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Flexicurity: Redefining the security of European citizens



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FLEXICURITY: REDEFINING THE SECURITY OF EUROPEAN CITIZENS ⁽¹⁾

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"Real freedoms are not only the first aim of development, but also one of its main means" (Sen, 2000: 10).

The recent communication by the European Commission on flexicurity defines it as an "integrated strategy aimed at simultaneously improving flexibility and security in the labour market" (European Commission, 2007a: 5). The academic studies that preceded the adoption of the communication dealt with the "flexibility/security" tandem as a virtuous circle in which the two terms were conceived within a relationship of reciprocal prerequisites.

While such a "win-win" approach should have earned general support, the Commission document has received fairly strong criticism, basically due to the imbalance between flexibility and security (in favour of the former) and the weakness of the proposals made. These criticisms mainly come from the domain of the trade unions (see Keune and Jepsen, 2007) and NGOs, particularly within the alter-globalisation movement ⁽³⁾.

Our hypothesis is that this denunciation -by the essential partners in the implementation of any flexicurity strategy- is based on the fact that the advance document of the specific proposals for "flexibilisation" and the deregulation of labour legislation does not draw up a renewed and inspiring framework for the social security system that could incorporate the new risks and eventualities that European citizens have to face up to in their professional and personal paths or trajectories. All things considered, one could make the same observation when examining the academic studies on the "protection of trajectories": against the narrowness of the constraints of labour market policies or traditional ideas about the social security system, most struggle to reinvent a social model that can provide basic security to people in their daily life, and real possibilities for them to develop within a globalised economy (see differing views in CEPS, 2007 and Vedrine, 2007).

We would like to put the case for a renewed conception of "security", in the light of the "negotiation of a new commitment that would guarantee the protection of life and work paths thanks to a redeployment of public interventions and a new marking out of the responsibilities of the State and the social partners" (Boyer, 2006).

¹ This text is based on a communication presented on occasion of the conference organised by the Portuguese presidency of the EU titled "Flexicurity: the challenges" in Lisbon on 13 and 14 September 2007. I would like to thank Fernando Vasquez, Gabrielle Clotuche and François Vandamme for their excellent comments and suggestions.

² RECOWE is a Network of Excellence (NoE) under the 6th European Framework Programme (FP6=, covering 23 specialist centre of excellence in Europe in studies of the labour market and/or social protection. It works on "Reconciling Work and Welfare in Europe" (<http://recwowe.eu/>).

³ Particularly see articles 681-682 and 686 on the website of ATTAC Brussels (<http://bxl.attac.be/spip/>).

To do this, we will carry out an exercise which, in contrast to a perspective of marginal adaptation to changes in institutions and systems - which prevails in the Commission communication- the starting point being an awareness of a deep transformation in citizens' needs, to redefine the basic characteristics of a protective social model ⁽⁴⁾.

1. THE BENEFICIARY OF FLEXICURITY IN A NEW ECONOMIC AND DEMOGRAPHIC CONTEXT

Economic growth is constant in the Eurozone: employment increased by 1.5% in 2006, i.e. around 2 million new jobs (3 million for Europe as a whole). In the same period, the unemployment rate reached 7.8%, the lowest in over ten years, and This trend should be even stronger in the future (European Commission, 2007b). At first sight these figures seem to allay the concerns of European workers about their future. However, globalisation brings with it a greater frequency of restructuring processes, a demand for ongoing flexibility and reconversion on the part of the labour force and, for a large number of workers, increasing difficulties in changing to new jobs. Whatever the face of the EU in ten years' time, one could suppose that these economic ups and downs will continue to exclude certain groups of citizens from growth and the knowledge society, sometimes for long periods, and maybe even entire regions.

Furthermore, whatever the growth of employment over the next few years, the objective of 70% participation in the labour market established in the Declaration of Lisbon in 2000 will not be achieved without an overall policy of taking on responsibilities today, largely by people who are not working. In particular, in an ageing society it is necessary to work out a new distribution of care for dependent persons and small children. The Green Paper on demographic changes reminds one of the need, in such a context, to put in place measures that will stimulate demographic growth, to create new jobs (but also to re-establish the ratio between active and non-active population) with public investment in social protection.

The phenomenon of isolation in society is on the rise (in 2006 in Brussels one household in two consisted of just one adult) as is the number of single-parent households (13% of those with children in the Europe of 27). These are individuals who, according to all studies made, are most exposed to the risk of precariousness (Guio, 2005). The status of single parent makes it more difficult to get into the labour market. Moreover, the possibility of isolation is (for a large part of the population) a brake on establishing a family or having more children. Isolation or single parenthood is a risk for the individual but also for society, and this is being seen ever more frequently.

