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Relational scaffolding of justifications in policy-making: Deploying the multi standard of identifications in EU policy negotiation

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ABSTRACT
This article explores discursive strategies deployed in international policy-making and highlights the relevance of interrelated identifications in political persuasion. Reconsidering some of the existing theories, it states that justifications in the acts of argumentation are not only ideational but also relational. The article demonstrates this by examining a case of European law initiative Single European Sky (SES) that was considered rational, progressive and beneficial, but never proceeded to completion. The art of argumentative premises applied in the negotiations on SES are analysed in detail in an illustrative public communique by a French Minister addressing the European Commission. The article exhibits the strategic deployment of multifold institutional standards of legitimacy regulating the interface between a nation-state and the EU. The policy arguments are built upon interrelational parameters and mutual expectations that motivate their persuasiveness. In the analysis this 'relational scaffolding' is carved out by applying the method of membership categorisation analysis.

Introduction

Theories and methodologies scrutinising policy-making tend to emphasise the aims, explanations and end results of activities (e.g. Meseguer & Gilardi, 2009; Ramirez, 2012). Yet, to understand the trajectory of policies properly one also needs to pay attention to local procedures and pre-existing principles constituting the framework for action (Rawls, 2009).

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This article examines the details of argumentative decision-making practices by zooming in on the discursive strategies enacted in an enduring and ultimately unsuccessful policy negotiation in the EU. The law initiative in focus, the Single European Sky (SES), was launched by the European Commission (EC) in 2004, as a programme aimed at harmonising European air space and air traffic management, thereby achieving cost-effectiveness, transparency and interoperability, without success in the end (see Baumgartner & Finger, 2014). The stumbling of SES programme is not exceptional among intergovernmental initiatives (see eg. Diogo, 2020; Hudson et al., 2019). Yet, the controversial and enduring character of SES offers an exceptionally illuminating example to study multifold persuasion strategies in the context of the Union. As a programme SES was widely supported and unanimously ratified by all Member States. Still it met with recurrent trouble during implementation. In fact, the SES was on the table for over ten years after its ratification, during which several revisions and acceptance rounds were taken for new sets of regulations. The programme faded into oblivion by 2015 – or rather, it gave up on its political mission and dissolved into several smaller and more technical subprojects. It seems peculiar that a widely supported, apparently rational, urgently needed, and centrally governed policy was never finalised. My aim, however, is not to explain why SES failed or how it proceeded stage by stage as a policy programme. Instead, the focus is on the sphere of strategic meaning-making: explicating the art of communicative transactions that convey policy decisions. This article aims to better understand the rhetorical assets mobilised in SES negotiations by demonstrating how one of the key politicians deploys shared normative conceptualisations in regard to the procedure through which the policy goals are pursued and achieved. The institutional setting is regulated discursively in the form of interrelational appeals, which I call the 'relational scaffolding' of justifications. Secondly, my suggestion is to grasp these strategic processes with the methodological tools of membership categorisation analysis. Thirdly, these suggestions require a reconsideration of the underlying theoretical assumptions about the relevancies of social action.

My research is rooted in discursive neoinstitutionalism (Schmidt, 2008; Alasuutari 2015a), which emerged to challenge other forms of neoinstitutionalism for their biased theoretical foundations: rational choice theories for emphasizing rational calculation in political action, historical institutionalism for path dependencies, and sociological institutionalism for its top-down view over policy trends emphasising

global isomorphism determined by world cultural values (such as rationality, scientification and collective progress). My intention is not to refute the global rationalisation of governance nor indeed the relevance of cultural values in decision-making (cf. Meyer et al., 1997). Cultural factors do matter in politics. Yet, I want to make the claim that there is oversimplification in the way sociological neoinstitutionalism theorises *social action*, which seriously erodes its explanatory force in regard to empirical occurrences of action. In spite of mentioning the creative role and agency of actors in changing the world (Boli & Thomas, 1999, pp. 4–5), the theory uses quite a rigid and solipsist top-down definition for actorhood determined by exogenous models. This idea of policy principles and models as 'trafficking packages' determining political action appears inadequate in understanding the actual processes of local decision-making as they unfold in real time and action among various political actors (Syväterä & Qadir, 2015).

Discursive institutionalism highlights that on the level of actual practices, policy-making is most intrinsically about controversial contestation to win sufficient support for or against a reform in discourse (Schmidt, 2008). Worldviews affect policy choices but they do not travel in packages. Instead, views about the world are sketched out and modified verbally through discursive strategies and rhetorical means by persuading other actors to gain support for particular political positions or aspirations (Alasuutari & Qadir, 2014). This persuasion has been labelled 'epistemic work', referring to techniques used by actors in affecting the views of the situation at hand (Alasuutari & Qadir, 2014, p. 72). Political decision-making involves various actors in interaction and often in conflict with each other. My research contributes to creating a thicker description of the 'politics of policy-making' (Alasuutari & Qadir, 2014), of the processes through which political action and decisions evolve. I also align with actor-centered constructivism, emphasising the contextual embeddedness and the strategic nature of discursive formulations (Saurugger, 2013). Persuasion is not about sketching out a tempting world view nor about manipulating the cognitive setting of the recipient from scratch. Instead, there are institutional agreements, power relations and historical trajectories which predate a political claim and the actor needs to navigate through these strategically.

