up consultancy work. Finally, also the more academic policy advice has been increasingly called upon. The WZB certainly provided the Hartz report with scientific legitimation – certainly, Schmid's scientific background helped to integrate the earlier proposals from the Benchmarking Group. These developments lead to questions about the future of tripartism in Germany, about the legitimacy of *Politikberatung* in the face of the shrinking role of the Parliament in the outlined processes, and about the value that think-tanks and now even consultancies can add to the policy process.

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