We put forward these summary considerations to show, initially, that households live in a state of uncertainty nowadays, both in family and professional terms. Asking individuals to show even greater flexibility reveals a kind of cynicism which should be matched by specific and reliable protection mechanisms to cover their essential needs.

Based on the premise whereby a well-known social system, one that helps the most vulnerable, the evidence and considerations show that most social policies on households with two incomes (particularly in continental European countries) fail in the case of the people who are most at risk in our societies, i.e. isolated people. The social protection systems of tomorrow should focus on an isolated "standard individual" who should be able to participate in the labour market, have a decent standard of living when he/she is excluded from it, and fulfil private responsibilities vis-à-vis dependent persons (children,

⁴ See the work of the EUROCAP (<http://www.idhe.ens-cachan.fr/Eurocap/>) and CAPRIGHT (<http://www.idhe.ens-cachan.fr/Eurocap/capright.html>) networks. (Robert Salais) around the notion of "capabilities" developed by A. Sen.

aged parents, etc). Conceived in these terms, households with two or more incomes are benefited.

2. THE OBJECTIVE OF SECURITY

The Commission communication defines security thus: "It is about giving individuals the skills that will enable them to progress in their working lives and help them to find a new job. It is also about giving them adapted unemployment benefit to facilitate transitions. Basically, this also includes training opportunities for all workers (particularly low-skilled and older workers)" (European Commission, 2007a: 5).

Inspired by the notion of "capabilities" devised by the Nobel Prize-winner A. Sen, this definition only reflects it in a limited way, and does not do justice to the numerous studies carried out on the notion, particularly by the EUROCAP and CAPRIGHT networks. Their work defines it as: "Investing in people is not simply investing in education, be it initial or lifelong. Basically the idea is to develop people's capabilities at every moment of their life and work in a way that enhances their effective freedom to act and choose among a widening set of opportunities (...). The capability approach includes the existence of real opportunities for people to develop their skills, and hence, the existence of collective guidelines allowing them to acquire real means and ensuring equal distribution of social opportunities" (5).

For R. Salais, "the great swing represented by the capabilities approach has to do with the choice of the reference in relation to which public action (policies, legislation, procedures) should be designed, implemented and evaluated. For Sen, the only ethically legitimate reference for public action is the person, and specifically his/her status in terms of the extent of real freedoms that he/she enjoys in order to choose and manage the life he/she would like to have" (Salais, 2005).

According to the capabilities approach, and extending the reflections made in point 1, it is important to understand that "security" pursued within the framework of flexicurity must simultaneously try to:

- improve personal skills in order ensure adaptability to the labour market throughout their professional development - it is the core point in the Commission Communication, in terms of "security";
- guarantee individuals the opportunity to combine working and family life under equal conditions for women and men;
- also (and above all) protect people who are temporarily or definitively excluded from the labour market. It is a matter of guaranteeing that a number of essential aspects of existence will be covered in any situation: health, accommodation, energy, social welfare/help desk services, education, transport, communication, means of existence ... this last-named is an essential condition of individual dynamism and adaptability, of a demographic revival, but also of social cohesion and a reduction in inequality. Nevertheless, the communication does not go into much depth on this point is restricts itself to describing it (for example) as "modern social security systems that provide adequate help with income, foster employment and facilitate mobility in the labour market".

Only when they are taken together can these guarantees lead to an efficient policy of flexicurity, whose objective could be *to ensure that each individual in a changing family and working environment has a real "horizon" that he/she can project and will allow*

⁵ EUROCAP scientific report titled "Social dialogue, employment and territories. Towards a European Politics of Capabilities (EUROCAP)", Final report, October 2006, page 5.

him/her to effectively engage in new projects at any time, be they short- or long-term or family projects, buying a house, changing jobs, moving abroad, etc.

3. THE DOMAINS IN WHICH SECURITY WOULD INTERVENE

It seems that, in order to respond to an objective of this type, the term “security” in flexicurity means a major extension of the traditional limits of social security systems, that it should be defined in an analytical manner (by risks, as in the 102nd convention of the ILO) or a functional one (according to the missions it fulfils, as in recommendation 92/442 of the Council of Europe - Council of the European Union, 1992).

Looking at it more closely, the comparative analysis of social protection systems clearly shows that if we look at functional equivalents from one country to another, a number of domains are mobilised. In principle, these do not come under the classical definitions of social security, constructed on a European and international scale, according to the method of the lowest common denominator (Vielle, 2001).