Understanding any policy process necessitates understanding the dynamic of interactions embedded in shared social ontologies, values and norms, in which actors themselves evolve as well (Saurugger, 2013). This perspective is taken by the constructivist theory of European

integration (Risse, 2004). It stresses the relevance of temporally unfolding processes in which actors apply specific institutional standards to make moves and mutual evaluations, thus accomplishing and instantiating institutional identities as well as the premises of the governance system. The case study presented in this article explores the nuances of a European integration process and exhibits a set of key premises in negotiating any social change. My study demonstrates how the structural parameters of local context and institutional identities matter in actualising as well as challenging global world-cultural ideals. In the centrally governed EU ideas spread through an institutional procedure. The EU as a context exemplifies that the premises of modern policy-making do not only concern the policy goals – and their estimated gain in rationality – but also the methods of collaboration (cf. Boli & Thomas, 1999, pp. 4–5). The principles guiding the action include the premises of the procedure leading towards social change, whereby the drive to optimise rationality and gain functional benefits is accompanied by commitments. This aspect is vividly materialised in the local constitution, co-ordination and purposeful regulation of actor identities.

Theorising actor identities as members' phenomenon in political practices

The centrality of actor identities relevant for the arguments put forward in this article has technically been recognised in sociological neoinstitutionalism. The world society theory mentions actors as integral intermediators of global scripts in policy-making (Boli & Thomas, 1999). However, this view has rightly been criticised for its abstract and mechanistic take on the role of actors. Research done on concrete actors operating in actual policy processes shows that, in practice, any global universalistic ideal infuses into national and local subfields involving various actors, interests and struggles over the right path to follow in a policy matter (Alasuutari & Qadir, 2014, p. 78). The practice of argumentation and discursive interchange is an integral part of these political processes (Alasuutari, 2015a; Schmidt, 2008). Thus, ideas are not trafficking in policy processes without drivers. They are strategically deployed by goal-oriented and procedurally reflexive local actors, who themselves are constantly on the verge of emergence and actualisation. Following the claim that policy-making is premised on actors' understanding of the world and the situation at hand, it is crucial to highlight that actors themselves are likewise constituted and regulated by such

understandings. The incorporation of global ideas into the local context is entangled with actor identities, which places an emphasis on policy-making *procedure* as well as idealised policy goals.

Politics can be seen as a playing field on which actors act upon each other's conceptions and motivations to win sufficient support for their claims (Alasuutari & Qadir, 2014). Actors work on beliefs and aspirations with particular discursive strategies, making claims about (1) the ontology of the environment, (2) actor identifications and (3) norms and ideals (Alasuutari & Qadir, 2014). The novelty of my research is in highlighting the crucial intertwinement of the latter two levels, digging deeper into the linkage and dynamic between identifications and normative expectations. Furthermore, in addition to acknowledging the importance of local context, actor agency, and reflexive meaning-making, my research brings in the element of interrelations in the theoretical description. I argue that 'relational scaffolding' is a persuasive mechanism based on mobilising category-bound identifications and their interrelational expectations and obligations to push other actors in the debate. As actors are prone to follow a 'logic of appropriateness' in institutional action (March & Olsen, 1998), the acts of relational scaffolding are one part of the 'strategic power game' between political actors in processing the appropriateness, legitimacy and purposeful consequences for their actions (see Saurugger, 2013).

The EU as a supranational complex governance system is a particular field of action. It is a political constellation in which sovereign nation-states have volunteered to sign away political power to optimise the gains of centralised co-ordination and rationalised effective decisions for collective progress (Horeth, 1999). There are normative contradictions between the ideas of national sovereignty and proper membership within the EU (Heidbreder, 2013). These contradictions live on in the practices of the union, and they surface also in the justifications for and against policies. The standards embedded in institutional actor categories are one form of justifications materialising in discourse. Actor categories play a crucial role because they are deeply intertwined with the question of legitimacy, the normative boundaries justifying the existence of the institutions in the first place. Vivien Schmidt (2013; also Carstensen & Schmidt, 2018) has researched the discursive strategies in building legitimacy in the EU institutions, exploring the principles of the outcome, input and throughput legitimacy of EU policies. In all its insightfulness, this research on discursive accounts and ideas seems to overlook the reciprocal aspect of legitimation work – the fact that the

legitimacy of institutional actions must eventually be worked on, achieved and confirmed collaboratively in an interactional setting. It is to say that the execution of institutional appropriateness is interrelational as much as it is self-expressive. The empirical dataset of this article centres on a public response in a long policy negotiation process that employs various sets of relational legitimacies for purposes of political persuasion. It does not include other turns in the negotiation but it represents a significant interactional scene on the policy arena, responding to the SES2+ proposal and addressing the EC directly as the opposite party in the negotiations. I will analyse the interactional properties of a monologic piece of discourse by focusing on the ways it is situated, recipient designed and organised, and what it implies about the role distribution between parties (Arminen, 2005, p. 118). To fully unravel the finesse of the intersubjective setting, I will complement neoinstitutionalistic framework with ethnomethodological insights on social action.

Ethnomethodology, coined by Harold Garfinkel (1967), is a research tradition that highlights the role of reflexive actors in accomplishing social order and practices. For Garfinkel, social action is not pre-organised by the projects, scripts or motives of individuals. Instead, it is intrinsically interactive and reflexive. It is based on sequential and situated mastering of competencies and mutually recognisable principles that need to be followed to render the activity intelligible to other actors and to successfully realise a particular situated context of action. Garfinkel objects to the idea of conceiving social actors as 'cultural dopes'. To be a social actor in a given situation is to acknowledge and accomplish a situated identity in reciprocity with other actors, constituted by mutually recognisable patterns and expectations of the given context of action. Accordingly, the processing of activities is not dictated by hidden underlying values, nor is it hidden in the minds of individuals; it is intersubjective and publicly visible in the accounts and orientations of actors as they go about their reciprocally unfolding action. From this perspective, a social relationship between actors, be it mundane or institutional, can be viewed as a communicative effort between participants manifested in the details of the methods they use to manage and regulate that relationship (Garfinkel, 2006, p. 99).

In ethnomethodological scrutiny, actor identities and situated practices are so profoundly intertwined that there are no norms without situated identity and no identity without situated norms (Garfinkel, 2006, p. 114). Most importantly, culturally shared rules and principles are not internalised automated mechanisms. They can be breeched at any

moment, only then is the actor made publicly accountable for the breech. Institutional interaction is a specific form a goal-oriented activity characterised by institutional tasks, identities and expectations (Drew & Heritage, 1992). This normatively guided framework maintains the foundational legitimacy of the institution, and it needs to be accomplished along with the other more specific goals in the encounter.

The way Garfinkel perceives the formation of a social group is particularly illuminating for the aims of this article. A group, such as actors within an EU process, does not carry on in the form of pre-determined roles. The group is rather a collection of practices and background expectations that place constraints on the methods situated actors can use to make sense of and construct meaning in any given situation. Essentially, a group does not 'exist'; it is 'meant' (made real and compelling) by the actors involved in the course of their action. According to Garfinkel, one can acquire membership in a group only when – and only for as long as – one is committed to a shared set of methods for producing a situation, and is recognised by others as being so committed (Garfinkel, 2006, p.44.). These constitutive rules or intersubjective expectations precede and define the domain of action (Rawls, 2009). Yet this does not refer to a fixed set of beliefs and values. In fact, it seems counter-intuitive to characterise modern people as a tribe unified by shared values (cf. Alasuutari, 2015b). Modern societies are intrinsically pluralistic, open and dispersed (Pietilä, 2010; Tönnies, 1887/1922). It is this pluralism which necessitates a form of 'civil morality' engaging social actors in producing recognisable meaning and order. Reciprocity, trust and a commitment to the process of reaching mutual understanding are necessary preconditions for a stable and meaningful modern life. From the angle of pluralism, the multi-layered EU represents an ultra-modern site within which actors acknowledge mutual commitments that cut through all the differences, as actors render the variety of identities in an orderly and recognisable manner. For Garfinkel, identities emerge and gain particular meaning in reciprocal interaction, whereby 'by your actions you tell me who I am, and by my actions I tell you who you are' (Garfinkel, 2006, p. 77). Normative expectations, including the world cultural ones, do play relevant part in policy-making, yet it is the actors in particular situated contexts that enact culture through their orientations and drive it forward in their activities.

Thus, instead of treating cultural factors as an underlying determinant structure, in this research, I investigate how cultural principles are deployed by reflexive actors in reciprocal interactional exchange within

an actual policy-making process. Ignoring ideas about pre-structured scripts or determinant norms, let us turn the empirical spotlight on particular discursive strategies intended to manage the local field of action and win the recipient's support for one's political claims. In the analysis I pay special attention to the regulation of institutional actor identities and mutual interrelations as rhetorical assets in EU policy negotiation. The concept of relational scaffolding aspires to reverse-engineer the 'logic of communication' in particular 'meaning context' by explicating how, indeed, the 'who said what to whom' – question is mobilised to serve political persuasion (Schmidt, 2008, p. 305). What follows is a detailed description of how the institutional standards of legitimacy and reciprocal evaluation can be used to make relational appeals to other actors in order to push them towards the most appropriate next step in the policy process.

Data and methods: Categorising actors in action

The data for this article comes from the middle of an illuminative negotiation process between the European Commission and the Member States concerning the second round of revisions for a law initiative launched by the EC initially in 2004. The Single European Sky (SES) programme, unanimously ratified by the Member States and the European Parliament, was set to harmonise practices in air traffic management within Europe to produce efficiency and cost-effectiveness, and to salvage the future of European air traffic struggling under rapidly increasing flight frequencies and a mounting pressure of external competition, enhanced especially by the Asian airlines. The initiative was widely supported by the Member States from the start. It was considered rational and well justified, but the implementation process met with trouble at many turns, resulting in several attempts to remodify the proposal with new drafts of regulations. These attempts had to go through the approval procedure, first in the Council (the heads of Member States) and thereafter in the European Parliament, in order to become law. The SES was launched and accepted in 2004, and the second version of regulations (SESII) was approved in 2009. The EC published the third and final proposal for revisions (SES2+) in June 2013. These documents (European Commission, 2004, 2008, 2013) provide the secondary source of material contextualising the core challenges in SES.

In the long and winding trajectory of SES negotiations, the primary data selected for this article came out in September 2013, only a few

months after the EC had introduced its latest – apparently final – proposals to revise the programme. The data sample is a public communique by the French Transport Minister summarising the sentiments of an unofficial minister meeting, 'Single European Sky – Delivering the future', held by the European transport ministers in Vilnius, Lithuania, 15–16 September 2013 to tackle the controversial issues the Commission put out in the SES2+ proposal. National Transport Ministers together with the Ministry of Defence, national security officials and air service providers represented the Member States in the SES negotiations. Organising an unofficial meeting amongst national Transport Ministers already implies on critical frontier towards the latest proposal. The Council report (Council, 2013) from the Minister meeting in Vilnius states that 'All the Member States supported the further implementation of SES' but 'majority of the Ministers considered that the Commission's proposal on SES2+ needs further refinement' and more patience in seeing wow the changes already done work out in the longer run.

As it later transpired, the June 2013 proposal was never accepted and, after some years of stagnation, the SES programme was frozen – or rather it lost its political momentum and dissolved into smaller technical projects to further the interoperability of European air traffic control. I have chosen this public communique for closer analysis because it is represented at a culmination point of the gradually failing and ultimately unsuccessful negotiation process. The communique is short but very dense in terms of interrelational justifications, which makes it an ideal sample for studying the rhetorical means of appealing to and exerting pressure on the other party in the negotiation. The term interrelational justifications here points to to a two-way orientation, which is simultaneously accounting for the normative standards explaining one's own prior action while addressing and guiding co-actors persuasively in the unfolding negotiation process.