The method of functional equivalents enables us to discern the branches that are present in certain social security systems but absent in others (which does not mean that their function is not fulfilled in another way). In certain Scandinavian countries, for example, we find parental social insurance or assistance with accommodation expenses that are not present in continental systems.

If we look at the needs that a social protection system should cover in the widest sense to respond to collective and individual challenges within a knowledge-based economy, we can see that it should extend to wider domains than those usually considered. Outside the classical branches, one could think of accommodation, early education and lifelong training, energy, credit, help desk structures, the communication and information media etc.

To take the Commission Communication at its word, it is about implementing *a really “integrated” structure that would be applicable to all areas of economic and social life and would have an impact on peoples’ career and life paths. One of the priorities of the EU in this area should be to identify the different domains based on fundamental, material and skills needs of European citizens in a new economy.*

4. THE INSTRUMENTS OF THE SECURITY

The classic tool of social security is the ‘mutualisation’ of certain risks or eventualities considered socially ‘legitimate’ that give rise, when they occur, to the payment of benefits that compensate or replace something. Resource to this tool allows a redistribution of resources that will remain essential in the knowledge economy: money and time (to mark out the periods eligible for the payment of benefits). Such a tool could be extended in the name of new eventualities, e.g. lifelong training.

The method of functional equivalents helps us to understand that certain functions, guaranteed here by the classic tools of the social security system (e.g. family benefits payable up to 25 years of age) are replaced elsewhere by other kinds of public benefits (study grants between 18-25, tax credits, or subsidised access to higher education, for example). It is easier to understand that social protection could, with a view to adapting to changes in society, resort to other tools such as internet services or taxation.

In this respect, we all too often forget (it is one of the failings of communication) to state the importance and the advantage of *services of general interest that are accessible and*

of quality standard. Indeed, increasing attempts at individualising social benefits (drawing rights, universal benefit, etc.) to respond to the diversification of the way of life come up against ever more heterogeneous situations and personal paths. These are not only related to aspirations but also to individual needs (Vielle, 2001; Walthéry and Vielle, 2004). In a number of areas (health, education, transport, ICTs, accommodation), it could seem that the implementation or consolidation of accessible services that are of general interest and quality could replace the payment of individual benefits. This is surely one of the keys to the success of the Scandinavian model, all too often ignored by analysts, who are content to just weigh up the balance between labour legislation and social security.

As in the case of mutualisation, the implementation of services of general interest depends on a collective structuring of time and space when formulating policies. This is paradoxically essential in a flexible society. The predictability and homogeneity of timetables for reception/call services or schools, transport or other public services contribute to keep employers and workers within the organisation of the flexible labour market and are essential for the households that need to combine working and family/private life.

Other instruments, however, contribute to this reorganisation of social, family and working time and space. We could particularly mention policies of organisation of time in cities, or family law (which can propose, as in Belgium, alternate looking after children by the parents as a standard).

The choice of solidarity tools (e.g. the preference given -in certain cases- to the mutualisation of risks, and -in others- to services of general interest) always reflects a social commitment on the responsibilities of the State, employers, workers and citizens in general. Within a perspective of flexicurity, it has to do with long negotiations about the purposes, tools and aims of the solidarity that coexist in our European societies. It is a case of negotiating what should be involved in *a collective framework of protection that is wide-ranging and homogeneous and responds to the basic needs to individuals in general, but also to the economic challenges faced by Europe. Within this framework, it is advisable to determine the best tools (mutualisation, services of general interest, policies for regulating time and space) to respond to these heterogeneous individual needs.*

5. THE PARTNERS INVOLVED IN SECURITY

The adhesion of all partners to the implementation (downloading) of any policy requires their prior close collaboration in the preparation (uploading) of the policy. This is particularly true when it is a case, as in flexicurity, of bringing about a major change in notions of social commitment around flexibility and security, but also from the institutions involved in effecting this change. In this perspective, that of an ambitious approach to "security" that represents the negotiation of a new social pact, the effective participation of all key partners in the definition of flexicurity policies emerges as an essential prerequisite for the success of their implementation.

The classic interlocutors - governments and social partners - obviously maintain their legitimacy to negotiate issues related to employment (and therefore to the "flexibility" component of flexicurity) or social security in the strict sense. Representative and strong trade unions are a guarantee of effectiveness in implementing flexicurity policies. However, in a conception of security that is extended to other fields beyond social security and aims at accompanying individuals in their career and life paths, it can no longer be considered that these traditional interlocutors have a monopoly on the formulation and implementation of policies.