The rhetorical game played by various relevant actors in the polarised discourse around the SES has been studied in earlier research (Alasuutari et al., 2019; see also Eising et al., 2015). This article, instead, highlights the rhetorical machinery a single actor possesses in portraying scenes of obliging identifications and convincing other actors of the proper steps to be taken in the policy process. Focus on a single actor allows evidencing that the communication is not about pursuing given interests. Neither is the speaker painting a tempting picture to affect the recipient's conceptions about the reality. Relational setting is more dynamic and reciprocal than that, consisting of shifting scenes of commitments which draw on

shared normative conceptions. It is to say that the logic of effects in the situation is transactional rather than causal or actor-centric (Selg, 2018).

The data example is a type of 'coordinative discourse' between decision-makers (Schmidt, 2008) in the EU context and centres on procedural and normative appeals to the other party in negotiating the regulations of a jointly ratified policy programme. My take on discursive strategies, especially in regard to normative standards stemming from foundational EU Treaties, acknowledges the duality of structure and agency in social interaction (Giddens, 1984). The situated and purposeful use of language is rooted in more enduring jointly recognised structures, which are documented, and ultimately actualised, in intersubjective exchange. The formulations of the communique provide an informative glimpse of the institutional setting and reciprocal positionings in the debate. In particular, the communique exhibits the strategic use of inter-relational angles and normative identifications that a political actor can deploy in pursuing political aims. The explication of this particular case adds to understanding the discursive dynamic conveying the European integration project in question and steering the path of a policy reform that all parties considered so rational and acute.

The metodological toolkit at the core of this research is membership categorisation analysis (MCA) (Housley & Fitzgerald, 2007), which incorporates the rich variety of theoretical frameworks listed above. Harvey Sacks (1972) introduced the idea of membership categorisations as a major principle organising cultural common sense among and about social actors. MCA derives from the theoretical legacy of the ethno-methodological tradition (Garfinkel, 1967) interested in situated inter-subjective sense-making practices of cultural members. A membership categorisation device (MCD) is a cultural inference-making machine (Sacks, 1995). It is a device used by the members themselves to recognisably define and identify actors in 'doing social life' (Fitzgerald, 2019). Membership in a category is not merely a linguistic label; it is tied to certain category-bound actions, attributes and expectations. Cultural categories tend to be further organised in the form of pairs and units with specific interrelational rights and responsibilities between the incumbents (Sacks, 1972).

Membership categorisations serve as actors' tools to maintain social order and control social relations, meaning that they are always embedded in a moral order as well (Jayyusi, 1984). The properties and features of a category are not fixed but can be proposed *in situ* to serve the intentions and activity at hand. Membership in a category can, for

example, be mobilised and split in two – into a group of co-members and cross-members – for the purposes of political justifications (Rautajoki, 2012). Categorisations provide a platform for the normative regulation of culturally shared identities in the public domain (Housley & Fitzgerald, 2009). I will analyse how membership categories function in the institutional setting and how they are used for purposes of persuasion in policy negotiation in the case of the SES. In particular, as the MCD is most often approached as a retrospective interpretative tool facilitating sense-making, I want to highlight the forward-looking and intentional use of categorisation. My research sets out to demonstrate the projective force of membership categories and their inferential effects in the use of political rhetoric and persuasion.

Empirical questions

How are identifications and interrelations instantiated in the policy debate on the SES?

What kind of categorical devices and relational positionings can be traced in discourse?

How are institutionally proper actor roles made relevant and persuasively deployed in the account of a national minister while negotiating an EU policy?

Interrelational devices in a communique on SES

Next, I will scrutinise in detail a piece of argumentation belonging to a long and complicated policy process. The following analysis is not to introduce the trajectory of the SES programme as a whole. Neither is the idea to describe the details of SES policies, not the governance process leading to this moment, nor the factual decisions following from the exchange of ideas manifested in the data. Events happening before or after the discursive scene of communique are not in the scope of inspection, even though they are partly projected in the formulations of the argumentation. The focus of the analysis is on persuasive strategies mobilised by this particular actor for the policy situation and political purposes at hand. My aim is to show the rhetorical relevance of actor identities on the arena of SES negotiations. What makes this single communique so illuminating is the rich variety of normative scenes and interrelational positionings a single actor can justly deploy in one piece of statement to regulate responsibilities (its own or the

EC's) discursively. The analysis delves deeper into the constitutive orders of political decision-making and highlights the use of institutional identifications in a concrete occurrence of political interaction. Explicating the discursive tools that achieve this, specifies our understanding of the strategies and premises upon which social change is negotiated. Wordings in the following seven figures are in their original form, as published in English in 2013. The argumentation is presented in the same order it appears in the communique. The underlining has been added by the author to mark out the key elements of the analysis.

From a union as a joint effort to an instrumental unit to be governed

The communique is very outspoken in its support for the goals of the SES programme. It starts by summarising the difficulty of the prevailing circumstances and points out that the SES is an excellent attempt to try and solve some of the challenges (Extract 1).

European Air Transport has been facing a difficult economic environment since 2006 notably due to reduced growth and increased competition from airlines in the Middle East. Under these circumstances, pressure on costs has become understandably a major stake to maintain profitability, and to preserve market shares and more generally the potential market.

Air traffic management is one of the areas among many which may contribute to this overall policy. That's why France strongly supports from the beginning the efforts aiming to improve the Single European Sky and played a crucial role during its EU presidency in order to facilitate the adoption of the "SES II" package. Unfortunately, the last proposals made by the Commission seem inadequate for numerous reasons.

Extract 1. Union with common goals.

The Transport Minister takes a positive stance towards the EC's SES initiative. There are problems ahead, but the EC has taken the right course of action to tackle them. Instead of just complying with the SES, the Minister states that France has indeed been active in furthering the prevailing package of SES regulations. In addition to highlighting the aspect of rationality in the SES programme, other rhetorical assets are

operationalised. The account mobilises a categorical unit, portraying a picture of a union framework in which the nation-state (France) and the EC stand side by side to pursue common goals. Thus, the actors are positioned as co-members of the same unit of political action. The actor roles of the state and the EC within this framework are treated as separate yet parallel and combined, and both are doing well in their endeavours. According to the account, the EC is searching for and proposing policy solutions to common problems and the Member State is working for the jointly agreed programme. This is what these institutions are expected to do to ensure a legitimate standing within the union. The expression of commitment by the representative of a Member State serves to build rapport in the negotiation and enhances the appropriateness of its own actions.

However, there appears to be a cloud on the horizon of the joint effort, as the Minister realigns the focus and mobilises a framework of instrumental co-ordination by criticising the concrete means by which the EC now proposes to achieve the ends. The shift of framework is marked by the contrastive 'unfortunately'. The instrumental framework introduces the perspective of unit membership, which emphasises the role and responsibility of the EC in co-ordinating the whole of the union for the benefit of all its smaller components by governing and successfully completing the regulated projects. The phrasing suggests that the EC is now threatening to stray from the path of common goals, thus also compromising the successful completion of the project as a whole.

From performance goals to the power balance between actors

The distance and valence of the interrelations between actors keeps changing in the argumentation. Extract 2 below starts by aligning the Member

There is no doubt that air navigation service providers must continue their efforts to modernize in order to achieve further gains over the next reference period 2015-2019, while securing resources for financing investments needed to support the deployment of SESAR. Being "ambitious but realistic" can best be achieved through performance scheme as it now stands and the current SES2 balance of powers transferred to the Commission should not be changed.

Extract 2. Power balance between separate territories.

State with the shared goals but ends by defending its own position in the setting (Extract 2).

In this extract, the Minister makes a clear statement and suggestion in regard to the next action in implementing the SES programme. At first, the statement again agrees with the goals of the SES (improving performance in 2015–2019), and states that the means so far adopted are working and should continue. National air navigation service providers are allocated a role as one relevant party in the project so long as they are provided with enough resources to keep up with all parts of the plan. This formulation already strikes a critical note; it is the EC which controls the resources. Then, the Minister quotes the SES2+ proposal, which is 'ambitious but unrealistic'. There is agreement on the level of principle but disagreement over the new SES2+ proposals. Reference to the SES2 agreement currently in force – not this time to its goals and outcome, but to the quotation of words found in the agreement paper – reveals the discrepancy between the major actors in the SES setting. The details of collaboration in the union are controlled by agreements and these agreements are crucial in renegotiating and mapping the chain of capacities, command and power in the policy processes. This is particularly tricky from the perspective of state sovereignty, which within the EU often needs to bargained. In the final sentence, the Minister refers explicitly to the balance of power in the setting, which should not be changed in favour of the EC as the new proposal apparently suggests.

This discrepancy mobilises a hierarchical framework characterised by contrastive cross-membership. In this relational setting, the EC and the nation-state share a union, but remain separate entities which in many practical ways are in opposition to one another. This frame suggests that the union and political action within it are not only constituted by rational or national values, but most relevantly also by the logic of agreement. Agreements regulate the relations between actors, controlling contradictions and guiding actions in the policy process. Mere reference to an agreement – a proposal that has been made by the EC and accepted by the EU Parliament and the Council – suffices to enact the principles and obligations binding on both parties. Reference to agreements can in fact serve as a vehicle for interrelations in a positive or negative light. Mobilising the commitment to an agreement may draw on the principles of the union as an embodiment of the joint effort. Conversely, the threat to jeopardise the agreement can be used as an ultimatum and a sign of violating the territories of the separate entities in the shared constellation.

Asymmetry and evaluation

The EC is often criticised for its authoritative and forceful role in EU policy regulation and administration. The EC drafts the regulations and, once a policy has been accepted and ratified, it is accorded a superior role as an administrator in the implementation process. Interestingly, from an interrelational perspective, this hierarchical structure does not afford it an intact position. On the contrary, asymmetry like this is grounded in institutionally agreed principles that justify its existence and provide the benchmark for its legitimate action. These institutional principles and expectations establish the jurisdiction of appropriate action, which can always be shifted back to the actor, in this case, the more dominant EC. Ultimately, a hierarchical relationship can only be accomplished and actualised in a joint effort on the part of all participants. Critical evaluation provides a method for resistance in matters of different of opinion. The Minister is using this tool to pursue specific aims in policy negotiation (Extract 3).

However, the obligation to change the statutes of air traffic control (ATC) providers, the

unbundling of other services and putting them into competition, would with no doubt create

massive disturbance, and absorb a huge energy then diverted from our priorities, possibly

increase costs, and likely open social crisis. This would be highly counter productive.

Extract 3. Instrumental frame and counter productive means.

In between supporting some of the policy proposals, the Minister performs another contrastive distancing and lists the presupposed consequences of a policy proposal to which France objects. The choice of the word 'obligation' already implies a repressive relationship. According to the Minister, a massive disturbance, waste of energy, increase in costs and 'open social crisis' will ensue from the proposed reforms to the SES programme. He states that the new set of proposals would work against the shared goals – against 'our priorities' – thus mobilising co-membership and the union framework. Furthermore, it is claimed that the proposal would be highly 'counter productive' in terms of the whole project, thus working explicitly against the successful completion of the programme and threatening the output legitimacy of the EC. A similar emphasis is found in the following (Extract 4).

The proposed changes <u>do not appear justified</u> and would create far more difficulties, without really ensuring more efficiency – rather <u>hampering efficiency, to the opposite</u>.