Thus, if we integrate services of general interest, a new organisation of time in the city into the notion of "security", then other actors have expertise that should be listened to. This to create the most realistic framework for flexicurity and avoid its implementation coming up against strong resistance from civil society, not to mention European citizens. *The negotiation process should be extended to other ministries apart from social affairs and labour; civil society representatives should receive a hearing.*

This is particularly applicable in the event of resorting to the only classical tools for social regulation: legislation, collective bargaining agreements, social dialogue. These are perfectly valid when talking about labour law, but if we want to encourage flexible career and life paths and ensure smooth transitions, *new forms of negotiation and contracting should be tested and developed. This process would bring together the different levels involved (from the European to the local level) and all the partners who can contribute to security.* If the 'soft' regulation instruments envisaged in the aftermath of Lisbon have failed to involve each partner in the development of a knowledge-based economy, perhaps this is due to the fact that those same partners have not been involved (or very little) in the creation of the instruments (uploading). *The close involvement of traditional and new agents in the drawin up of the soft law would undoubtedly be an avenue worth exploring.*

It follows that (at least partially) the responses to the challenges posed to the security of European citizens should not - or cannot- all be negotiated in classic domains: sector, branch, company (see Sciarra, 2007). These spaces should be fully associated with the process, but due to the number of proposals, and bearing in mind the diversity of the agents involved, *the territory at different levels (European → local) that emerges as the main space for the formulation and implementation of security* (Gazier, 2007). The traditional social partners should therefore organise themselves to negotiate in a new context.

Here we have only sketched out the issues that emerge vis-à-vis European institutions. *In order that the flexicurity process should be integrated in all the domains referred to who should be invited to negotiate this new social pact? Which procedures should be put in place to guarantee each partners can have an effective voice in the discussion (what some researchers call "capability for voice") (Bonvin and Thelen, 2003)? What form should these new forms of social regulation take?* All these questions should be addressed if the framework of flexicurity is to be dealt with seriously.

THE NEW ORGANISATION OF SECURITY: WHAT WILL BE EUROPE ´S ROLE?

Once the partners/agents have been identified, the other key factor the success of a flexicurity policy lies in the choice of the right level of government to define and implement it. Where should a general framework be negotiated, and -more importantly- to what level of precision should it be negotiated, and what specific solutions need to be applied to implement it?

To respond to the European challenges declared since Lisbon, the *conceptual framework of flexicurity must be negotiated at the European level.* This matrix should pick up the basic elements of a renewed pact between flexibility and security and construct a "grammar" of flexicurity (concepts, indicators, etc.) that will allow all the partners to rethink their strategies in a different language. To this end, the reciprocal relationship between "flexibility" and "security" must be reaffirmed in a more balanced manner and with more conviction, and the beneficiaries of "security" policies should be stated unambiguously. The domains covered by "security" should be widened and precisely identified so that the meta-framework can be applied (including at European level) to domains as different as health and consumer protection, transport and energy, education,

the information society and the media, etc. This matrix could then indicate the procedural way forward (players, modes, places and forms of negotiation) and techniques (instruments) for the implementation of flexicurity by the national, territorial and local levels.

Can the EU, however, be content with just announcing a conceptual framework? Faced with what is at stake, with economic (a “knowledge economy”, “a competitive Europe”), social (“a European social model”) and demographic factors, it is surprising that the communication by the Commission is so weak in its proposals, despite the fact that the Commission has initiated so many projects and reflections around ‘social’ security in the widest sense of the word. Nevertheless, there are many reasons for putting the case for (1) a more integrated approach, and (2) harmonising things while staying within the limits of the current powers of the EU. Basically, certain challenges faced by Member States call for a common security response at European level. Perhaps the time has come to dream of the implementation of European tools for security (3).

(1) If we wish to convince European citizens that an ambitious policy exists on security, it seems to be urgent and necessary to bring together (both technically and institutionally) a series of closely related and interdependent dossiers under the banner of flexicurity. This would start with social protection (OMCs), quality of employment (EES) -with EESs and OMCs being better structured and coordinated (Vandamme, 2007) - services of general interest, equality between men and women (roadmap) and the fight against discrimination, to mention just a few. This regrouping would enable the objectification and comparison of the “basket of securities” offered by each Member State to its citizens, and (therefore) the investment (mainly financial) that it allocates to their security. This integrated approach could also explain why (for example) lifelong education and training systems in some countries work well, while others (despite massive investment) do not achieve significant results in terms of adaptation to change and re-entry into the labour market. Basically, it would help to mark out and overcome international competition among solidarity tools (services of general interest, on one hand, and social benefits on the other, etc.) by apprehending it both from the point of view of a “consumer of security” and that of the “provider of security”. The Member States are already faced by great difficulties of competition between systems - in access to education or healthcare, for example- and sometimes run the risk of jeopardising whole branches of social policy without the EU being in a position to propose coherent responses, bearing in mind that a dispersed European management of tools is related to the policies themselves. If it is integrated into a conceptual framework of security of new essential elements (such as services of general interest) it would be clearer to see that competition among social systems would no longer hang - indeed, far from it- on the sole basis of criteria such as obligatory deductions (even if we add fiscal and para-fiscal deductions) and new responses could be formulated. *A series of initiatives (as wide-ranging as possible) aimed at improving the ‘social’ security of citizens should be put in place within an action plan that is coherent and convincing.*