Extract 4. Opposite effects.

The Minister refutes the justification for the proposed changes and then lists the negative effects, which are exactly the opposite of the efficiency and stability the co-ordinator of the union should eventually strive for. A similar evaluative spotlight is turned on the proposals of the EC in the next figure, this time by mobilising values from the territorial hierarchical framework (Extract 5).

Some changes of the EASA basic regulation may be discussed, e.g. provisions for interoperability. However, numerous changes to procedures through delegation acts go too far. The national supervisory authorities should be left free to decide on the use of their resources. And <u>the States'</u> <u>responsibility for safety over their territory should not be undermined</u>.

Extract 5. National safety.

Here the Minister admits the acceptability of some changes and expresses his readiness to progress with them. He then takes a step back with the contrastive 'however' and states that many of the other changes go too far, instantiating the territorial lines of proper action from the nation-state's perspective. The sovereignty issue is even more underlined in the concluding sentence, which stipulates that the states' sovereignty and safety are the rights and responsibilities of national standards and should not be encroached on.

Rationality versus relations in legitimation

It is integral to realise that the categorisations formulated by the actor are not innocent descriptions nor a mere expression of identity. They are projective devices that make relevant particular actor positions and inter-relations with their respective rights and responsibilities. This is evidenced by the rich variety of categorical constellations. To complement the usual 'why this here' question ubiquitous in the study of social interaction, these accounts respond to identification-relevant questions. They address questions such as 'who are we', 'who am I to us', 'who are you to

us', 'who are you to the whole unit' and 'who am I irrespective of you' within this policy-making process. Below a simplified illustration of the interrelational devices used in the communique (Figure 1).
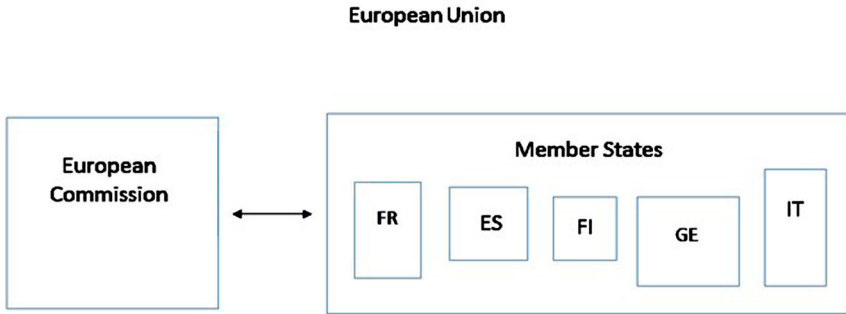

Figure 1. Union framework – joint goals. Combining co-membership between the states and the EC.

The figure presents a relational setting in which the EC and the Member States (to mention only a few) are combined by joint effort to achieve the commonly decided goals. The relationship is parallel rather than hierarchical and highlights the positive relation between the two entities.

Figure 2 illustrates a relational setting that comprises separate entities. The relationship is hierarchical and more critically loaded than the union
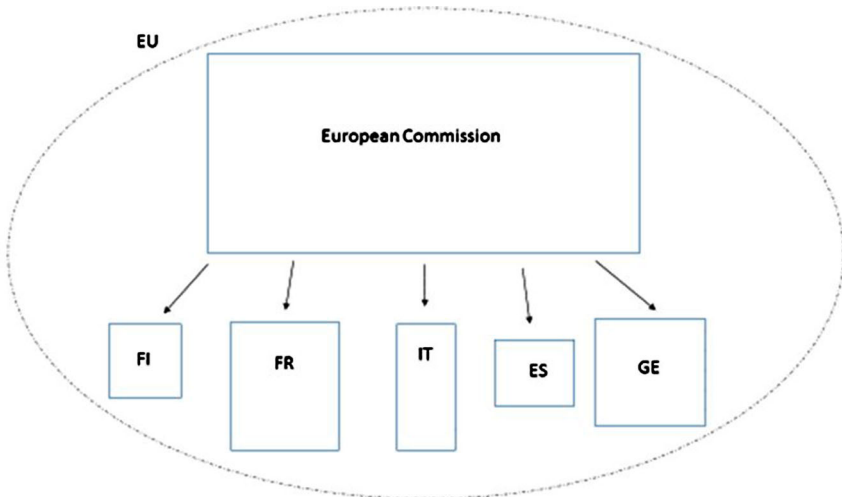

Figure 2. Hierarchical framework – separate entities. Territorial cross-membership between diverse components.

framework. Both the Member States and the EC reside within the scope of the union, but they inhabit diverse territories with potentially different preferences.

Figure 3 the relationship between the EC and the Member States is mediated by a greater unit. In this relational setting, the states are beneficiaries located farther apart in the upper level of the whole, whereas the EC holds a central position, governing and co-ordinating the whole and maintaining its balance and functionality.
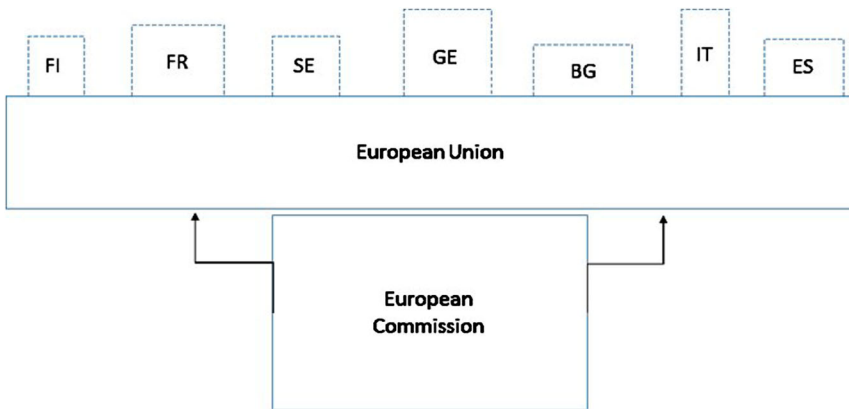

Figure 3. Instrumental framework – coordination and completion of the goals. Pragmatic unit-membership intermediated by the greater entity.

These three relational settings are not mutually exclusive at the level of argumentation. Quite the opposite, different frameworks with their respective values, principles and positionings can be used quite flexibly to scaffold the claims the Minister is making (Extract 6).

At the end of the communique, the Minister starts with the union framework by expressing his country's commitment to the common goals, thus exhibiting the virtues of a Member State (framework 1). However, the communique then states that the latest proposals are excessive; they cross the appropriate line between institutional entities, and they are too hasty (framework 2). The Minister further argues that the instrumental conclusions have been drawn too quickly. The latter part of the account sticks to the territorial framework, emphasising national values and demanding respect for the culture and practices of individual nation-states, which in themselves date way back to times prior to the union.

As a conclusion, France supports the continuation of efforts towards the objectives of the Single European Sky. However, the proposals made by the Commission are excessive in too many areas and too early to discuss.

On one hand, <u>the culture and organisation in the various countries should be respected</u>. As far as it is concerned, France believes the results achieved by both its national supervisory authorities and the air navigation service providers, in terms of safety and performance, do not question its organization. <u>One size does not fit all, and local historical logic must be respected unless linked adverse results are proven.</u>

Extract 6. Commitment, cultural respect, and compliance.

The last sentence mobilises culture and respect again but also underlines objection to forceful harmonisation, concluding that the lack of respect may compromise the compliance of participants leading to detrimental consequences for the project as a whole (framework 3) (Extract 7).

Moreover, <u>it seems absolutely necessary to give sufficient time to benefit and measure the positive results of the several reforms</u> currently being implemented (performance regime, role of the network manager, SESAR deployment, etc). Producing legal and organisational uncertainty, <u>the EC proposals would induce detrimental disturbance </u>for the industry and the NSAs <u>and adverse effects hampering the pursuit of our priorities</u>. That is why <u>France strongly advises concentrating ourselves on the pursuing of all the efforts already commonly decided and undertaken</u>.

Extract 7. Functionality of measures and agreement appeal.

The ending of the communique assumes a slightly more positive, albeit also demanding tone, stating that sound decisions have already been made and greater patience should be exercised to see how they work. The slow progress is, in fact, one of the reasons for the new SES2+ revisions by the EC. The Minister nevertheless calls for further patience to avoid disturbances and uncertainty in the whole setting, which might upset the balance of the industry and jeopardise the common goals. To conclude, there is strong encouragement to keep pursuing the efforts 'already commonly decided upon and undertaken'. The phrasing

evokes the union framework – that is, the appropriate procedure to follow in EU legislation: democratic decision-making, jointly ratified and binding agreements, and mutual commitment to those goals. The argumentation is not only about the rationality of the proposal but the procedural premises are also reinforced. Throughout the paper, the Minister has expressed France's commitment to the joint effort, highlighting that it has kept its side of the deal: France supports the programme and has taken action to pursue the goals. The emphasis works as a persuasive vehicle to pressure the EC not to transgress common agreements.

From a relational perspective, the activities in political negotiation are reciprocal and linked to legitimate actor identifications and inter-relations. One's own strong effort can be used as a means to push and compel the other actor to maintain the union framework and act accordingly. Otherwise, there is a risk of slipping towards the defensive territorial framework, which ultimately risks 'adverse results' in completing the programme successfully. Deploying 'relational scaffolding' in picturing the political scene allows the actor to make moves in political negotiation and persuade the other actor of the most appropriate steps to be taken in the policy-making process.

Discussion and conclusions

Multilevel conclusions can be drawn from the observations of this article. The relational frameworks mobilised in the communique operate in the threshold of state sovereignty and union responsibilities. Whereas a modern state is constituted by principles such as sovereignty, autonomy, integrity, national security and cultural uniqueness, membership in the union entails reallocating governance, compromising on decision-making power and committing to common goals in return for collaboration in advancing collective progress, economic advantage, efficiency and peace. In the EU multilevel principles complicate policy-making processes, as the framings in discourse can easily be alternated (Saurugger, 2013). This research has shown the rhetorical implications of parallel normative frameworks co-existing in EU discourse. Several sets of standards surface in the argumentation on EU legislation. The prevalence of this 'multi standard', however, does not infer that European actors are being insincere in their actions. On the contrary, commitments are expressed and accomplished at the level of many standards simultaneously (Rautajoki & Pi Ferrer, 2022). Multiple normative frameworks are treated as relevant, influential and worthy of use in argumentation of

the Minister. The detailed analysis of interrelational identifications high-lights an important rhetorical asset actors deploy in politics and offers methodological tools to explicate the premises of political argumentation within discursive institutionalism in general.

The situated relevance of identifications feeds into meso and macro level inferences as well. The careful maintenance and management of multi standard in the argumentation indicates how various legitimacies infuse in justifications. Both normative frameworks – that of a nation-state and that of a union are oriented to, instantiated and actualised sim-ultaneously, in the form of a 'memberstatehood' (Bickerton, 2013). The wordings of the communique treat several sets of interelational standards as shared and effective landmarks of legitimation embodying enough projective force to make compelling appeals to the opposite party in the debate. This evidences how, national interests and functional benefits aside, political justifications are impregnated by mutual commitments.