(2) Competition between social systems - and the growing risk that this can subject national systems to - is undoubtedly sufficient reason for Europe to start work immediately on a harmonious programme to protect the career/life paths of its citizens. However, the same concerns of economic and social efficacy lead to the same conclusion. Certain domains and instruments around security are now over-determined at European level by a sterile dialectical approach (for or against the privatisation of public services? funding by a welfare state?) due to the absence of a strong vision of an attractive and inspiring project for society. The EU call for the role of dossiers in the creation of a competitive knowledge economy would encourage their development and the scope of their ambition. *It is up to the EU to propose a common definition of a minimum ‘basket of goods’ that any European*

citizen would be entitled to access from a perspective of protection of life/career paths. This 'minimum basket of securities' would be common to the Member States and binding on them, or would it not be? If it is not, any progress towards the flexibility expected of European workers would become impossible.

- The adoption of an ambitious directive on services of general interest emerges as a determining element in an authentic policy on security.
- The extension of Directive 96/34/CE on parental leave (Council of the European Union, 1996) - the first European Directive making a framework agreement between European social partners obligatory erga omnes - would also be imposed. This directive should, also as stated during the discussion on occasion of the presentation of the "Roadmap for the future" in 2006, be updated into a real directive "conciliating private and working life" (European Commission, 2007c). This instrument would thus become one of the pillars of security, responding to the concerns mentioned in point 1).
- Likewise, Directive 79/7 on equal treatment in local social security systems (Council of the European Communities, 1979) should be substantially reviewed to include the new challenges posed by the implementation of equality between women and men in social security systems, including the individualisation of the right to social security - whose importance is highlighted in the roadmap for equality (European Commission, 2006) - and the need for both men and women to reconcile family and working life (⁶).

(3) Basically, we have referred to the tools that can be used to implement an integrated policy on security. It is mainly a question of the mutualisation of certain eventualities, the consolidation and development of services of general interest, and a number of different tools to regulate the time/working hours of European citizens. In this respect, it is time for *a very specific discussion of some of these tools in order to respond to the common challenges faced by Member States*. For example, the mutualisation of lifelong training on a European level to ensure the adaptation of workers in the most efficient manner possible. Projects of this type are justified both by the efficiency achieved (mainly financial) and their implementation at European level and by the symbolic nature of setting up a European social solidarity. Direct intervention by the EU therefore seems even more justified and necessary, that several basic European instruments should be addressing the needs in question, the most important being the European Social Fund (ESF). In the current programme, the ESF organises the allocation redistribution of resources around priorities that are very close to those mentioned above. Likewise, for a few years now the Commission has carried out original and ambitious initiatives to coordinate its policies overall (economic, labour, industrial, competition, commercial, innovation, education, structural, etc.) that play a role in anticipating change and restructuring processes. The recently set up Globalisation Adjustment Fund has been added to this series of instruments to help in processes of change and restructuring that are often difficult. It is advisable to integrate these instruments in the general framework of creation of new securities, and to be able to target and coordinate them better within a long-term perspective (Gazier, 2007 reflects in the same direction).

However ambitious they may appear, these proposals are not unrealistic. Europe now has powers in these domains and the re-engineering of them around a harmonising European process of flexicurity would allow considerable progress to be made. The key to the question, however, lies in whether we want, as part of the debate on flexicurity, to "restrict ourselves to the management of the obstacle of adaptation to the labour market" or to seize the opportunity to redesign the map of a real European social model (see Vandamme, 2007). *True, a European security project means real mobility and adaptability of the workforce, but also support from European citizens and workers for flexibility*

⁶ Note that the directive does not impose the principle of equality on parental leave benefits!

attached to the right to work. More generally, the absence of a wide-ranging and clear vision of security at European level would condemn the search for new commitments, involving a redeployment of responsibilities between the State, companies, workers and civil society. In the wake of initiatives already undertaken, a common and ambitious definition of the security of citizens is the heritage that we hope the present Commission will leave us.

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