The concept 'relational scaffolding' introduced in the article, refers to the deployment of identifications and normative interrelations in politi-cal persuasion. It depicts how actors draw on commitments in the act of political persuasion. In a concrete communicative setting, the rhetorical strategies chosen are linked to the interactional setting at hand (Pi Ferrer & Rautajoki, 2020). To be effective, discourse needs to be context sensi-tive and yet structurally rooted, referring to 'the virtual order of relation-ships beyond time and space' which needs to be enacted in situated practices (Giddens, 1984). Relational scaffolding depicts how actors mobilise shared expectations bound to actor identities and normative relationships in situated interactional use. As a persuasive measure it speaks *in the name of the institution* rather than outside of it, actively combining the 'institutional meaning context in the background' with the 'foreground discursive abilities' of an actor the 'foreground discursive abilities' of an actor (Schmidt, 2008, pp. 215–216). The scaffolding work done by the Minister shows that multiple standards are relevant and matter as vehicles of actual integration processes taking place in real-life discursive practices. Enacting the standards enforces them and, in return, these local choices contribute to renewing and constituting the relevancies of the polity. After all, like any institution, the EU lives on through discursive enforcement.

The maintenance of institutional legitimacy is the result of a perma-nent framing process (Saurugger, 2013; Schmidt, 2013). To understand the nuances of political persuasion, necessitates seeing the aspect of

legitimacy subject to ongoing monitoring in discursive processes in which structural factors enable and add competence as much as they restrict action (Giddens, 1984). Identifications mobilised in the communique make use of several principles found in the legitimating work within the EU (Carstensen & Schmidt, 2018). The instrumental unit-membership framework is connected to *output legitimacy*: the ultimate success and outcome of policy-making. Co-membership in the union framework leans on *throughput legitimacy*: the procedure and effort towards commonly agreed principles and goals. Whereas the territorial cross-membership framework draws on the *input legitimacy*, the idea of inclusion and equal say on decisions.

Negotiating a policy reform is also about instantiating a polity and enacting actor positions within particular institutional setting. This is accomplished by making specific structural elements relevant in interactional exchange. Yet, norms and principles cannot be seen as rigid structures that determine action straightforwardly. As demonstrated, the aspiration towards rationality is but one principle guiding the direction of activities in policy-making (cf. Boli & Thomas, 1999). Rational premises can be challenged and undermined by other recognizable principles, such as those deriving from identifications, interrelations and commitments between actors. In an ethnomethodological inspection, actor identifications, constituted interactively in a highly occasioned manner, come out as reflexive methods to organise and accomplish action. These contextual positionings are purposeful and flexible, shifting along the course of the action. Futhermore, the frameworks constructed must flourish in the intersubjective, and ultimately in the societal, realm: to be influential the grounds of appeals must be culturally shared (see Kessler, 2016). Following a transactionalist conception of power (Selg, 2018), the effective factors in the persuasion work through identifications are interactional and reciprocal. In this setting, power operates constitutively, as the function of social relations.

The observations made on identifications reach beyond the context of EU negotiation. The added value of this research is in introducing the perspective of interrelational devices in political justification which highlights an integral layer in discursive meaning-making and persuasion. It states that the institutional logic of appropriateness is not only self-expressive. The core argument of this article is that, in studying political rhetoric, it is not sufficient to concentrate merely on how speakers construct convincing versions of the world. Most intrinsically, it must also involve the setting of reciprocal interaction and observe legitimate

identifications within that action. Normative expectations embedded in institutional actor categories serve as a resource to set the scene for the appropriate next action in the policy process. Accordingly, actor-related normative expectations can be enacted to guide, evaluate, pull and push towards action. Eventually, identifications mobilised by reflexive actors in discursive interchange constitute and actualise institutions and their interrelations as living practices, and they play a crucial part in guiding the processes through which any social change is negotiated (on empirical applications of the approach see Pi Ferrer & Rautajoki, 2020; Rautajoki & Fitzgerald, 2022; Rautajoki & Pi Ferrer, 2022).

Identities do not only play an ever more relevant role in the European integration (Börzel & Risse, 2018), identifications and commitments are an integral part of any political interaction. This article makes no claims about the distribution of interrelational frameworks found in the analysis or their generalizability in the EU discourse. Yet it argues that, as relational models, they contribute to crystallising the logic of normative persuasion and justifications amongst political actors in the EU. The approach also facilitates overcoming the structure-agency divide in the analyses of integration discourse. As a political community, the union prevails, intensifies and shatters through public accounts. In fact, one has to wonder whether the upgrading of rationality in neoinstitutionalist theoretisation is a reflection of modern preferences prone to overlook the deep-rooted premises we take for granted. The recently burst Russian war in Ukraine has given the whole world a reflection of a setting in which external commitments get sidelined for rationalised goals. Acknowledging and understanding the relational dynamics of appropriateness is crucial in understanding the political world we live in.

The final contribution of this article is methodological. Membership categorisation analysis provides a perceptive analytic tool to grasp the reflexive multiplicity of identifications in political rhetoric and persuasion within a political process. Detailed investigation of a single case sheds light on the dynamics of negotiating a reform and the obliging features of a polity that surface in discourse among policy actors. Pursuing interests, ideas and benefits is intrinsically entangled with 'reciprocal institutional appropriateness'. MCA puts out on display actors' routine orientation to constitutive orders and 'category-organised social knowledge' (Fitzgerald, 2012). As normative expectations embedded in actor identities enable their active use in evaluating the action of and between actors (Sacks, 1972), this article has demonstrated how

category-bound interrelational normativity can be harnessed to regulate institutional legitimacy in political negotiation. Actors deploy identification-based 'norms-in-argumentation' projectively in their effort to persuade other actors to go along with their political claims in the policy-making process.

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Data availability statement

The dataset on public documents associated with the paper can be found in an open archieve Zenodo https://zenodo.org/record/3517018#.Xb5k16_kvIW.

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